

WORLD WIDE DAY OF GENITAL AUTONOMY 2021

Country	GENERAL LEGAL CONDITIONS			EXISTING LAWS CONCERNING FORCED GENITAL ALTERATIONS ON CHILDREN UNDER LEGAL AGE							
	UN-CRC	Law: Right to bodily integrity	Law: Children's Right to violent-free upbringing	legalizing FGC/M	banning FGC/M	legalizing MGC/M	banning MGC/M	legalizing IGC/M	banning IGC/M	legalizing Trans*-GC/M	banning Trans*-GC/M
Europe		2000 (CFR) Charter of Fundamental Rights Article 3 Right to integrity of the person	1998 Corporal punishment practice declared illegal by the European Court of Human Rights								
USA	1995 (signed, not ratified)	no specific provisions regarding the rights one has with respect to their physical body or the specific extent to which the state can act upon bodies			1996, 2018 ¹						
Argentina	1990 (signed) 1990 (ratified)		2005	No data found							
Australia	1990 (signed) 1990 (ratified)		Family Law Act 1975; Australian Human Rights Commission Act 1986		1994, revised in 2010						
Austria	1990 (signed) 1992 (ratified)		Federal Constitutional Act on the Rights of Children 2011		2002				2018		
Belgium	1991 (signed) 1992 (ratified)				2001 (little applied)						

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Canada	1990 (signed) 1991 (ratified)		2004 Supreme Court of Canada says yes to "soft" spanking		1997						
China	1990 (signed) 1992 (ratified)		1991, Law on the Protection of Minors	No data found							
Denmark	1990 (signed) 1991 (ratified)				2003						
Egypt	1990 (signed) 1990 (ratified)				2008						
Finland	1990 (signed) 1991 (ratified)				2015						
France	1990 (signed, ratified)	1994 Civil Code article 16-3	1889 ² 1898 ³ 2019 ⁴		1979 first lawsuits won 1983 ⁵ 1994 Penal Code	2004 ⁶	1889 ⁷ 1994 Penal Code, but "tolerance"			2016 In order to change sex, you had before to sterilise yourself.	
GB	1990 (signed) 1991 (ratified)	1967	Children Act 1989		1985						
Germany	1990 (signed) 1992 (ratified)/ 2010 ⁸	1949	2000		2013	2012					
Indonesia	1990 (signed) 1990 (ratified)				2006, 2014 ⁹						
Iran	1991 (signed) 1994 (ratified)				2013						

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Israel	1990 (signed) 1991 (ratified)		1977 (Penal Law, 5737)	Still not criminalised (as of March 2020)							
Japan	1990 (signed) 1994 (ratified)		Child Welfare Act of 1947; Child Abuse Prevention Act in 2000	No case of FGM reported							
Kenya	1990 (signed) 1990 (ratified)		2001 Children Act		2001						
Malaysia	1995 (ratified)			Still not criminalised (as of March 2020)							
Malta	1990 (signed) 1990 (ratified)				2010				2015		
Norway	1990 (signed) 1991 (ratified)				1995	2015					
Russia	1990 (signed) 1990 (ratified)			Still not criminalized (as of March 2020)							
South Africa	1993 (signed) 1995 (ratified)				2003	2005?					
Sweden	1990 (signed) 1990 (ratified)		The Children and Parents Code 1979		1982	2001					
Switzerland	1991 (signed) 1997 (ratified)				2012						

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Turkey	1990 (signed) 1995 (ratified)			Not clear ¹⁰							

Keynotes:

¹ Criminalised federally in 1996, but federal law declared unconstitutional in 2018. New federal law passed in 2021. Specifically criminalised in 38/50 states as of May 2020.

² law on the forfeiture of fathers on trial Unworthy - organises paternal forfeiture, when he appears that children are abused or morally abandoned

³ law aimed at repressing violence, assault, acts of cruelty and attacks committed against children (remains a dead letter)

⁴ prohibition of "ordinary educational violence" (spanking forbidden)

⁵ The decision of the Criminal Division of the Court of Cassation recognised the criminal nature of sexual mutilation, considering that the removal of the clitoris was indeed a mutilation within the meaning of the French Criminal Code.

⁶ The Council of State, in its public report "Un siècle de laïcité" (A Century of Secularism), states "Accepted religious practice, ritual circumcision ...".

⁷ Prohibition of the ritual aspiration of the blood of the foreskin by the peritomist during the of Jewish circumcision, has never been taken into account

⁸ Limited ratification 1992

⁹ Criminalised in 2006, medicalised in 2010, then re-criminalised in 2014 but without punishments. Present legal status unclear

¹⁰ There have not been substantial research into FGM in Turkey. There is some evidence to suggest that FGM exists in this country. It is reported that FGM is practiced by regions inhabited by Kurdish minorities.