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**Karmen Tornius (She/Her)**

PhD Fellow, Danish Institute for International Studies/ Roskilde University

E-mail [kato@diis.dk](mailto:kato@diis.dk)

Twitter [@karmentornius](https://twitter.com/karmentornius)

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Worldwide 59 countries have passed laws against Female Genital Mutilation.

Of the 29 countries in **Africa** where female genital mutilation is practiced, **26 have laws prohibiting Female Genital Mutilation.**

Ending FGM is my **African Culture**



Source: African Union Women Gender and Development Department twitter account



## Objective

- What is the problem of gendered violence represented to be in the AU approach?
- Negotiating culture in eliminating gender-based violence
- The Maputo Protocol – a moment of triumph, a moment of nuance
- Post-Maputo policies and frameworks

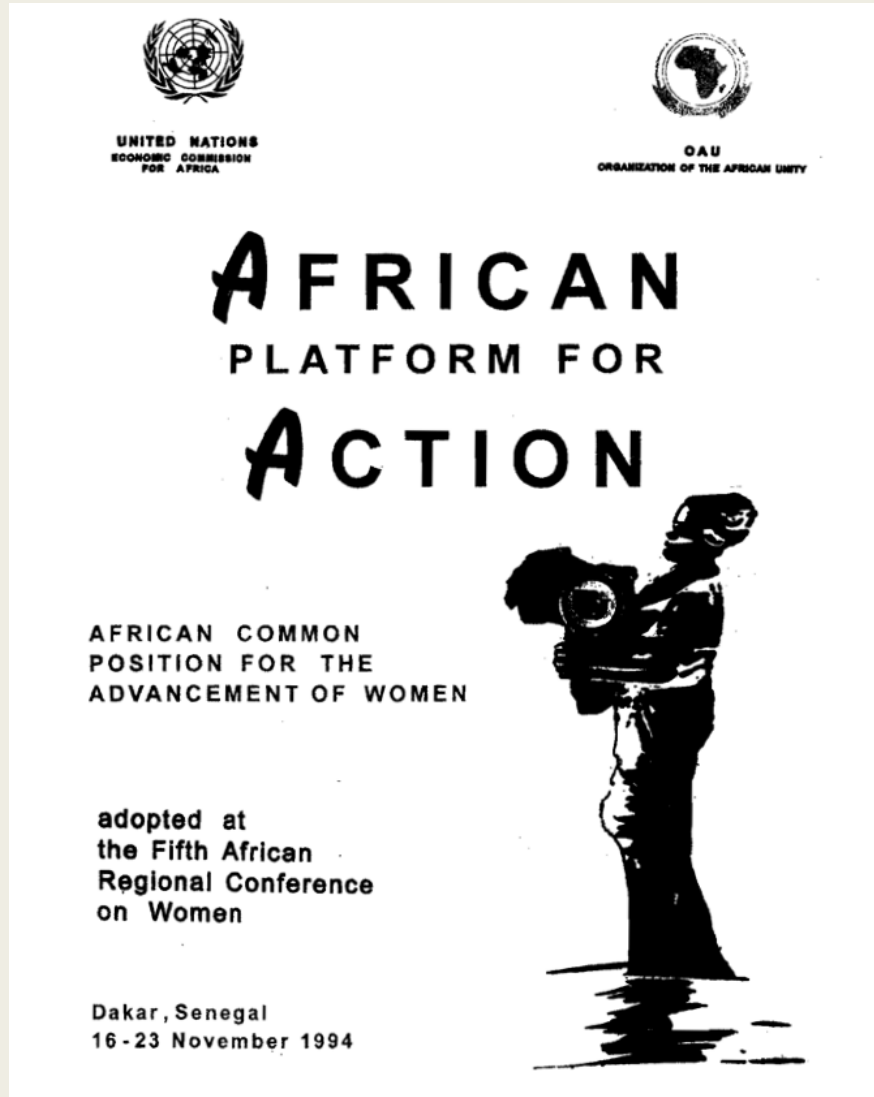
# Method

- Interpretive content analysis – WPR approach to policy analysis (Bacchi 2009)
  
- Documents Analysed<sup>1</sup>:
  - African Regional Conferences on Women (prep. UN World Conferences on Women)
  - African Union policy and legal frameworks
  - Global normative frameworks, adopted by the UN member states

<sup>1</sup>List of documents can be found at the end of the presentation

# Unsettling culture/violence/rights entanglements

- Culturalist take
  - Pathological culture – reproducing ‘third worldism’
  - Non-normative factors - history, institutions, (global) political economy
  - Internal (cultural) resources
- The construction of policy problems
  - Not value free, out there to be solved
  - Decolonial critiques – connected histories, governing gender, constructing ‘traditional’ and ‘cultural’



## Changing representation of culture

‘Cultural practices should be developed to enrich the ways in which we work, relate and live without perpetuating negative and inequitable social, economic and political relationships.’

(Arusha Strategies 1985, Article 16, p.7.)

# The Maputo Protocol

‘Eradicate elements in traditional and cultural beliefs, practices and stereotypes which legitimise and exacerbate the persistence and tolerance of violence against women’  
(Maputo Protocol 2003: 8)

- Beyond progressive articles
- Nuance and complexity – contextualisation
- ‘Harmful Practices’ not harmful traditional practices

# Rolling back on culture

‘Reinforce legal mechanisms that will protect women at the national level and end impunity of crimes committed against women in a manner that will change and positively alter the attitude and behaviour of the African society’ (SDGEA, Article 4)

- Gendered violence as overwhelmingly social, cultural, traditional and/or customary problem

# The problem of culture

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creative and emancipatory potential

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historizing the 'cultural' and 'traditional'

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oversimplified and one-sided view of 'culture' can undermine the goal

# Conclusions and meditations

- Development interventions that are fixated on 'traditional and religious leaders'
- Culture is already political, dynamic, changing, contestational – how can these features be mobilised in practice?
- What are the regional specificities of governing gender (equality)?

# Documents used for the analysis

## African Regional Conferences on Women (preparation for UN World Conferences on Women)

- The Arusha strategies for the advancement of women in Africa: beyond the end of the United Nations decade for women (The Arusha Strategies, 1985)
- The Abuja Declaration on Participatory Development (The Abuja Declaration, 1989)
- African platform for action: fifth African regional conference on women (African PoA Senegal, 1994)

## African Union policy and legal frameworks

- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol, 2003)
- Solemn Declaration of Gender Equality in Africa (SDGEA, 2004)
- Continental Policy Framework on Sexual and Reproductive Health Rights (SRHR Policy, 2006)
- Maputo Plan of Action 2007-2015 (MPoA, 2006)
- African Union Gender Policy (AU Gender Policy, 2009)
- ACHPR General Comments No 1 (Article 14) and No 2 (2014)
- Revised Maputo Plan of Action (MPoA II, 2016)
- AU Gender Strategy (2021)

## Global normative frameworks, adopted by the UN member states

- Convention on the Elimination of all Forms of Discrimination against Women (CEDAW, 1979),
- Declaration on Elimination of Violence Against Women (DEVAW, 1993)
- Vienna Declaration and PoA (1993)
- Fourth World Conference on Women in Beijing and Beijing Platform for Action (BPoA, 1995).
- UN Security Council resolution 1325 on women, peace and security (2000)