

# Zero tolerance for female genital mutilation

As part of broader efforts to combat all forms of violence against women and girls, the European Union (EU) is committed to working collectively to eradicate female genital mutilation (FGM) and to supporting its Member States' efforts in this field. The European Commission assesses EU measures to combat FGM every year, on or around 6 February – the International Day of Zero Tolerance for Female Genital Mutilation.

# Facts and figures

Female genital mutilation (FGM) includes all procedures that intentionally alter or cause injury to the female genital organs for non-medical purposes. FGM is carried out for cultural, religious and/or social reasons, mostly on young girls between infancy and the age of 15. It has no health benefits and can have serious immediate and long-term effects on health and wellbeing, as well as considerable healthcare costs.

The exact number of girls and women affected by FGM is not known, but the United Nations Children's Fund (UNICEF) <u>estimates</u> that, worldwide, at least 200 million women and girls have been 'cut', while around <u>4 million girls</u> are at risk of undergoing FGM every year. The practice, which is most common in 28 <u>African</u> countries, is also <u>prevalent</u> in parts of the Middle East and Asia, and is reported to a lesser extent elsewhere. Analysis and modelling by UNICEF and the UN Population Fund shows that prevalence has fallen in some regions, but progress could be neutralised by <u>population growth</u> in high-risk areas and 'stagnating efforts' to combat FGM. Since the coronavirus pandemic, <u>multiple crises</u> have blocked progress, putting more girls at risk of FGM and disrupting prevention efforts and access to support services. <u>Clinics and hospitals</u> practicing FGM, contrary to medical ethics, is a <u>growing</u> challenge.

Official EU-wide data on the prevalence of FGM in Europe are lacking. Four <u>studies</u> to map FGM, conducted by the European Institute for Gender Equality (EIGE) between 2012 and 2020, found that there are victims (or potential victims) in at least 16 EU countries: Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Spain and Sweden. The European End FGM network <u>estimates</u> that over 600 000 FGM survivors live in Europe and 180 000 girls are at risk in 13 countries alone. Around 20 000 women and girls from FGM-practising countries <u>seek asylum</u> in the EU every year, with an estimated 1 000 asylum claims relating directly to FGM. This number has grown steadily since 2008.

### Commitments and action to combat FGM

FGM is a form of child abuse and gender-based violence, and is recognised internationally as a violation of the human rights of girls and women. The practice also violates a person's rights to health, security and physical integrity; the right to be free from torture and cruel, inhuman or degrading treatment; and the right to life in cases where the procedure results in death. Measures have been adopted at international, EU and national level to prevent FGM and to protect FGM victims.

#### Instruments and action at international level

At <u>international level</u>, United Nations (UN), African Union and Council of Europe standards are benchmarks for work to combat FGM. Key treaties, including the <u>Convention on the Elimination of All Forms of Discrimination against Women</u> (CEDAW), the <u>Convention on the Rights of the Child</u>, and the <u>Geneva Convention</u>, all cover FGM indirectly, with <u>specific guidance</u> on protection and asylum for victims. In Africa, the 15 parties to the <u>Maputo Protocol</u> have committed to eliminate FGM (<u>Article V</u>). The Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence (<u>Istanbul Convention</u>), is the <u>first treaty</u> to recognise that FGM exists in Europe (<u>Article 38</u>), and sets out specific obligations on preventing and combating the practice and providing support for victims and those at risk.

The UN's longstanding efforts to end the practice culminated in its <u>first specific resolution</u> on FGM in 2012, calling for the adoption of national action plans and comprehensive strategies to eliminate it. The UN 2030



Agenda for Sustainable Development identifies FGM as a <u>harmful practice</u>, to be eliminated by 2030 (<u>Goal 5</u>). The UN has named 6 February the <u>International Day</u> of Zero Tolerance for FGM, and the <u>European Commission</u> takes stock annually, around that day, of EU efforts to combat FGM.

## EU legislation, policy and funding

The EU currently has no binding instrument designed to protect women from violence, but certain aspects come within the scope of existing EU law. The Treaties and the EU Charter of Fundamental Rights affirm the principles of gender equality and non-discrimination, guaranteeing the right to dignity and including provisions on the right to physical and mental integrity. The Directive on Victims' Rights (2012) requires provision of support services for victims of FGM, which would be strengthened by a proposed revision. The current asylum directives (2013) are relevant for asylum seekers affected by or at risk of FGM. The revised reception conditions and qualification directives, due to be formally adopted in 2024, should enhance protection for FGM victims. The Commission has also proposed a directive on combating violence against women and domestic violence, which would criminalise FGM across the EU, set a maximum prison sentence of at least five years for perpetrators and improve support for victims. The EU became a party to the Council of Europe's Istanbul Convention in October 2023; one aim of the directive is to implement the Convention's objectives in areas of EU competence, including judicial cooperation in criminal matters and asylum policy.

Combating gender-based violence, including FGM, is one of the priorities of the EU's <u>external action</u> and its internal strategies on <u>children's rights</u> and <u>gender equality</u>. In 2013, the EU recognised the need to adopt a coordinated approach to combating FGM, setting a <u>framework</u> for mainstreaming across the fields of justice, police, health, social services, child protection, education, immigration and asylum and external action. The objectives include developing reliable EU-level data, improving access to support and justice for victims, raising awareness among relevant professionals and communities, ensuring that EU asylum and victim protection legislation is implemented effectively and promoting the elimination of FGM worldwide. To supplement this framework, the Commission will issue a <u>recommendation</u> on preventing and combating FGM and other harmful practices; initially scheduled for 2022, it is now <u>expected</u> in 2024.

Funding for tackling FGM is provided through the joint EU-UN <u>Spotlight Initiative</u> and EU funding programmes, notably the longstanding <u>Daphne</u> strand, which continues under the <u>Citizens</u>, <u>Equality</u>, <u>Rights and Values programme</u> for 2021-2027. The Commission has <u>accepted</u> the need for <u>more effective tracking</u> of the Spotlight Initiative funding allocated to fighting FGM. It has also <u>recognised</u> that, in pursuit of SDG Goal 5, further action is needed to raise awareness in the communities concerned within the EU.

#### National-level instruments against FGM

Many of the <u>actions</u> needed to end FGM now lie within the competences of the Member States. FGM is a prosecutable offence under <u>national law</u> in all Member States, either as a specific criminal act or as an act of bodily harm or injury. However, very few <u>cases</u> are brought to court. A number of Member States have also developed <u>national action plans</u> on FGM. Continuing issues of concern include barriers to reporting and successful prosecution, victim support, and ways to ensure long-term, sustainable cultural change.

## **European Parliament position**

The European Parliament has played an important role in raising awareness and pushing for firm action on FGM, including through the work of its Committee on Women's Rights and Gender Equality (FEMM). Parliament adopted resolutions on FGM in 2001, 2009, 2012, 2014, and 2018, calling on the Commission and Member States to provide the legal and other means required to raise awareness, protect and support victims and ensure that offenders are prosecuted. Parliament has <u>called for</u> appropriate protection for women and girls seeking asylum on grounds of FGM. In 2020, it set out its own <u>recommendations</u> for an EU strategy to put an end to FGM around the world and, in 2021, called for <u>coordination</u> of external and internal action. Parliament <u>welcomes</u> the planned recommendation and <u>demands</u> stronger provisions on accessible specialist support for FGM victims in the proposed directive on combating violence against women.

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