

# Advisory Committee on Equal Opportunities for Women and Men

## Opinion on an EU initiative on female genital mutilation

*The Opinion of the Advisory Committee does not necessarily reflect the positions of the Member States and does not bind the Member States*

Final version

## 1. Introduction

Female genital mutilation (FGM) comprises all procedures involving partial or total removal of the female external genitalia or other injury, to the female genital organs for non-medical reasons<sup>1</sup>. FGM is mostly carried out on young girls between infancy and the age of 15. The most typical age is 7 - 10 years or just before puberty, although reports suggest that it is dropping in some areas. It is practised by families often in the belief that it is beneficial for the girl or woman and is related to the social control of women's sexual and reproductive rights. It is part of the continuum of violence against women and constitutes an obstacle to equality between women and men, a form of child abuse and violence against women and girls. It has severe short and long-term physical and psychological consequences. As such, FGM stands in opposition to the EU principles, in particular respect for human rights, equality between women and men, and the EU's duty to protect human dignity and the rights of the child.

FGM is practised predominantly by a small group of migrants from specific African, Middle-East and Asian countries (or parts of these countries). In the EU-countries where victims or girls and women at risk of FGM live, there is evidence of the practice occurring both during a stay in the country of origin and even sometimes in the territory of the EU.

The European Commission asked for the Advisory Committee's opinion on how to develop measures at EU-level to fight FGM.

## 2. Recommendations from the Advisory Committee to the European Commission.

Targeted interventions to end FGM should be addressed in an holistic and comprehensive manner in the context of overall intensified efforts to eliminate all forms of violence and discrimination against women and girls and advance gender equality.

The EU should design and implement a comprehensive, coordinated, systematic strategy to end all forms of violence against women, based on human rights and gender equality principles. A specific part related to FGM should:

- focus in particular on behavioural change within FGM practising communities
- include action inside and outside the EU
- involve multiple stakeholders at all levels, including international and regional bodies
- cover all aspects in a comprehensive framework: prevention, protection, service provision, prosecution, partnership with NGOs

This strategy should focus on changing social norms in relevant groups. It should aim at initiating processes that foster social dialogues, community empowerment and ownership, and result in a sustainable collective change of beliefs and behaviour. Crucially, the issue of FGM needs to be tackled sensitively to avoid stigmatising a large group of migrants.

### Data collection

Comparable data is needed for targeting and evaluating FGM policies. Making full use of the European Institute for Gender Equality (EIGE), the European Union Agency for Fundamental Rights and EUROSTAT, as well as taking into account the right to privacy, the EU should

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<sup>1</sup> As defined by the World Health Organisation (WHO).

establish a map of prevalence covering the number of girls and women at risk in the EU. This requires:

- developing a common definition of FGM, a common definition of FGM-prevalence and risk and common methodological tools and methods (e.g.: the inclusion of women applicants for asylum, including those who are in an irregular situation and minors), as well as minimum standards for prevalence estimates and administrative data collection
- involving national and European statistical services to ensure regular administrative and/or population-based data collection on prevalence and on reported cases

## Research

In order to generate relevant and well-adapted information, the EU should:

- promote exchanges between health professionals on medical consequences and treatments, also through the Executive Agency for Health and Consumer Affairs
- promote research on attitudes and beliefs surrounding FGM
- develop common, comparable indicators and reliable mechanisms to monitor and evaluate policies and support services to victims, including in the application of article 28 of the Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime
- based on the WHO international classification of diseases, assess the feasibility of coding FGM in clinical data to improve information sharing, support prevention among the groups at risk as well as ensure care for those affected by FGM
- continue and expand cooperation between researchers inside and outside the EU in order to increase knowledge and understanding of FGM both in Europe and in countries with high prevalence of FGM
- develop research aiming at better understanding the extent, motives, implications of FGM as well as the circumstances of the procedure (whether it is done on the territory of the EU or in the countries of origin) and the socio-cultural factors facilitating the abandonment of the practice

## Exchange of good practice

The EU should:

- collect, evaluate and exchange good practice relating to data collection, prevention, protection, prosecution and service provision also through relevant EU-agencies (EIGE, Europol, European Asylum Support Office, ...)
- include the issue of gender based violence, including FGM, on the agenda of relevant networks or program of exchanges of practices already existing at EU level
- disseminate the results obtained through projects financed by DAPHNE III and, after 2013, by the Rights, Equality and Citizenship program
- encourage partnerships between organisations promoting children's rights, migrant-led organisations, NGOs, relevant EU agencies and national governments

## International cooperation

The EU should be committed to disseminate and share its knowledge and best-practice through international cooperation and development missions by:

- providing governments of non EU-countries with high FGM prevalence with the necessary tools to adopt or correctly implement laws and policies addressing FGM. Suitable references could be included in the European Union External Action Service's "Country strategy Papers" and "National Indicative Programmes"
- supporting governments in designing and evaluating their own national action plans or strategies to combat FGM. This would contribute both to increase the knowledge of the country's current situation and to eliminate FGM
- establishing or reinforcing bi- and multi-lateral agreements in order to stimulate inter-sectorial dialogue mechanisms and promote specific actions aiming at eliminating FGM
- collaborating with other countries and local actors in order to strengthen their capacity, including through training. The training sessions should have a multiplier effect as it is expected that each trained professional fully addresses the issue in his/her line of work and spreads his/her knowledge to others
- strengthening the capacity of EU headquarters and delegations' staff on FGM as well as on the implementation of the EU Guidelines on violence against women, children's rights, torture and human rights defenders. A toolkit on FGM and specific training sessions should be developed to that effect
- supporting and financing projects outside the EU aiming, among others, at eliminating all forms of violence against women and girls, including FGM

## Support services:

The EU should:

- recommend Member States to ensure access to affordable /free specialised care, treatment and prevention: health care, trauma care, legal services, medical and psychological services, reparative surgery, especially in areas where there are many women from countries in which FGM is prevalent
- ensure that all cultural and language barriers hindering women from accessing support services are removed, including developing programmes for cultural mediators

## Awareness-raising

The EU should support sustainable and long-term awareness-raising activities at both national and European levels, targeting different specific groups:

- professionals who work directly with young people: they could pass information on FGM to relevant groups and by doing so promote social change. Such work should be culturally sensitive, goal-oriented and based on defined guidelines and best practice
- parents – women and men equally: parents and often elderly relatives decide whether a girl should be mutilated and they can communicate effectively with other parents in their communities

- young people: they can revitalise and make the discussion topical in relevant groups, allowing room for different views and perspectives. Networks of young people from communities, as existing in Ireland and Germany, should be supported
- religious leaders and persons who have positioned themselves against the practice: they can exert influence within the affected groups
- key persons from the FGM-practising communities: they can provide information on FGM

#### **The following means of communication should be used**

- use channels of communication with which the different target groups (girls, boys, women, men) are familiar, for example the social media (YouTube, Facebook etc.) for youth and radio and TV for the adult population
- the media can play an important role in “breaking the silence” around FGM and bringing the issue into the general public. Therefore, the EU should promote media guidance on FGM issues focusing on health, including sexual and reproductive health, gender equality and human rights
- adapt information material to the different groups practising FGM. Needs may vary from one country to another within Europe, depending on which groups settle in which country. Collaborating on developing and exchanging such material in Europe may be a constructive way to share knowledge and save resources
- promote and finance awareness-raising through debates, discussions in local communities on themes such as: human rights, gender equality, sexual and reproductive health, violence against women or best practice towards the elimination of FGM. Those sessions should aim at prevention through behavioural change, by informing the relevant groups on the physical, psychological and social consequences of FGM

#### **The following issues should be taken into account:**

- adopt a positive approach and avoid any form of stigmatization
- disseminate information on existing protection mechanisms to vulnerable groups, so that the protection of actual and potential victims can be safeguarded
- involve FGM-practising communities in awareness-raising, and use women and men from practicing communities who oppose FGM as role models
- make practising communities aware of alternatives ensuring the well-being of their daughters such as education, employment and independent income security

## **Education and training**

The EU should recommend the Member States to:

- develop training on gender equality, gender-based violence, and FGM for relevant professionals such as teachers, social workers, health care workers, cultural mediators, psychologists, judges, lawyers, asylum authorities, the police
- develop training especially for health care workers in order to ensure that they are able to identify problems resulting from female genital mutilation and to treat them. Improved birth care procedures according to WHO guidelines (WHO, 2001a, 2001b, 2001c) can contribute to reducing the risks associated with female genital mutilation for both the mother and the child during childbirth
- include FGM, as well as gender equality and gender-based violence, as a topic in relevant tertiary education

- make efforts to recruit people from FGM-practising communities to positions where they may influence individuals from their own community to abandon FGM, for example social workers, child welfare workers, health care workers
- produce and put into use suitable and well adapted educational material, in particular targeted at children, including girls “at risk” to transmit an in-depth understanding of women’s and children’s rights as human rights
- develop comprehensive sexuality education addressing all young people including information on sexual and reproductive health, violence against women, and FGM
- training should focus on the understanding of FGM in a non-prejudiced response (including understanding of sexism and racism)
- ensure that professionals, in accordance with national law, receive information on the possibility of alerting the competent authorities of a risk or a case of FGM
- monitor and evaluate all such work in order to gain an understanding of how information and educational efforts are received by the target groups. To this end, the Executive Agency for Public Health and Consumer Affairs should set some basic qualitative indicators of quality in relation to the training of professionals for the preventive detection and treatment of FGM

## Legislation and prosecution

The EU should ensure that:

- the European Asylum Support Office (EASO) supports Member States in strengthening the capacity of the asylum staff to ensure that claims relating to FGM are determined in accordance with European legislation and international refugee protection standards
- the EASO makes sure the Country of Origin methodology addresses gender issues in particular and includes information on situations of threat or persecution by non-state actors, as in the case of FGM
- medical FGM is part of the prosecution efforts and considered a crime
- based on the comprehensive legal basis established by the Istanbul Convention, promote the adoption of comprehensive legislation prohibiting FGM, protecting women and girls from this form of violence, but also ending impunity as recalled in the UNGA resolution “Intensifying global efforts for the elimination of female genital mutilations” adopted in December 2012. Any legislation on FGM should be accompanied by prevention, protection and support measures

The EU should recommend the Member States to:

- ratify the the Council of Europe Convention on preventing and combating violence against women and domestic violence
- identify and remove barriers to prosecution and/or investigation
- improve the capacities of the judiciary to meet the needs of victims of FGM, taking into account not only legal but also social, cultural and health aspects
- Implement the commitment to the Beijing Platform for Action, in particular object D1, point o: *“Adopt laws, where necessary, and reinforce existing laws that punish police, security forces or any other agents of the State who engage in acts of violence against women in the course of the performance of their duties; review existing legislation and take effective measures against the perpetrators of such violence”*

## Funding

The EU should:

- fund projects aimed at preventing and protecting victims of all forms of violence against women, including FGM, when implementing the new Rights, Equality and Citizenship programme
- financially support the crucial role of women's NGOs in raising awareness, exchanging good practice, advocating against FGM, providing services
- ensure long-term funding in order to ensure sustainable change of beliefs, attitudes and social norms that perpetuate FGM
- adjust the EU programs to the limited capacities of grassroots organisations so that they are able to fully benefit from EU funding