



# Procedure file

Basic information		
INI - Own-initiative procedure	<a href="#">2008/2071(INI)</a>	Procedure completed
Combating female genital mutilation in the EU		
Subject 4.10.09 Women condition and rights		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>FEMM</b> Women's Rights and Gender Equality		03/04/2008
		UEN <a href="#">MUSCARDINI Cristiana</a>	
European Commission	Commission DG	Commissioner	
	<a href="#">Employment, Social Affairs and Inclusion</a>	ŠPIDLA Vladimír	

Key events			
13/03/2008	Committee referral announced in Parliament		
10/02/2009	Vote in committee		Summary
16/02/2009	Committee report tabled for plenary	<a href="#">A6-0054/2009</a>	
23/03/2009	Debate in Parliament		
24/03/2009	Results of vote in Parliament		
24/03/2009	Decision by Parliament	<a href="#">T6-0161/2009</a>	Summary
24/03/2009	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2071(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 54-p4; Rules of Procedure EP 54
Stage reached in procedure	Procedure completed
Committee dossier	FEMM/6/60405

Documentation gateway
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Committee draft report		<a href="#">PE414.287</a>	21/10/2008	EP	
Amendments tabled in committee		<a href="#">PE416.657</a>	16/12/2008	EP	
Committee report tabled for plenary, single reading		<a href="#">A6-0054/2009</a>	16/02/2009	EP	
Text adopted by Parliament, single reading		<a href="#">T6-0161/2009</a>	24/03/2009	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2009)3245</a>	08/10/2009	EC	

## Combating female genital mutilation in the EU

The Committee on Women's Rights and Gender Equality adopted the own-initiative report by Cristiana MUSCARDINI (UEN, IT) on combating female genital mutilation (FGM) in the EU. It points out that according to figures compiled by the World Health Organisation (WHO), between 100 and 140 million women and girls worldwide have undergone genital mutilation, and, in Europe, some 500 000 women have suffered FGM. It is particularly in immigrant and refugee families that such circumcision is customary.

The committee roundly condemns FGM as a violation of fundamental human rights, as well as a savage breach of the integrity and personality of women and girls and therefore considers it to be a serious crime in the eyes of society. Reiterating its commitment to all the measures and policies proposed in the [2001 Resolution](#), it calls for an overall strategy and action plans aimed at banishing FGM from the EU and, to that end, to provide the means required in the form of laws and administrative provisions, prevention systems, and education and social measures, and in particular, wide dissemination of information regarding the existing protection mechanisms available to vulnerable groups to enable real and potential victims to be properly protected. This overall strategy must be accompanied by educational programmes and the organisation of national and international awareness raising campaigns.

Members also call for the following:

- a "European health protocol" to be introduced for monitoring purposes and for an FGM data bank to be set up, since this might be useful from the statistical point of view or for information campaigns targeted at the immigrant communities concerned;
- the Commission to include, in its co-operation negotiations and agreements with the countries concerned, a clause to eradicate FGM;
- best practices being applied at the various levels to be compiled and assessed in terms of their impact (making use where appropriate of the projects financed and results obtained under DAPHNE III) and for the related information to be disseminated widely;
- the European networks currently aimed at preventing harmful traditional practices to be strengthened;
- both the EU Agency for Fundamental Rights and the European Institute for Gender Equality, under their respective multi-annual and/or annual work programmes, to take a leading role in combating FGM;
- the EU and Member States to work together to harmonise existing legislation and, should existing legislation not prove appropriate, to propose specific legislation on this issue;
- relevant directives on immigration to treat the act of committing genital mutilation as an offence and to lay down appropriate penalties for persons guilty of such an offence, if these practices have been carried out within the European Union.

Member States should:

- make it compulsory for general practitioners, doctors and health clinic teams to report female genital mutilation to health authorities and/or to the police;
- either adopt specific legislation on female genital mutilation or under their existing legislation to prosecute each person who conducts genital mutilation;
- regard any form of FGM as a crime, irrespective of whether or not the woman concerned has given any form of consent, and to punish anybody who helps, encourages, advises or procures support for anybody to carry out any of these acts on the body of a woman or girl;
- pursue, prosecute and punish any resident who has committed the crime of FGM, even if the offence was committed outside their borders (extraterritoriality);
- adopt legislative measures to allow judges or public prosecutors to take precautionary and preventive measures if they are aware of cases of women or girls at risk of being mutilated.

The report points out that Article 10 of Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees specifies that gender aspects can be taken into account, but that these alone do not lead to the application of Article 10.

It urges firm rejection of pricking of the clitoris and medicalisation in any form, which are being proposed as a halfway house between circumcision and respect for traditions serving to define identity and which would merely lead to the practice of FGM being justified and accepted on EU territory. Members reiterate the absolute and strong condemnation of FGM, as there is no reason - social, economic, ethnic, health-related or other- that could justify it.

The committee stresses the importance of public programmes and social services aimed at both preventing these practices and assisting the victims who have been subjected to them (psychological and medical support including, where possible, free medical treatment to repair the damage).

## Combating female genital mutilation in the EU

The European Parliament adopted by 647 votes to 10, with 24 abstentions, a resolution on combating female genital mutilation (FGM) in the EU.

The text adopted in plenary had been tabled by the ALDE, EPP-ED and UEN groups, pursuant to Article 45(2) of the Parliament's Rules of Procedure, in the form of a proposal for a resolution to replace the proposal for a resolution contained in the own-initiative report tabled by the Committee on Women's Rights and Gender Equality.

The Parliament recalls that, according to the World Health Organization (WHO), between 100 and 140 million women and girls worldwide have undergone genital mutilation, and that approximately two to three million women a year are potentially at risk from these severely disabling practices. It also recalls that every year approximately 180 000 female emigrants in Europe undergo, or are in danger of undergoing, FGM. Given that FGM causes very serious and irreparable injuries in the short and long term to the physical and mental health of the women and girls who undergo it, the Parliament roundly condemns FGM as a violation of fundamental human rights, as well as a savage breach of the integrity and personality of women and girls.

Moreover, the Parliament calls on the Commission and the Member States to draw up an overall strategy and action plans aimed at banishing FGM from the EU and, to that end, to provide the means required ? in the form of laws and administrative provisions, prevention systems, and education and social measures ? to enable real and potential victims to be properly protected. It calls for this overall strategy to be accompanied by educational programmes and the organisation of national and international awareness raising campaigns.

The plenary is aware that granting to parents the status of asylum seekers does not guarantee that the child will escape from the risk of FGM and therefore insists on the necessity to examine on a case by case basis each asylum request made by parents on the grounds that they are threatened in their home country for having refused to consent to their child undergoing FGM. The Parliament also insists that women and girls who are granted asylum in the EU because of the threat of FGM should, as a preventive measure, have regular check-ups by health authorities and/or doctors to protect them. According to the Parliament, this measure would be in no way discriminatory against these women and girls, but a way to ensure that FGM is banned in the EU.

The Parliament also calls:

- for a "European health protocol" to be introduced for monitoring purposes and for an FGM data bank to be set up, since this might be useful from the statistical point of view or for information campaigns targeted at the immigrant communities concerned;
- on the Commission to include, in its co-operation negotiations and agreements with the countries concerned, a clause to eradicate FGM;
- for the best practices being applied at the various levels to be compiled and assessed in terms of their impact (making use where appropriate of the projects financed and results obtained under DAPHNE III) and for the related information to be disseminated widely, making use of the practical and theoretical experience of experts;
- for the European networks currently aimed at preventing harmful traditional practices to be strengthened, with the support of NGOs, regional non-profit-making organisations, etc.;
- for both the European Union Agency for Fundamental Rights and the European Institute for Gender Equality, under their respective multi-annual and/or annual work programmes, to take a leading role in combating FGM;
- on the European Union and the Member States to work together to harmonise existing legislation (and, should existing legislation not prove appropriate, to propose specific legislation on this issue);
- for the relevant directives on immigration to treat the act of committing genital mutilation as an offence and to lay down appropriate penalties for persons guilty of such an offence.

Member States are called upon to:

- make it compulsory for general practitioners, doctors and health clinic teams to report FGM to health authorities and/or to the police;
- either adopt specific legislation on FGM or under their existing legislation to prosecute each person who conducts genital mutilation;
- regard any form of FGM as a crime, irrespective of whether or not the woman concerned has given any form of consent;
- pursue, prosecute and punish any resident who has committed the crime of FGM, even if the offence was committed outside their borders (extraterritoriality);
- adopt legislative measures to allow judges or public prosecutors to take precautionary and preventive measures if they are aware of cases of women or girls at risk of being mutilated.

The Parliament also urges firm rejection of pricking of the clitoris and medicalisation in any form, which are being proposed as a halfway house between circumcision and respect for traditions serving to define identity and which would merely lead to the practice of FGM being justified and accepted on EU territory. According to the Parliament, the reasons given by many communities for maintaining traditional practices harmful to the health of women and girls have no justification.

Lastly, the Parliament calls on the Member States to implement a preventive strategy of social action aimed at protecting minors, through public programmes and social services aimed at both preventing these practices (training, education and awareness-raising among the communities at risk) and assisting the victims (free medical treatment).