

Combating female genital mutilation in the EU

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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).