

This submission towards the United Nations Secretary-General's Report on "Intensifying global efforts for the elimination of female genital mutilation" is prepared on behalf of the Global Platform for Action to End Female Genital Mutilation/Cutting (FGM/C)¹, an alliance of 12 NGOs working to eliminate FGM/C.

Only new and updated data and recent trends are included in response to the guiding questions.

1.Most recent data on female genital mutilation prevalence, including data on immigrant populations, if available.

• **Asia:** Only two countries in Asia currently report national data on FGM/C prevalence. This includes Indonesia, where 15 million girls alone will undergo the practice by 2030. The true scale of women and girls affected by FGM/C in the remaining 11 countries across the region where the practice takes place remains unknown.

In the new Malaysia Country Profile, Orchid Project estimates an FGC prevalence of 93% in the female, ethnic Malay population (or more than 7.5 million girls and women) and no FGC in the Chinese and Indian populations.²

• **Europe:** In line with global trends, there is a gap in data collected about the relevance of FGM/C and so the current estimations in Europe are outdated. It is estimated that around 600.000 women are affected, and 190,000 girls and women are at risk of FGM/C³.

Recent national estimations include;

- o Sweden: as of 2023 it is estimated that 68,000 women and girls are affected by FGM/C
- Germany: 103,947 women and girls are affected by FGM/C and up to 17,721 girls are still at risk of FGM/C⁴.
- Updated FGM/C estimates in the United States. A <u>new report on FGM in migrant populations</u> in the US estimates that 385,000 women and girls living in the US in 2019 were survivors of

¹ The Global Platform for Action to End FGM/C is a consortium of civil society organizations, champions, survivors, and grassroots representatives united in a singular mission: to support the abandonment and prevention of female genital mutilation/cutting (FGM/C).

² Country profile: FGC in Malaysia, Orchid Project (2024), available at: https://www.fgmcri.org/media/uploads/Country%20Research%20and%20Resources/Malaysia/malaysia country profile v1 (march 2024).pdf

³ FGM in Europe | End FGM

⁴ Microsoft Word - 2022 Dunkelzifferschätzung final.docx (frauenrechte.de)

FGM/C. The report estimates that a further 31,000 girls resident in the United States were at risk.

- FGM/C estimates in Canada: Official national-level statistics on FGM/C prevalence in Canada are lacking due to the absence of a direct national survey collecting such data. Estimates of FGM/C prevalence are derived through indirect measures, previous research in Canada being qualitative and specific to certain immigrant groups, rather than providing comprehensive national-level data. A 2023 study exploring methods of estimates suggest 95,000 to 161,000 girls and women in Canada are at risk of FGM/C or at risk of having experience FGM/C, with immigrant populations from FGM/C practicing countries like Egypt, Somalia, and Ethiopia contributing significantly to the estimates.
- FGM/C as a leading cause of death in the countries where it is practised. According to a 2023 study by the University of Birmingham, FGM/C was found to be a leading cause of death in the countries where it is practiced, with over 44,000 additional women and young girls dying each year and the five-year mortality rate increasing for 50% of the girls subjected to FGM/C. The study covered Benin, Burkina Faso, Cameroon, Chad, Côte D'Ivoire, Egypt, Ethiopia, Guinea, Kenya, Mali, Niger, Nigeria, Senegal, Sierra Leone and Tanzania.
- **Sierra Leone**, being one of the countries in Africa with a high prevalence of FGM/C, reported three deaths (Kadiatu Bangura, 17, Salamatu Jalloh, 13, and Adamsay Sesay, 12) from FGM/C in January 2024.⁶

2. Information on progress made to date to eliminate female genital mutilation, including:

Measures and approaches undertaken to ban female genital mutilation and/or enforce existing legislation criminalizing the practice;

• In the United States of America, Washington State passed SB5453 in April 2023, which declared FGM/C as a crime in Washington State⁷, making Washington the 41st state in the U.S. to prohibit FGM/C. The law prohibits people, including health care practitioners, from performing FGM/C on girls under 18, provides care for survivors and their families, and gives survivors the right to take private civil action against perpetrators. It also makes provisions for community-wide education about the harms of FGM/C and the new law, including targeting

⁵ Ghosh, A., Flowe, H. & Rockey, J. Estimating excess mortality due to female genital mutilation. *Sci Rep* 13, 13328 (2023). https://doi.org/10.1038/s41598-023-38276-6

⁶ FGM in Sierra Leone: What can be done to end it? Available at: https://www.dw.com/en/fgm-in-sierra-leone-what-can-be-done-to-end-it/a-68176524

⁷ Senate unanimously passes Keiser bill banning female genital mutilation. Available at: https://senatedemocrats.wa.gov/keiser/2023/03/01/senate-unanimously-passes-keiser-bill-banning-female-genital-mutilation/

first responders with awareness raising about responsibilities and implementation.⁸ There are still 9 states in the U.S. plus the District of Columbia that do not have any laws prohibiting the practice of FGM/C.

- Galmudug State of Somalia became the first Federal Member State in Somalia to pass legislation outlawing all forms of FGM/C in May 2024.9
- In Sierra Leone, following the three deaths in January, the Ministry of Gender and Children's Affairs issued a press release in February 2024, noting that it is in the process of reviewing the Child Rights Act of 2007 to strengthen further provisions relating to the protection of children from harmful practices, including to impose a ban on FGM/C. However, the bill has not been passed to date.
- **Liberia's Parliament** is also currently considering a bill to ban FGM/C, which is planned to be presented in the House of Representatives in 2024.¹⁰

In 2023, the National Council of Chiefs and Elders of Liberia made a proclamation to ban FGM.

• **European Union**- The recently adopted directive on combating violence against women and domestic violence¹¹ criminalises FGM/C at an EU level, meaning that it must be criminalised across the Union with all Member States having a common minimum definition and penalty once transposed. Although FGM/C is already criminalised in all 27 member states, this directive ensures that there are common minimum standards and definitions among all states. Once the directive has been transposed, we expect a more harmonised approach across the Union when it comes to the criminalisation and prosecution of FGM/C.

Measures undertaken to introduce policies and/or action plans to address and prevent female genital mutilation;

• The National Council of Chiefs and Elders of Liberia issued a declaration in February 2023, making a historic proclamation to ban the practice of FGM/C in Liberia. Since then, traditional ceremonies to effectively enforce the ban on FGM/C have been conducted in five out of 11

 $^{^{8}\} https://equalitynow.org/press_release/washington-state-introduces-new-law-to-protect-women-and-girls-from-female-genital-mutilation-or-cutting/$

⁹ https://sihanet.org/galmudug-state-of-somalia-outlaws-female-genital-mutilation-marking-a-historic-milestone/

¹⁰ https://allafrica.com/stories/202403140047.html

¹¹ In May 2024, the European Union finally adopted the <u>Directive combating violence against women and domestic violence</u>. This directive is the first EU-wide text setting minimum standards for EU Member States to combat all forms of gender-based violence. This directive has been discussed at the EU level for years and its adoption is a direct consequence of the ascension of the EU to the Istanbul Convention (The Istanbul Convention entered into force at the EU level on the 1st of October 2023). Member States have until the 20th of June 2027 to implement the directive into their national law, during this 3-year period, Member States need to implement changes into their domestic law and put in place all the services, structures etc. as prescribed by the Directive.

FGM/C practicing counties in Liberia, namely Montserrado, Grand Cape Mount, Nimba, Bong and Lofa counties. 12

• **European Union** - the European Union Directive on violence against women and domestic violence mandates member states to adopt national action plans for tackling violence against women within 5 years of when the directive enters force. We anticipate stronger policies and plans to tackle FGM/C nationally in the years to come.

Delivery of essential support services for survivors and women and girls at risk of undergoing female genital mutilation;

- The Girl Generation Support to the Africa Led Movement to End FGM/C funded by FCDO works in 4 focal countries (Kenya, Somaliland, Ethiopia and Senegal). The Programme through its integration aspect supports the inclusion of an FGM/C curriculum into the national training for medical professionals across the board. This involves posting trained medical professionals to health facilities to offer services targeted towards prevention, response and management of FGM/C. To ensure sustainability the Programme has set up a model clinic to put into practice the FGM/C curriculum training and act as a learning centre for medical professionals (including community health workers) out of school and in active provision of health care.
- European Union The directive on violence against women and domestic violence mandates states to adopt effective, age-appropriate and easily accessible support services for survivors of FGM/C. Such services should be available irrespective of whether the person has made a complaint and information on such services, as well as referral mechanisms, should be implemented. This includes ensuring available information on units in public hospitals that perform genital and clitoral reconstructive surgery. The directive also mandates states to promote specialist training for healthcare professionals to ensure that those who come in contact with survivors are equipped to identify the signs and direct survivors to specialist services if needed.

Measures and approaches undertaken to protect women and girls from female genital mutilation, including when the practice occurs outside the country of residence.

• UK - In February 2024, British national Amina Noor was convicted for her role in carrying out an FGM/C procedure performed on a UK citizen abroad. It is only the second time in UK history that somebody has been convicted of FGM/C since it became illegal in 1985, and the first time someone was convicted of assisting a non-UK person to perform FGM/C. ¹³ The Mandatory Reporting Duty of healthcare professionals, teachers and social care workers, to notify the police played a critical role (after the child confided in the teacher). Extension of extraterritorial

¹² https://liberia.un.org/en/260782-significant-progress-fight-against-female-genital-mutilation-liberia

¹³ https://www.bbc.co.uk/news/uk-england-london-68307740

jurisdiction applicable in cases where FGM/C is carried out outside the UK by a UK national or a resident was critical in this case.

• European Union — The directive on violence against women and domestic violence obliges states to ensure that competent authorities are given the power to issue emergency barring orders, restraining orders and protection orders. While the directive makes no obligation on states to modify their national systems for assessing qualifications, it serves to ensure national authorities are equipped to deal with situations of emergency. Moreover, the directive also deals with the extraterritoriality of the perpetration of FGM/C outside of the country of residence. Extending jurisdiction to acts committed outside of the member state territory remains with the respective state. However, if a state decides to extend its jurisdiction the directive sets down certain conditions, for example, it should not be subject to whether FGM/C is criminalised in the country in which it was carried out.

Measures and approaches undertaken to address female genital mutilation in complex emergencies and protracted crises.

• Europe Union- In 2024, the Court of Justice of the European Union ¹⁴ has affirmed that a) gender-based violence against women is a form of persecution and b) that women belong to a 'particular social group' within the meaning of Directive 2011/95 which lays down the conditions for granting refugee status. In sum, the court has confirmed that women who flee their country of origin due to gender-based violence, including FGM/C, are eligible for refugee status. This affirms that those impacted by FGM/C in third countries have a safe and legal pathway to the European Union, given that they meet the conditions of the Directive. However, following the agreement reached on the package of reforms to the Common European Asylum System ¹⁵ earlier this year, we anticipate that claiming asylum in the Union will be fraught with difficulty. The reforms adopted have been heavily criticised for being too restrictive, undermining human rights and aiming to reduce the number of asylum seekers entering the EU including for people affected or at risk of FGM/C.

3. Information on challenges to eliminating the practice of female genital mutilation.

• Global pushback against women's rights. Amid the global trend of rolling back on the progress on gender equality, FGM/C hasn't been bypassed. Right-wing activists and religious leaders seek to reverse the legal protection of female genital mutilation in The Gambia. If successful, this threatens to have a ripple effect on other countries in the region to follow suit, including also a reversal of laws affecting girls' rights, including on child marriage.

This pushback is also demonstrated in the form of **support for FGM/C by religious leaders in certain countries**. For instance, the Ulema Assembly of the Ethiopian Islamic Affairs Supreme Council, in February 2024, issued a statement condemning "pharaonic circumcision". However,

¹⁴ Case C-621/21 WS v Intervyuirasht organ na Darzhavna agentsia za bezhantsite pri Ministerskia savet

¹⁵ MEPs approve the new Migration and Asylum Pact | News | European Parliament (europa.eu)

the statement goes on to permit medicalised type 1/type 4 FGM/C, by stating that although there is a difference of opinion among the ulamas whether Sharia circumcision is wajib or sunnah, they have agreed that if a circumcision is to be carried out, it should be performed by a professional healthcare provider. The Gambia Supreme Islamic Council has also stated that FGM/C is an Islamic practice and supported the repeal of the anti-FGM/C law in The Gambia. The Gambia Supreme Islamic PGM/C law in The Gambia.

During **Singapore's** review from the Committee on the Elimination of Discrimination against Women (CEDAW Committee) in May 2024, the Islamic Religious Council of Singapore also stated that they consider FGM/C as a "private social religious custom"; and that while they consider that any harm regard to the safety of child is strictly forbidden, they do not believe FGM/C as practiced in Singapore is harmful. They have stated they will change their position if there are reports of harm. The position of the Singaporean government demonstrates the challenge still faced in defining FGM/C as a human rights violation and focusing on the gender discrimination inherent in the practice, as opposed to framing policy responses merely on the demonstrable physical harm arising from the practice.

Rising authoritarianism across the globe, including military takeovers of government has also contributed to backlash on women's and girls' rights and stalled progress towards ending FGM/C. Withdrawal from international and regional blocs and human rights mechanisms, for instance, the recent withdrawal of Mali, Burkina Faso and Niger from ECOWAS, also affects the ability of CSOs and other stakeholders to hold governments to account for ending FGM/C. Additionally, dismantling of gender machinery in some countries - for example, Senegal replacing the Ministry of Women and Children with the Ministry of Families and Solidarities raises the risk that issues like FGM/C will be de-prioritized by the governments; and affect the ability of governments to implement national action plans and policies towards ending FGM/C.

In **Europe**, the current political landscape poses challenges to eliminating FGM/C. Based on the results of the different national elections across the continent, the rise of support for right and far-right decision-makers is growing stronger which is expected to impact the results of the forthcoming European elections. Moreover, the rise of the far right is accompanied by the rise of the anti-gender movement and a rise in racist and anti-migrant discourses at the national and European levels. This European trend will hinder the progress made toward the elimination of FGM/C within the Union and is likely to have a knock-on effect on the global movement. Moreover, the shrinking civil space in the EU means that the voices of those NGOs, grassroots organisations, activists and so forth is not given sufficient room to influence EU policy and decision-making. In turn, the restrictions on civil dialogue will further marginalise the voices of those impacted by FGM/C and leave little room for shaping EU policy in particular for grassroots organisations. This already has detrimental effects in particular on the work done by human rights and women rights defenders.

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¹⁶ https://x.com/AddisPowerhouse/status/1783154412891881658

¹⁷ https://thepoint.gm/africa/gambia/headlines/gsic-supports-repeal-of-fgm-ban

¹⁸ CEDAW/C/SR.2065; CEDAW/C/SR.2066

Funding

According to UNFPA from 2022 to 2030, it is estimated that 31 high-prevalence countries will need to spend an additional \$2.75 billion to end FGM/C, while about \$300 million is available. This creates a funding gap, which requires collaboration from all those with the power to make a difference, from multilateral institutions to bilateral donors, philanthropic foundations, non-profit and private sectors and national governments in practising countries.

In July 2023, hundreds of activists, grassroots organisations, international NGOs and academics to gathered in Kigali and signed the Kigali Declaration end FGM/C (https://actiontoendfgmc.org/2023-kigali-declaration/). The Declaration lays out clear priorities for concerted global action on FGM/C, which are essential for progress against SDG target 5.3.2. One of those is holding a Global Financial Commitment Summit to drive financial commitments to end the FGM/C sector.

There is a critical lack of funding to grassroots organizations at the forefront of the end FGM/C work. Getting investment to be made at the community level is of fundamental importance. Wallace Global Fund, a private foundation which supports people-powered movements that advance democracy, support human rights, and fight for a healthy planet, has engaged in a scoping study on the current funding landscape for FGM/C globally. Results of their scoping study to date can be found on this webinar recording here.

- Gap in Data and Evidence. There continues to be a gap in the evidence and data needed to ensure effective advocacy and programming towards addressing FGM/C. There is a critical need for context-specific research to inform what works to end the practice in the different geographies; this would ensure a more prudent channelling of resources in advocacy and programming.
- 4. Information on financing made available, including to survivor-led movements, to address and prevent female genital mutilation, if available.
- The Girl Generation: Support to Africa-Led Movement to End FGM/C- The UK FCDO-funded Programme supports survivors as a central constituent towards advocacy to end FGM/C. This support includes strengthening their capacity in overall well-being, leadership, and advocacy to bring them together to collaborate and support one another on different initiatives and most importantly by promoting emotional well-being through the Survivor Leadership Initiative (SLI). The evaluation key findings (here) are evident that if survivors are empowered, they can take their rightful places as compelling leaders in ending FGM/C. 19
- United States of America In 2023, the U.S. Department of Justice (DOJ) Office for Violence Against Women (OVW) provided funding under a collaborative technical assistance grant

¹⁹ The evaluation results can be found at https://thegirlgeneration.org/wp-content/uploads/2024/02/TGG-SLT-Evaluation-Learning.pdf

program to the George Washington University Milken Institute School of Public Health, The U.S. End FGM/C Network, Sahiyo U.S., and Global Woman P.E.A.C.E. Foundation to provide training and technical assistance to OVW grantees. Specifically, these resources will help victim service organizations and allied stakeholders recognize and address FGM/C into their provision of services.

• **European Union**- In the European Union, there is a need for more agile and easy to access funding for smaller and grassroots organisations. At the moment, when organisations want to apply for funding opportunities from the EU they are facing multiple obstacles challenging their capacity, including heavy reporting requirements. In general, to cope with emergency situations, including humanitarian crises and the consequences of inflation, smaller, grassroots organisations in particular need to have access to easily accessible funding opportunities.

About Global Platform for Action to End FGM/C

The <u>Global Platform for Action to End FGM/C</u> is a consortium of civil society organizations, champions, survivors, and grassroots representatives united in a singular mission: to support the abandonment and prevention of female genital mutilation/cutting (FGM/C). This founding group includes <u>Amref Health Africa</u>, <u>Coalition on Violence Against Women</u> (COVAW), <u>End FGM Canada Network</u>, <u>End FGM European Network</u>, <u>Equality Now</u>, <u>Orchid Project</u>, <u>Sahiyo</u>, <u>The US End FGM/C Network</u>, <u>There Is No Limit Foundation</u>, <u>Tostan</u>, <u>The Girl Generation</u>, and <u>The Inter-African Committee on Traditional Practices</u>.