



## In Focus

### International Day of Zero Tolerance for Female Genital Mutilation, 6 February 2017

The [International Day of Zero Tolerance for Female Genital Mutilation](#) aims to raise awareness of the practice and work towards the elimination of female genital mutilation (FGM). Eliminating FGM is also a target in goal five of the [Sustainable Development Goals](#), which aims to achieve gender equality and empower all women and girls. Marking the day in 2016, the then Secretary-General of the UN, Ban Ki-moon stated that “we can end FGM within a generation, bringing us closer to a world where the human rights of all every woman, child and adolescent are fully respected”.<sup>1</sup>

#### Female Genital Mutilation: A Global Concern

The World Health Organisation (WHO) describes [Female Genital Mutilation](#) as “all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons”.<sup>2</sup> Further, it states that FGM is recognized internationally as a violation of the human rights of girls and women; reflects deep-rooted inequality between the sexes, and constitutes an extreme form of discrimination against women. The procedure is nearly always carried out on minors, and whilst there are social and cultural factors that influence why FGM is performed—such as, social conforming or preparation for adulthood—the procedure has no health benefits.<sup>3</sup> UNICEF estimate that at least 200 million girls and women in 30 countries have been subjected to FGM and of these, more than half live in Indonesia, Egypt and Ethiopia.<sup>4</sup>

The [World Health Assembly](#) and the [United Nations](#) have both adopted resolutions to counteract the performance of FGM. In July 2014, the UK and UNICEF co-hosted the first [Girl Summit](#), aimed at mobilising domestic and international efforts to end FGM within a generation. At the summit, governments and international organisations made commitments to take action to end FGM and hundreds signed the [The Girl Summit Charter on Ending FGM and Child, Early and Forced Marriage](#).<sup>5</sup>

#### World Health Organisation Classification of Female Genital Mutilation

**Type 1:** Partial or total removal of the clitoris and/or the prepuce (*Clitoridectomy*).

**Type 2:** Partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (*Excision*).

**Type 3:** Narrowing of the vaginal orifice with creation of a covering seal by cutting and appositioning the labia minora and/or the labia majora, with or without excision of the clitoris (*Infibulation*).

**Type 4:** All other harmful procedures to the female genitalia for non-medical purposes, for example: pricking, piercing, incising, scraping and cauterization.

(Source: World Health Organisation, '[Classification of Female Genital Mutilation](#)', accessed 25 January 2017)

Domestically, Professor Alison Macfarlane et al from City University in London estimated there were 137,000 women and girls with FGM (born in countries where FGM is practised) permanently resident in England and Wales in 2011.<sup>6</sup> Further, they estimated that between 1996 and 2010, 144,000 girls were

born to mothers from FGM practising countries, and 60,000 of these girls (aged 0–14 in 2011), were born to mothers that had undergone FGM.

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## UK Prosecutions for Female Genital Mutilation

FGM has been a criminal offence in the UK since the Prohibition of Female Circumcision Act 1985 (later replaced by the Female Genital Mutilation Act 2003). However, the first criminal prosecution did not take place until 2014. A doctor was alleged to have performed FGM on a young mother after delivering her baby, but was found not guilty.<sup>7</sup>

To address the issue of lack of criminal prosecutions, the House of Commons Home Affairs Committee, in [Female Genital Mutilation: the Case for a National Action Plan](#), recommended in 2014 extending the right to anonymity to those affected by FGM to encourage more reporting.<sup>8</sup> Following the Girl Summit, the UK Government took measures to address this issue, including setting up the [FGM Unit](#) at the Home Office and introducing legislative changes through the Serious Crime Act 2015.<sup>9</sup> These included extending anonymity to victims, extending the scope of the offence extraterritorially; to introduce the offence of failing to protect a girl at risk; and to introduce civil FGM Protection Orders (FGMPO) which aim to safeguard girls who are at risk at home or abroad. Since the introduction of FGMPO orders, 97 applications have been made, resulting in 79 orders (up to September 2016).<sup>10</sup> Further, a new [Mandatory Reporting of FGM](#) requirement was also introduced which requires certain regulated professions to report ‘known’ cases of FGM in under 18s in the course of their professional work to the police.

More recently, the House of Commons Home Affairs Committee’s latest report, [Female Genital Mutilation: Abuse Unchecked](#) (15 September 2016), noted that whilst there has still has not been a successful prosecution for the offence, “there have been 40 FGM-related trials in France [...] six in Spain; two in Italy and Sweden; and one each in the Netherlands and Denmark”.<sup>11</sup> To encourage more successful prosecutions, the Committee argued that stronger sanctions should be introduced for failing to meet the reporting duty. The Committee also recommended that the FGM Unit publish quarterly reports to show results, progress in police investigations and examples of best practice aimed at all professionals under that duty. The Committee said that it “expect[s] to see a number of successful and ongoing prosecutions, in line with other countries in Europe” at its next review of FGM.

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<sup>1</sup> United Nations, ‘[We Can End Female Genital Mutilation Within a Generation](#)’, [Secretary-General Says in Message to Mark Global Zero-Tolerance Day for Harmful Practice](#), 4 February 2016.

<sup>2</sup> World Health Organisation, ‘[Female Genital Mutilation: Fact Sheet](#)’, accessed 30 January 2017.

<sup>3</sup> *ibid.*

<sup>4</sup> UNICEF, [Female Genital Mutilation/Cutting: A Global Concern](#), 3 February 2016.

<sup>5</sup> Department for International Development, ‘[Girl Summit 2014: Outcomes and Commitments](#)’, 29 August 2014.

<sup>6</sup> Professor Alison Macfarlane et al, City University London, [Prevalence of Female Genital Mutilation in England and Wales: National and Local Estimates](#), July 2015, p 3.

<sup>7</sup> Jonathon Rogers, ‘[The First Prosecution for FGM](#)’, 7 March 2015, *Criminal Law and Justice Weekly*, vol 179, pp 177–79.

<sup>8</sup> House of Commons Home Affairs Committee, [Female Genital Mutilation: the Case for a National Action Plan](#), HC 201 of session 2014–15, p 48.

<sup>9</sup> HM Government, ‘[Declaration on UK Government Progress since Girl Summit 2014](#)’, 22 July 2015.

<sup>10</sup> Ministry of Justice, [Family Court Statistics Quarterly. England and Wales. July to September 2016](#), 15 December 2016, p 22.

<sup>11</sup> House of Commons Home Affairs Committee, [Female Genital Mutilation: Abuse Unchecked](#) (15 September 2016), 6 September 2016, HC 390 of session 2016–17, p 20.

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