



International Day of Zero Tolerance for Female Genital Mutilation, 6 February 2018

Summary

The International Day of Zero Tolerance for Female Genital Mutilation, held annually on 6 February, aims to raise awareness of the practice and work towards the elimination of female genital mutilation (FGM). António Guterres, the Secretary-General of the United Nations, states:

Female genital mutilation denies women and girls their dignity, endangers their health, and causes needless pain and suffering, with consequences that endure for a lifetime and can even be fatal. [...] On this Day of Zero Tolerance, let us build on positive momentum and commit to intensifying global action against this heinous human rights violation for the sake of all affected women and girls, their communities, and our common future.¹

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”.²

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 2018)

The World Health Organisation (WHO) describes FGM 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”.³ It states that the practice is “mostly carried out by traditional circumcisers, who often play other central roles in communities, such as attending childbirths”.⁴ 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.⁵

The procedure can cause serious health complications. It can “cause severe bleeding and problems urinating, and later cysts, infections, as well as complications in childbirth and increased risk of newborn deaths”.⁶ According to the WHO, “more than 200 million girls and women alive today have been cut in 30 countries in Africa, the Middle East and Asia where FGM is concentrated”.⁷ UNICEF state more than half live in Indonesia, Egypt and Ethiopia.⁸

Eliminating FGM is a target within goal five of the 17 Sustainable Development Goals of the United Nations' 2030 Agenda for Sustainable Development, which aims to achieve gender equality and empower all women and girls.⁹ The World Health Assembly and the United Nations have both adopted resolutions to tackle 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 *Girl Summit Charter on Ending FGM and Child, Early and Forced Marriage*.¹⁰

United Kingdom

Professor Alison Macfarlane and Efua Dorkenoo from City University of 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 2011.¹¹ 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 to 14 in 2011) were born to mothers that had undergone FGM.

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 (2003 Act)). However, the first prosecution only took place in 2014, when an obstetrician was alleged to have performed an FGM procedure because he re-stitched an old FGM wound following an emergency delivery. He was found not guilty.¹² The Crown Prosecution Service (CPS) stated that whilst it “respect[ed] the decision of the jury”, “where there is sufficient evidence and it is in the public interest [it] will prosecute”.¹³ Legal academic Jonathan Rogers, argued that more explanation would be needed by the CPS if it “wishes to regain public confidence over this episode”.¹⁴ In addition, the President of the Royal College of Gynaecologists stated it was the “wrong prosecution at the wrong time of the wrong individual”.¹⁵ In October 2017, in response to a written question on the number of prosecutions, the Government confirmed that there “has been only one prosecution for FGM under the 2003 Act”.¹⁶

In 2014, the House of Commons Home Affairs Committee, in its report *Female Genital Mutilation: The Case for a National Action Plan*, called upon the Government to “implement a comprehensive and fully-resourced national action plan for tackling FGM”, which should incorporate: successful prosecutions for FGM; working with professionals in the health, education, social care and other sectors to ensure the safeguarding of at-risk girls; changes to the law on FGM; improved working with communities to abandon FGM; and better services for women and girls living with FGM.¹⁷ Following the Girl Summit in 2014, the UK Government took measures to address these issues, including setting up the FGM Unit at the Home Office and introducing legislative changes through the Serious Crime Act 2015.¹⁸ These included:

- extending anonymity to victims;
- extending the scope of the offence extraterritorially;
- introducing the offence of failing to protect a girl at risk;
- introducing civil FGM Protection Orders (FGMPO) which aim to safeguard girls who are at risk at home or abroad; and
- introducing a new mandatory reporting of FGM requirement which requires certain regulated health and social care professions—for example, doctors and nurses—to report ‘known’ cases of FGM in under 18s, in the course of their professional work, to the police.¹⁹

In 2016, the House of Commons Home Affairs Committee noted that, whilst there has still not been a successful prosecution for the offence in the UK, “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”.²⁰ To encourage more successful prosecutions, the Committee argued that stronger sanctions should be introduced for failing to meet the reporting duty and 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.²¹

The Government responded stating it had “significantly strengthened” the law in this area to “improve protection for victims and those at risk, and to break down barriers to prosecution”, citing those measures outlined above.²² Further, the Government highlighted the “crucial” role of the Home Office’s Border force, which is comprised of a national network of over 600 specially trained safeguarding and trafficking officers focused on identifying and protecting victims and vulnerable passengers from “harmful practices such as FGM”.²³ Further measures outlined included: publishing a statutory multi-agency guidance to “increase awareness, encourage good practice, and support training”, and working with communities through the Home Office’s FGM Unit.²⁴

The CPS has said that whilst mandatory reporting by front-line professionals has “not resulted in a significant increase in cases being investigated and referred for prosecution”, they have led to “safeguarding measures being put in place with families and/or FGM Protection Orders (FGMPO) being granted as preventative measures”.²⁵ Data on FGMPOs released by the Ministry of Justice (MOJ) states that there is a “general upward trend in the number of [...] female genital mutilation orders”.²⁶ Between July and September 2017, there were 42 applications and 34 orders granted, and since the introduction of FGMPOs in July 2015, there have been a total of 205 applications and 179 orders made up to the end of September 2017.²⁷

The NHS FGM Enhanced Dataset states “between April 2016 and March 2017 there were 9,179 attendances reported at NHS trusts and GP practices”.²⁸ The dataset explains that “women and girls may have one or more attendances in the stated period” and “this includes both newly recorded and previously recorded women and girls”.²⁹ Further, “an attendance will be when a woman or girl with FGM has had treatment for her FGM or given birth to a baby girl, or when FGM has been identified”.³⁰

European Union

In 2013, the European Commission adopted an action plan, *Towards the Elimination of Female Genital Mutilation*, in which it aims to ensure that action to combat FGM is “mainstreamed across the fields of justice, police, health, social services, child protection, education, immigration and asylum and external action”.³¹ Measures in the action plan are to be pursued under the European Commission’s *Strategic Engagement for Gender Equality 2016–2019*, which has made combating gender-based violence one of its priorities.³² The European Commission is due to update MEPs on the progress made towards the objectives set out in its FGM action plan during the Parliament’s first plenary session in February 2018.³³

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- ¹ United Nations, '[Secretary-General's Message](#)', accessed 30 January 2018.
- ² 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.
- ³ World Health Organisation, '[Female Genital Mutilation: Fact Sheet](#)', accessed 31 January 2018.
- ⁴ *ibid.*
- ⁵ *ibid.*
- ⁶ *ibid.*
- ⁷ *ibid.*
- ⁸ UNICEF, '[Female Genital Mutilation/Cutting: A Global Concern](#)', 3 February 2016.
- ⁹ United Nations, '[Sustainable Development Goal 5](#)', accessed 1 February 2018.
- ¹⁰ Department for International Development, '[Girl Summit 2014: Outcomes and Commitments](#)', 29 August 2014.
- ¹¹ Professor Alison Macfarlane and Efua Dorkenoo, '[Prevalence of Female Genital Mutilation in England and Wales: National and Local Estimates](#)', City University London, July 2015, p 3.
- ¹² BBC News, '[Doctor Found Not Guilty of Performing FGM](#)', 4 February 2015.
- ¹³ Crown Prosecution Service Blog, '[CPS Statement: Female Genital Mutilation Trial](#)', 4 February 2015.
- ¹⁴ Jonathan Rogers, '[The First Prosecution for FGM](#)', 7 March 2015, *Criminal Law and Justice Weekly*, vol 179, pp 177–9.
- ¹⁵ Dr David Richmond, '[FGM Trial: The Wrong Prosecution](#)', Royal College of Obstetricians and Gynaecologists, 6 February 2015.
- ¹⁶ House of Commons, '[Written Question: Female Genital Mutilation: Prosecutions](#)', 25 October 2017, 108493.
- ¹⁷ House of Commons Home Affairs Committee, '[Female Genital Mutilation: the Case for a National Action Plan](#)', 24 June 2014, HC 201 of session 2014–15, p 47.
- ¹⁸ HM Government, '[Declaration on UK Government Progress since Girl Summit 2014](#)', 22 July 2015.
- ¹⁹ Home Office, '[Mandatory Reporting of Female Genital Mutilation—Procedural Information](#)', 20 October 2015.
- ²⁰ House of Commons Home Affairs Committee, '[Female Genital Mutilation: Abuse Unchecked](#)', 15 September 2016, HC 390 of session 2016–17, p 20.
- ²¹ *ibid.*, p 25.
- ²² Home Office, '[The Government Response to the Ninth Report from the Home Affairs Select Committee Session 2016–17 HC 390: Female Genital Mutilation: Abuse Unchecked](#)', December 2016, Cm 9375, p 1.
- ²³ *ibid.*, p 2.
- ²⁴ *ibid.*
- ²⁵ Crown Prosecution Service, '[Violence Against Women and Girls Report Tenth Edition 2016–17](#)', November 2017, p A29.
- ²⁶ Ministry of Justice, '[Family Court Statistics Quarterly, England and Wales, July to September 2017](#)', 14 December 2017, p 9.
- ²⁷ *ibid.*
- ²⁸ NHS Digital, '[Female Genital Mutilation \(FGM\) Annual Report 2016/17](#)', 4 July 2017.
- ²⁹ *ibid.*, p 9.
- ³⁰ *ibid.*
- ³¹ European Parliamentary Research Service, '[At A Glance: Zero Tolerance For Female Genital Mutilation](#)', 1 February 2018.
- ³² *ibid.*
- ³³ *ibid.*

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