Thursday 6 February 2014

P7_TA(2014)0105

Elimination of female genital mutilation

European Parliament resolution of 6 February 2014 on the Commission communication entitled 'Towards the elimination of female genital mutilation' (2014/2511(RSP))

(2017/C 093/24)

The European Parliament,

— having regard to the Commission communication entitled 'Towards the elimination of female genital mutilation' (COM(2013)0833),

— having regard to the report by the European Institute for Gender Equality entitled 'Female genital mutilation in the European Union and Croatia',

— having regard to UN General Assembly resolution 67/146 on intensifying global efforts for the elimination of female genital mutilations,

— having regard to its resolution of 14 June 2012 on ending female genital mutilation ([1]),

— having regard to its resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight violence against women ([2]),

— having regard to its resolution of 24 March 2009 on combating female genital mutilation in the EU ([3]),

— having regard to its resolution of 16 January 2008 entitled 'Towards an EU strategy on the rights of the child' ([4]),

— having regard to Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA ([5]),

— having regard to the Commission's Strategy for Equality between Women and Men 2010-2015, which was presented on 21 September 2010,

— having regard to the 'Stockholm Programme — An Open and Secure Europe Serving and Protecting Citizens' ([6]),

— having regard to the Council of Europe Convention of 12 April 2011 on preventing and combating violence against women and domestic violence (Istanbul Convention),

— having regard to Articles 6 and 7 of the EU Treaty on respect for human rights (general principles) and Articles 12 and 13 of the EC Treaty (non-discrimination),

— having regard to General Recommendation No 14 of 1990 of the UN Committee on the Elimination of Discrimination Against Women on female circumcision,

— having regard to Rules 115(5) and 110(2) of its Rules of Procedure,

([1]) OJ C 332 E, 15.11.2013, p. 87.
([2]) OJ C 296 E, 2.10.2012, p. 26.
([3]) OJ C 117 E, 6.5.2010, p. 52.
([4]) OJ C 41 E, 19.2.2009, p. 24.
([5]) OJ L 315, 14.11.2012, p. 57.
([6]) OJ C 115, 4.5.2010, p. 1.

A. whereas violence against women is defined by Parliament in its resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life ([1])';

B. whereas female genital mutilation (FGM) is a form of violence against women and girls, which constitutes a violation of their fundamental rights and is in breach of the principles laid down in the Charter of Fundamental Rights of the European Union, and whereas it is absolutely necessary to embed the fight against FGM in a general and coherent approach to combating violence against women;

C. whereas FGM was defined by the World Health Organisation (WHO) in 2008 as all procedures that involve partial of total removal of the external female sexual organs for non-medical reasons, including sunna circumcision or clitoridectomy (partial or total removal of the clitoris along with the prepuce), excision (partial or total removal of the clitoris and the outside labia, 'the lips') and the most extreme practice of FGM, infibulation (narrowing the vaginal opening through the creation of a covering seal);

D. whereas, according to the WHO, approximately 140 million children, young girls and women are believed to have experienced this cruel form of gender-based violence globally; whereas, according to the WHO, most cases of FGM have been carried out in childhood on young girls between infancy and the age of 15; whereas this cruel practice has been reported in 28 African countries, Yemen, northern Iraq and Indonesia;

E. whereas FGM is a brutal practice which does not occur only in third countries but also affects women and girls living in the EU, who undergo FGM either on its territory or in their home countries before moving to, or whilst travelling outside, the EU ([2]); whereas, according to the UNHCR, around 20 000 women and girls from FGM-practising countries seek asylum in the EU on a yearly basis, of whom 9 000 may be already mutilated ([3]) and estimates of the number of women who have undergone FGM or are at risk within Europe run up to 500 000 ([4]), whilst prosecutions of the crime are still rare;

F. whereas FGM is frequently performed at home in mediocre, unhygienic conditions and often without anaesthetic or medical knowledge, and has multiple very serious and often irreparable or fatal consequences for the health, both physical and psychological, of women and girls and is harmful to their sexual and reproductive health;

G. whereas FGM clearly goes against the European founding value of equality between women and men and maintains traditional values according to which women are seen as the objects and properties of men; whereas cultural and traditional values should under no circumstances be used as an excuse to practice FGM on children, young girls or women;

H. whereas the protection of the rights of the child is entrenched in numerous Member States and in European and international agreements and legislation, and whereas no violence against women in general, including against young girls, can be justified on grounds of respect for cultural traditions or various kinds of initiation ceremonies;

I. whereas the prevention of FGM is an international human rights obligation for every Member State under General Recommendation No 14 of the UN Committee on the Elimination of Discrimination Against Women on Female Circumcision and Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, which recognises FGM as a form of gender-based violence regarding which, amongst other things, minimum standards for protection should be established;

([1]) Article 1 of the UN Declaration on the Elimination of Violence Against Women of 20 December 1993 (A/RES/48/104); point 113 of the United Nations 1995 Beijing Platform for Action.
([2]) EIGE, Female genital mutilation in the European Union and Croatia, 2013.
([3]) UNHCR's Contribution to the European Commission's consultation on female genital mutilation in the EU, 2013.
([4]) Waris, D. and Milborn, C., Desert Children, Virago, UK, 2005.

Thursday 6 February 2014

1. Welcomes the Commission's communication 'Towards the elimination of female genital mutilation', in which it undertakes to use EU funding to prevent FGM and improve support for victims, including protection for women at risk under EU asylum rules, and, together with the European External Action Service (EEAS), to strengthen international dialogue and encourage research with a view to clearly identifying women and girls at risk;

2. Welcomes the Commission's commitment to facilitating the exchange of experience and good practices on FGM issues between Member States, NGOs and experts, and emphasises the need to continue to closely involve civil society, including that of third countries, not only in awareness-raising campaigns but also in the development of educational material and training;

3. Points out that international, European and Member State institutions play a vital role in the prevention of FGM, the protection of women and girls and the identification of victims and in taking measures to ban gender-based violence including FGM, and welcomes the EU's commitment to continue to take action to promote the abandonment of the FGM in countries where it is practised;

4. Reiterates its call on the Commission to submit, without delay, a proposal for an EU legislative act to establish prevention measures against all forms of violence against women (including FGM) and, as indicated in the Stockholm Programme, a comprehensive EU strategy on the issue, including further structured joint action plans to end FGM in the EU;

5. Emphasises the need for the Commission and the EEAS to take a firm stance on third countries which do not condemn FGM;

6. Calls on the Commission to use a harmonised approach to gathering data on FGM, and calls for the European Institute for Gender Equality to involve demographers and statisticians in the development of a common methodology and for indications to be drawn up by them in accordance with the communication, in order to guarantee the feasibility of comparison between individual Member States;

7. Reiterates its call on the Member States to use existing mechanisms, in particular Directive 2012/29/EU, including training for professionals to protect women and girls, and to pursue, prosecute and punish any resident who has committed the crime of FGM, even if the offence was committed outside the borders of the Member State concerned, and calls, therefore, for the principle of extraterritoriality to be included in the criminal law provisions of all Member States so that the offence is punishable to the same extent in all 28 Member States;

8. Calls on the EU and those Member States which have not yet ratified the Council of Europe's Istanbul Convention on preventing and combating violence against women to do so without delay so that the EU's commitment complies with international standards promoting a holistic and integrated approach to violence against women and to FGM;

9. Calls on the Commission to designate 2016 as the European Year to End Violence against Women and Girls;

10. Instructs its President to forward this resolution to the Council, the Commission, the Council of Europe, the UN Secretary-General and the governments and parliaments of the Member States.