

Female genital mutilation

In 1996 the World Health Organization (WHO) defined female genital mutilation as a practice comprising “all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for cultural or other non-medical reasons”.

The expression “female genital mutilation” (FGM) therefore refers to any “surgical” procedure performed on a woman or girl to alter or injure her genitalia for *non-medical reasons*.

Terms such as infibulation and excision, little known in Italy until a few years ago, have become a debated topic in the political and social environments. Such painful practices, performed even on women at a very young age, are deeply rooted in various traditions, yet incompatible with our culture that does not share, let alone accept, this violent form of control, which harms the dignity of women and violates the most basic principles of freedom.

According to WHO data, more than 200 million girls and women have undergone FGM practices in the Western, Eastern and North-Eastern regions of Africa and in some countries in the Middle East and Asia, and more than 3 million girls are at risk of FGM annually.

Several countries have already introduced or changed their legislation to prohibit FGM practices, recognizing them as a serious violation of human rights.

FGM practices first came to international attention in a Resolution adopted by the United Nations Commission on Human Rights in 1952, whereas in 1984 the UN established the Inter-African Committee on Traditional Practices That Affect the Health of Women and Children (IAC) in Dakar (Senegal). Since the early 1990s, FGM of any type has been internationally recognized as a serious violation of the human rights of girls and women.

The UN designated February 6 as the International Day of Zero Tolerance for Female Genital Mutilation, after the First Lady of Nigeria, Stella Obasanjo, officially condemned the practice and declared “zero tolerance to female genital mutilation” during a conference organized by the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children (IAC).

Italy too felt the need to introduce specific legislation against FMG.

Law no. **7 of January 9, 2006**, containing "Provisions concerning the prevention and prohibition of female genital mutilation practices" is designed "to prevent, combat and suppress female genital mutilation practices recognized as violations of the fundamental rights to the integrity of the person and the health of women and girls" (Art. 1).

The law has added a new provision to the penal code (Art. 583-bis), which punishes with imprisonment from 4 to 12 years whoever causes a mutilation to female genitals for non-medical reasons. This penalty applies to clitoridectomy, excision, infibulation as well as to any other practice that causes the same effects.

The second section of this provision sanctions with imprisonment from 3 to 7 years whoever (without any therapeutic needs) causes harm to female genitals other than those listed in the previous section and resulting in physical or psychological illness, with the purpose of impairing sexual function. Punishment may be reduced by up to 2/3 in case of minor harm. Punishment is increased by 1/3 when FGM is practiced on minors or for profit.

The same provisions also apply when the offence is committed abroad by an Italian national or by a

foreign national residing in Italy, or is committed outside of Italy against an Italian national or a foreign national residing in Italy, providing for a derogation from the principle of territoriality.

Penalties incurred by doctors who conduct an FGM procedure include suspension from the medical register for 3 to 10 years.

The law also aims to promote support programmes for victims, awareness-raising campaigns and international cooperation.

As provided for by Article 4 of Law 7/2006, the Ministry of Health has developed “Guidelines for healthcare professionals, as well as for other professionals who work with immigrant communities with a tradition of FGM in order to implement prevention, support and rehabilitation programmes for women and girls who have undergone FGM practices”.

Under Article 5 of Law 7/2006, the Ministry of the Interior set up a dedicated helpline “to receive reports on cases of FGM procedures - as referred to in Article 538-bis of the criminal code – on the Italian territory, as well as to provide information on charities and health facilities that work with immigrant communities with a tradition of FGM”.

The toll-free **number 800 300 558**, launched on November 9, 2009, is operated by the Central Anticrime Directorate - Central Operations Service of the Department of Public Security (Monday to Friday, 8am to 2pm and 3pm to 8pm).

Find more information here

Report on female genital mutilation of the Parliamentary Committee of Inquiry on femicide and all forms of gender-based violence of 9 November 2021

<https://www.senato.it/service/PDF/PDFServer/DF/365233.pdf>

Ministry of Health https://www.salute.gov.it/imgs/C_17_pubblicazioni_769_allegato.pdf

WHO website: https://www.who.int/health-topics/female-genital-mutilation#tab=tab_1

Version française Versione in italiano

08/03/2022