



HE Mr. Iztok Jarc
Permanent Representative
Permanent Representation of Slovenia to the EU
Boulevard du Régent 45-46, 1000 Brussels
E: ztok.jarc@gov.si

Cc: Ms. **Janja Kaker Kavar**, Counsellor for Social Affairs and Equal Opportunities
Ms. **Nika Juvan**, Counsellor for Employment and Social Affairs
Mr. **Bojan Kraut**, Counsellor for Social Affairs, Disability and Equal Opportunities
Ms. **Nina Šimenc**, Counsellor for Labour Law, Social Affairs and Equal Opportunities
Ms. **Tanja Trtnik**, Judicial cooperation in criminal matters, data protection, FREMP
Ms. **Aleksandra Stanič Petković**, COHOM

Brussels, 19 July 2021

Re: Recommendations to the Slovenian Presidency of the Council of the European Union

Dear Mr. Ambassador,

I am writing to you after having read your Presidency programme and priorities concerning gender equality and women and girls' rights, both internally and externally.

The End FGM European Network (End FGM EU) is a European umbrella organisation consisting of 32 national NGO experts on female genital mutilation (FGM), in 15 European countries. End FGM EU operates as a meeting ground for communities, civil society organisations, decision-makers and other relevant actors at European level to interact, cooperate and join forces to end all forms of FGM in Europe and beyond. We put at the heart of our work grassroots voices to influence European governments and policy-makers to work towards the elimination of FGM. We build our members' capacity, offer spaces to share expertise and develop partnerships. While dedicated to being the driving force of the European movement to end FGM, we are equally committed to build bridges and cooperation with all relevant actors in the field of FGM both in Europe and globally. In this sense, we actively promote and foster cooperation between the European movement and movements in other regions of the world.

FGM & THE EUROPEAN UNION

FGM is a violation of the **human rights** of women and girls affected by the practice and amounts to **torture**. The European Parliament estimated that over **600,000 survivors** of FGM currently live in Europe, and that **190,000 are at risk** of FGM in 17 countries alone.

We welcome the Slovenian Presidency, which is the third of the Trio formed with Germany and Portugal. The Trio programme emphasises a key area on **protecting citizens and freedoms**, which is of interest to End FGM EU, since it entails the Trio's commitment to: mainstreaming equality, including gender equality, youth empowerment, social inclusion, combatting gender-based violence and fighting against all forms of discrimination, especially in light of the increase in inequalities and discrimination exacerbated by COVID-19. Moreover, we deem important the focus that the Trio programme puts on **promoting Europe's interests and values in the world**, specifically in relations to Agenda 2030 and the SDGs, promoting human rights, but also reinforcing linkages between the internal and external policies of the Union. End FGM EU welcomes the **Joint Trio Declaration on not allowing the COVID-19 pandemic to increase inequalities and discrimination of any kind**. This is particularly an important priority for us, as the crisis has led to increased cases of violence against women, overwhelmingly impacted organisations working on combatting gender-based violence, including FGM, and has disrupted access to essential support services for women and vulnerable groups.

Concerning the Slovenian Presidency programmatic document, we welcome the overall priority of **Resilience, Recovery and Strategic Autonomy**, especially when promoting a recovery that ensures equal opportunities for all, regardless of gender. Nevertheless, we regret to see that no clear priority is given to addressing gender-based violence (GBV) within your programme, which is problematic, since GBV is both cause and consequence of gender inequality and the latter cannot be fully achieved unless the first is tackled. This is not only a human rights concern, but also an economic cost, which according to a freshly published EIGE report¹, amounts to €366 billion per year (€289 billion of which towards women and girls). Despite that, we have been positively surprised by the Presidency's mention of the worrisome rise of GBV during the pandemic while addressing the European Parliament's FEMM Committee last week. Within such reflection, we recommend that the voices and recommendations of women with heightened vulnerability, civil society, grassroots and women's organisations are listened to. We call on more efforts be taken to ensure an EU gender-sensitive COVID-19 response, which must adequately involve women and girls-led initiatives within the crisis response. During the presentation in FEMM, we also duly took note of the upcoming high-level event on online violence to be organized during fall. Notwithstanding, End FGM EU urges the Slovenian Presidency to give attention to all forms of GBV and to the disruption of support networks and services that resulted from the pandemic.

We welcome the Presidency's third priority concerning **rule of law and equal opportunities**, in particular when it comes to the respect for personal dignity, freedom and fundamental rights. Within this priority we also celebrate the mention of high-quality inclusive education, assuming that its inclusiveness will promote gender equality for all and take into account comprehensive sexuality education. We are also happy to see that another priority for the Presidency under this pillar will be to make progress towards the accession of the EU to the European Convention on Human Rights. However, we call for the Presidency to also push for ratification at Member States and EU level of the Istanbul Convention, the most comprehensive treaty to combat gender-based violence, a fundamental pillar to promote equal opportunities in Europe.

Moreover, in relation to the priorities in the area of **Justice**, End FGM EU welcomes the focus of the Presidency on the **rights of victims** of crime, with special attention to **children** and its commitment for a comprehensive Council response to the EU Strategy on the Rights of the Child. Within this response, we urge the Presidency to encourage Member States to take ownership of the strategy at national level. Still in this framework, we would encourage the Slovenian Presidency to address also FGM, being a crime that is generally perpetrated

¹ See here: <https://eige.europa.eu/news/gender-based-violence-costs-eu-eu366-billion-year>

against minors. In particular, we recommend the Presidency to promote the inclusion of FGM Survivors² without discrimination in the Victim's Rights Directive.

In relation to the priority **A credible and secure European Union, capable of ensuring security and stability in its neighbourhood**, we are happy to see that the Slovenian Presidency will emphasize gender equality on its comprehensive approach to human development. End FGM EU agrees that eliminating all forms of inequality (including gender inequality) is the best way to strengthen social resilience. However, we also encourage the Presidency to ensure that the implementation of the EU Action Plan on Gender Equality and Women's Empowerment 2021-2025 (GAP III) will be prioritised.

Finally, we are confident that your Presidency will be inspired by the objective **"Together. Resilient. Europe."** to ensure the EU lives up to the values enshrined in its treaties and that a "resilient Europe" strongly supports human rights, non-discrimination and equality, including gender equality, to counter any opposition movement attacking these core European values, in the face of the global pandemic. In this regard, we strongly recommend that EU recovery plans do not come at the expenses of EU values and we urge the Slovenian Presidency to show leadership in ensuring the EU puts money to uphold its core values, including gender equality.

Building on these elements, on the Council Conclusions *"Preventing and combating all forms of violence against women and girls, including female genital mutilation"* of June 2014 and on the programme and priorities of the Slovenian Presidency, End FGM EU calls on the Presidency and the Council to act, in the scope of its competences to:

- ☒ Ensure **human rights** remain a core priority in the EU agenda, notably by mainstreaming human rights issues when relevant in EU legislation and policy, both externally and internally.
- ☒ **Mainstream gender** into the Council's contributions to EU legislation and policy, in particular those related to human rights, migration and international protection, health, research and data collection, development, women's rights, children's rights and the fight against gender-based violence, including FGM.

Moreover, End FGM EU would like to draw the Slovenian Presidency's attention to a few priority areas that we deem crucial to ensure the end of all forms of gender-based violence, including FGM, in Europe and beyond. Therefore, we would like to call on the Presidency and the Council to take, in the scope of its competences, the following specific actions.

International protection

- ☒ Work with the European Commission and Member States to ensure the effective transposition and implementation in all EU Member States of **Directive 2012/29/EU** (Victims' Rights Directive).
- ☒ Continue the work to reform the **Common European Asylum System**, particularly within the **New Pact on Asylum and Migration**. . In this context, we call upon the Presidency to bear in mind the key objective of protection of women and girls affected by gender-based violence, including FGM, and to ensure that these principles are taken into consideration:

²At End FGM EU, we use the positive term "survivors of violence" instead of "victims", in order to emphasize the resilience of persons affected by gender-based violence.

- Mainstream gender and human rights to enhance the protection of migrants, asylum-seekers and refugees, particularly women and girls.
 - Give clear guidelines to Member States as regards to the international protection of vulnerable groups fleeing past or fear of persecution, including FGM survivors and persons at risk of FGM e.g. gender and child sensitivity, access to female interviewers and interpreters, credibility assessment taking trauma into account, gendered data collection - including concerning country of origin information -, acknowledgement of past persecution etc.
 - Develop high gender- children- and culturally-sensitive standards as regards to the qualification process, the asylum procedures process and the reception conditions of asylum-seekers and refugees to ensure the respect of human rights and international law.
 - . In light of the recent agreement on the creation of the EU Agency of Asylum, which will entail in particular more support for Member States on gender-sensitive country of origin information, training of asylum officers and fairness of the asylum system, we urge the Presidency to push to speed up discussions on all the remaining instruments to ensure final adoption and implementation.
 - Involve tailored training of professionals e.g. health practitioners, public and asylum officers etc., notably on gender issues and gender-based violence, including FGM.
- ☒ In particular, work with Member States, the European Commission and European Parliament on the new amended proposal for an **Asylum Procedures Regulation** (former Directive 2013/32/EU) tabled by the Commission in September 2020 within the framework of the new Pact on Asylum and Migration, after Council and Parliament did not reach an agreement on the previous text proposed within the CEAS reform in 2016. Ensure that such new text will grant adequate protection for all girls below 18 years old, as a group presenting increased vulnerabilities, and will not submit them to accelerated or border procedures, in line with internationally agreed protection standards.

Istanbul Convention and the Sustainable Development Goals

- ☒ End FGM EU urges the Slovenian Presidency to work towards the **ratification of the Council of Europe's Istanbul Convention by the EU and all Member States**. We encourage that this is supported through organised bilateral talks with Member States who have not yet ratified the Convention at national level to try and unblock the situation while waiting for the Court of Justice of the EU's opinion. Once the CJEU opinion is out, we encourage the Presidency to resume negotiations on the EU accession to the Istanbul Convention within FREMP. We stand ready to support in this process. Meanwhile, we encourage the Slovenian Presidency to support the Commission's proposal for a **new EU legislative tool on GBV** and to make sure that it addresses all forms of such violence, including Female Genital Mutilation. This tool should also have an EU Coordinator to overview its implementation and include an accountability mechanism to monitor Member States compliance.
- ☒ We also recommend the Presidency works with relevant stakeholders, notably the European Commission, European Parliament, EEAS, the UN, EU Member States' governments and third countries to develop internal and external joint actions towards the implementation of **Agenda 2030** on Sustainable Development, with particular attention to SDG 5.3 on eliminating all harmful practices, and the **European Consensus on Development**.

Data collection and funding

- ☒ Encourage **data collection** using a common methodology on the prevalence of gender-based violence in each Member State, including on refugee status granted on such ground within the asylum system, with a special focus on FGM. Ensure the cross-border coordination and sharing of collected data through e-databases among Member States.
- ☒ Regarding the MFF 2021-2027 and the EU's recovery plans, we **urge the Slovenian Presidency to encourage all EU Member States to demonstrate their political leadership and commitment to protecting equality between women and men and eliminating violence against women and girls in all of their activities** and to **increase funds to gender equality and the fight to end violence against women and girls**.

Member States

- ☒ Call for Member States to develop and fund **education and awareness-raising** actions and programmes on **human rights** and on **gender-based violence**, including on FGM and in collaboration with FGM-affected communities.
- ☒ Call for Member States to ensure appropriate **training of relevant professionals** (health practitioners, public officers, asylum officers, police, teachers, social workers, journalists, etc.) and **access to holistic and specialised services** to address the issue of gender-based violence, including FGM.
- ☒ Call for Member States to develop actions and programmes to end violence against women and girls, including FGM, dedicated to **prevention and protection**, and to collaborate with each other as well as third-country partners to identify and implement promising practices in this area.

We wish the Slovenian Government a fruitful and constructive Presidency Semester and we are looking forward to a close cooperation during this period and beyond.

Yours sincerely,



Chiara Cosentino
Head of Policy & Advocacy

On Behalf of Ms. Anna Widegren, Director

End FGM European Network

Mundo B, Rue d'Edimbourg 26, Brussels 1050, Belgium

T: 0032 2 893 09 02 / Mobile: 0032 489 709 272

E: ccosentino@endfgm.eu / W: www.endfgm.eu