



HE Mr. Nikolaus MARSCHIK
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Cc: Mr. **Nicolas Wimberger**, Attaché, Legal Affairs
Mr. **Philipp Woschitz**, Delegate COLAC – COTRA - COHOM

Brussels, 18 July 2018

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

Dear Mister Ambassador,

The End FGM European Network (End FGM EU) is a European umbrella organisation consisting of 21 national NGO experts on female genital mutilation (FGM), in 12 EU Member States. Our vision is a world free of all forms of FGM where women and girls are empowered and can fully enjoy their human rights. Our mission is to be the driving force of the European movement to end all forms of FGM, joining the forces of communities and civil society organisations, and building synergies and cooperation with all relevant actors in Europe and globally.

We welcome the Austrian Presidency, the last of the current Trio with Estonia and Bulgaria. The Trio programme emphasises a key area on **empowerment and protection of all citizens**, which is of particular interest to End FGM EU, since it entails: gender equality, gender mainstreaming, the implementation of the Beijing Declaration and Platform of Action, empowering young people, coordinated approach to migration, assessment of the best interest of the child, protection of human rights, international cooperation and the 2030 Agenda for Sustainable Development.

Furthermore, End FGM EU welcomes the **Trio Presidency Declaration on Equality between Men and Women**, which stresses that eliminating all forms of gender-based violence is a precondition for achieving gender equality and highlights the importance of coordinated efforts at EU and Member States level towards this end. We were also very satisfied to see that a specific point in the Austrian Presidency Programme addresses “**Women and Gender**

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 at least **500,000 survivors** of FGM currently live in Europe, and that **180,000 are at risk** of FGM each year, although the real figure could be higher given the hidden nature of the practice.

Equality", with a particular focus on **youth and gender equality** as well as on **"The Girl Child"**. This is extremely relevant for our work, since FGM is a human rights violation perpetrated predominantly on girls and undermining the development of their full potential. As a European Network we actively promote the importance of youth engagement and provide an enabling environment for young people to shape our work.

Moreover, we deem important the focus that your programmatic document puts on young people and gender equality also regarding **"Development Cooperation"**, specifically when striving to provide economic perspectives in third countries. **Working on the root causes of economic dependence of girls and women** is key to ensure sustainable development. Gender inequality, discrimination and gender-based violence, including FGM, perpetuate poverty trends, undermine female access to education and to the work market and create imbalanced working societies for both families' incomes and countries' economies. Only by addressing such gendered power imbalance women and girls will be able to contribute in their full potential to their personal and societal development.

Finally, we hope that your Presidency will be inspired by the motto **"A Europe that protects"** not only in relation to enhanced security and border controls, but also towards ensuring that all vulnerable individuals, with particular attention to women and girls affected by gender-based violence (including FGM), who are entitled to international protection can have access to adequate support within the EU.

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, on the Trio Presidency Declaration on Equality between Men and Women and on the programme and priorities of the Austrian 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 Austrian 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).
- ☒ Within with the Austrian priority **"Security and the fight against illegal migration"**, continue the work to reform the **Common European Asylum System** with the aim of concluding

discussions on all instruments by the end of the Presidency semester, and by ensuring these principles are taken into consideration:

- 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 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 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.
 - Create an effective and adequately funded EU Agency for Asylum to support Member States, in particular on gender-sensitive country of origin information, training of asylum officers and fairness of the asylum system.
 - 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 to ensure that the new **Qualification Regulation** (former Directive 2011/95/EU), the new **Asylum Procedures Regulation** (former Directive 2013/32/EU) and the **revised Reception Conditions Directive** (Directive 2013/33/EU) will maintain a strong focus on vulnerable groups, particularly women and girls victims of gender-based violence.

Istanbul Convention and the Sustainable Development Goals

- ☒ Ensure **ratification of the Istanbul Convention by the EU** by the end of the Presidency semester and that there is full unreserved implementation. To this purpose, ensure that a clear, specific and detailed Code of Conduct is adopted within the shortest delay as a framework for EU and Member States' actions. Finally, ensure that an EU Coordinator on ending violence against women is appointed within the European Commission to overview the implementation.
- ☒ Work 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.

- ☒ Work in collaboration with the European Parliament and the European Commission, including on the next Multiannual Financial Framework 2021-2027, to ensure **sustainable, accessible and flexible funding**, especially concerning its geographical scope and timeframe, on relevant matters e.g. joint programmes between EU and third-countries, programmes against harmful practices and violence against women and girls, longer-term community-led awareness-raising and behavioural change programmes, etc.

Member States

- ☒ Call for Member States and the European Commission 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 and with third-country partners to identify and implement promising practices in this area.

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

Your sincerely,



Chiara Cosentino
Policy & Advocacy Officer

On Behalf of Ms. Fiona Coyle, Director

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