End FGM
EUROPEAN NETWORK

Ms Zuzana Rudzinska-Bluszcz
Undersecretary of State
Ministry of justice
11, Ujazdowskie Avenue
00-950 Warsaw, Poland

Brussels, 26 February 2025

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

Dear Ms. Zuzana Rudzinska-Bluszcz
I am writing to you on behalf of the End Female Genital Mutilation European Network (End FGM EU) after having read your Presidency programme and priorities. The Polish Presidency starts at a particular time for the EU, as it is the beginning of a new cycle for the Union. Hence, your Presidency should be the opportunity to ensure that everyone in the Union has their rights respected, protected and promoted and that anyone can thrive in a gender-equal Union and in a world free from all forms of violence.

Our feedback represents the 39 member organisations of our Network, whose everyday work helps advance the mission to eliminate female genital mutilation (FGM) and support Survivors across 16 countries in Europe[1].
As the Polish Presidency commences, as part of the Trio formed with Denmark and Cyprus we want to emphasise the Trio's programme, which sets to strengthen the area of security and freedom in its internal and external dimensions in accordance with **EU fundamental values.** As part of the Trio programme, Poland is committed to working towards the implementation of the Common European Asylum System and the Pact on Migration and Asylum. We insist on the need for a **human rights-based gender-, age- and culturally sensitive Common European Asylum System**, being respectful and providing **special**

[1] End FGM EU is a European umbrella organisation consisting of 39 national NGO experts on female genital mutilation (FGM), in 16 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. Grassroots voices are at the heart of the work we do to influence European governments and policymakers to act 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 building bridges and cooperating 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. https://www.endfgm.eu/

protection measures to FGM-affected women or girls at risk of FGM seeking asylum. We are glad to see the trio's focus on equality and human rights including combatting gender-based violence and discrimination. These aspects are crucial to the elimination of FGM, towards which we promote an intersectional approach, key to combat gender inequalities that result from several overlapping forms of discrimination and need to be considered and tackled together. Finally, we welcome the Trio programme's focus on the mid-term review of **the Multiannual Financial Framework 2021-2027** and encourage to increase the resources allocated to ending GBV, promoting sexual and reproductive health and rights (SRHR) and supporting the work of civil society organisations to match the actual needs of the sector.

Having read the Polish Presidency programme, we welcome the mention of the Council conclusions onfor action. Recent reports indicate that we are heavily off-track in achieving the sustainable development goals (SDG), especially SDG 5.[2] This worrying trend signifies that gender inequality remains imbedded in our society and an acceleration and renewed commitment of efforts is needed to ensure meaningful change can be achieved. The recent accession to the Istanbul Convention as well as the adoption of the first EU directive to combat violence against women and domestic violence are welcomed steps which pave the path toward protecting women and supporting victims. The Polish Presidency should continue this momentum and ensure the full implementation of these two legal frameworks. It is important that the Presidency priorities gender equality and combatting violence against women, in both external and internal actions of the Union. Therefore, it is critical that the Presidency works closely with the Commission to ensure the highest standards are in place in the new and upcoming Roadmap for women's rights in particular in view of the renewal the Union's gender equality strategy. Based on the core values of the EU, the Union's commitments and the Council Conclusions *"Preventing and combating all forms of violence against women and girls, including female genital mutilation"* of June 2014, End FGM EU calls on the Presidency and the Council to:

1. **Prompt all Member States to effectively address Gender-Based Violence, with a focus on prevention and protection**.

- **Urge all Member States, who haven't done so, to ratify the Council of Europe's Istanbul Convention (IC) and call on all Parties to ensure its full implementation.** This key treaty should remain the main reference for EU policy on the matter of violence against women and girls and a fundamental pillar to promote equal opportunities in Europe.

- **Ensure Member States fully implement the recently agreed Directive on Combating Violence Against Women and Domestic Violence, and urge them to adopt implementation guidelines which go beyond the minimal provisions.** While we welcome the adoption of this instrument, it is disappointing to see that the agreed text contains many shortcomings[3]. We urge the Presidency to encourage Member States to remedy the gaps in the legislative framework when transposing the directive. This instrument should be used as a complementary tool to protect victims of gender-based violence across the EU and **serve effectively the actual needs of all survivors of GBV in the EU as well as increase protection and prevention measures**. An EU Coordinator should be appointed to oversee its implementation in addition to the

[2] See The Gender Snapshot 2023.

[3] See our Joint Position and Open Letter.

accountability mechanism to monitor Member States' compliance. In order to efficiently tackle FGM, we insist that the EU, including through this Directive, must do more to increase measures on the **prevention** of gender-based violence and the **provision of specialised holistic support services to all Survivors.**

- Work with the European Commission and Member States to **ensure the revision and effective transposition and implementation of Directive 2012/29/EU (Victims' Rights Directive) in all EU Member States**. In particular to go beyond the Council's recently adopted position and explore the propositions made by the Commission and the Parliament and affirm its commitment to all victims of crimes in Europe[4]. We highlight that FGM Survivors and people at risk of undergoing FGM are part of the continuum of gender-based violence that permeates all societies, and these tools are key for their protection: the Victim´s Rights Directive is also among these key tools, and we encourage Poland to ensure that the scope of this Directive remains wide in order to offer to all victims of crimes in their diversity the support and the protection they need and deserve.

- **Prioritise access and enjoyment of full sexual and reproductive as well as mental health rights, with a holistic approach** to SRHR services, that includes mental health support, especially for Survivors of gender-based violence, who can suffer serious mental health consequences, in line with the European Commission's communication for a **comprehensive mental health strategy** and the recommendations put forward by the European Parliament.

- Prevent through the promotion of non-discrimination and gender-mainstreaming: a Europe free from discrimination and racism should be not only a vision but a reality. All actions promoting this vision should incorporate **an intersectional approach to tackle the enduring issues of racism, xenophobia and islamophobia**, all of which negatively affect the mission of ending female genital mutilation, reinforcing stereotypes and the marginalisation of affected communities.

- Collaborate with the Member States and the **European Commission to finalise and adopt the long-waited –Recommendation on how to effectively prevent and combat harmful practices,** which should be used as an additional tool to harmonically achieve higher minimum standards of GBV prevention, protection and support for all. The Polish Presidency should seize the opportunity to push for the adoption of this recommendation by the Commission to have it published by the end of the year in ligne with the promises made in the Gender Equality Strategy 2020-2025 that is coming to an end.

2. **Ensure granting of international protection aligns with fundamental human rights standards**

In light of the recent agreement reached on the New Pact on Migration and Asylum, we are concerned with the human rights implications which the current package will have in practice. Lengthy and complex procedures and the expanded use of border protection serve to reduce protection standards, increase the risk of detention and make access to the asylum process

[4] Joint Statement in Reaction to the Council Position on the Victims' Rights Directive Revision – Victim Support Europe (victim-support.eu)

harder.[5] Consequently, this will limit the number of people granted protection in the European Union. It is fundamental that all migration and asylum policies take into consideration the **human rights of people on the move**, in particular girls and women, and their right to receive international protection when affected or at risk of being affected by FGM in the countries they are fleeing. **The rights of asylum seekers on the grounds of FGM** should be guaranteed across all Member States to ensure the full protection and support of both survivors of FGM and people at risk of undergoing it. Although the Pact has been adopted with limitations which we condemn, going forward, we urge the Polish Presidency to ensure that its implementation and interpretation is carried out in full compliance with European and international law and fundamental rights standards. This requirement is in line with commitments to promote the adherence to international law and respect for human rights, and to strive for the Union's accession to the European Convention on Human Rights.

3. **Increase and improve data collection.**

The Presidency should lead efforts to **establish a common data collection methodology** on the prevalence of gender-based violence in each Member State, including on FGM and on refugee status granted on grounds of GBV and FGM within the asylum system. As various editions of Gender Equality Index[6] have highlighted, the data assessing the prevalence of violence against women is scarce, outdated and fails to reflect the full extent of the situation.

4. **Act decisively towards the achievement of 2030 Sustainable Development Goals.**

As we are celebrating the 30th anniversary of the Beijing platform, we call on the Presidency to work with other MS, EU institutions and stakeholders towards the realisation of the 2030 Agenda. As the 2023 Progress Report has highlighted, we are heavily off track in reaching SDG goals and an additional 360 billion per year is needed to achieve gender equality.[7] There is a need to increase investments specifically targeted at SDG 5.3 (ending harmful practices including FGM and child, early and forced marriage) if we want to achieve this goal in the few remaining years there is still a 2.1 billion funding gap to be filled. We call on **increasing resources** available for cross-regional cooperation and to explore **innovative financing mechanisms** that make optimal use of all donor and donation opportunities to support the anti-FGM sector, particularly grassroots organisations.

5. **Increase civil society and community engagement.**

Civil society organisations and particularly community-based and grassroots organisations are the key to the solution. By effectively supporting and working collaboratively with civil society, community-led and youth-led organisations the EU can enhance its chances of reaching the commitments made. We call on the Presidency to ensure that CSOs be increasingly supported and involved in relevant decision making through better funding and community engagement mechanisms across the EU. ¶

6. Work towards a new MFF that prioritises gender equality and ending GBV

As the conversation around the new MFF is kick-starting it is crucial to ensure that the budget reflects the needs of the sector. In particular prioritising human rights, gender-equality and

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[5] See ECRE Editorial.

[6] For example, see Gender Equality Index 2023 at page 62. See also Gender Equality Index 2022 at page 55.

[7] See the Gender Snapshot 2023 at page 13

ending all forms of GBV emphasising FGM prevention and survivor support, aligned with the EU's priorities including the Istanbul Convention.
Moreover, it is crucial to ensure that EU-decision makers use a gender lens when negotiating the next budget, by making sure gender is mainstreamed in all budget lines including but only limited to employment, humanitarian action, environment, education etc. ¶

Women's rights and gender equality are facing a universal backlash, and extreme discourses have been normalized, targeting SRHR, LGBTIQ+ people, victims of gender-based and domestic violence, etc. In the face of the many crises, it has to deal with, **we urge the Polish Presidency to maintain human rights at the core of its action for an increasingly credible role of the EU as a global leader by example**.

Wishing the Polish Government, a fruitful and constructive Presidency Semester, we reiterate our readiness to support you and cooperate to achieve our common goals.

Yours sincerely,

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On Behalf of Ms. Marianne Nguena Kana, Interim Director
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