



End FGM
EUROPEAN NETWORK

FGM, RELIGIOUS DISCRIMINATION AND INTERSECTIONALITY

POSITION PAPER



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INTRODUCTION

Female genital mutilation (FGM)¹ refers to non-medical procedures that involve partial or total removal of the external female genitalia or other forms of injury to the female genital organs. FGM is typically carried out on young girls under the age of 15 and constitutes gender-based violence. The origin of FGM dates back four thousand to five thousand years ago, hence the practice precedes monotheistic religions², making it hard to pin FGM to any specific religion. Even though FGM is not limited to nor pertains to any particular community, there are many misconceptions about where the practice originates. These misconceptions are rooted in patriarchal attitudes and shaped by overlapping systems of oppression such as sexism, racism, and are sometimes enforced by pro-FGM discourses foregrounded on religious dogma.

Despite FGM not constituting a religious obligation, there are religious leaders using scriptures to propagate FGM and members of some affected communities FGM driven by religious misinterpretations. The pro-FGM movement often uses religion as a justification for perpetrating FGM and such discourses³ not only contribute to the challenges in uprooting the practices of FGM but reinforce the misconception that FGM is prescribed by religion. These myths lead to stigmatizing and harmful effects for survivors, affected communities, and other actors within the anti-FGM movement⁴, and feed hate speech and discrimination towards specific religious communities. Consequently, at the systemic level, such preconceptions hamper access of those affected by FGM to support services due to fear of stigma.

In order to disrupt harmful narratives that link FGM to religion, we need to deconstruct these myths and analyse the effects of these misconceptions in perpetuating religious discrimination. For this reason, the End FGM European Network has directed its attention toward examining the intersections between different forms of discrimination and the movement to eradicate FGM. Rooted in intersectional analysis, this position paper reflects on the issue of religious discrimination, focusing on how it impacts the work of the anti-FGM movement.

1 World Health Organization. "Female Genital Mutilation." Who.int, World Health Organization: WHO, 31 Jan. 2023, www.who.int/news-room/fact-sheets/detail/female-genital-mutilation.

2 Nyangweso, Mary. *Female Genital Cutting in Industrialized Countries : Mutilation or Cultural Tradition?* Santa Barbara, California, Praeger, 2014, p. 101.

3 <https://www.unicef.org/media/107636/file/FGM%20case%20studies%202020.pdf>

4 End FGM Network. "2021 #EndFGM4All - FGM and Intersectionality, Addressing FGM While Leaving No One Behind." End FGM, www.endfgm.eu/what-we-do/campaigns-end-fgm-eu/2021-endfgm4all-fgm-and-intersectionality-addressing-fgm-while-leaving-no-one-behind/.

This position paper outlines the importance of addressing religious discrimination when preventing FGM, responding to the practice and in the advocacy work to eliminate it. In addition, this paper provides guidance and strategies for different stakeholders to tackle religious discrimination and effectively advance the elimination of FGM, examining in detail the implications that beliefs based on religious dogma may have, and ensuring that freedom of religion is guaranteed and protected, without standing as an obstacle towards the movement for abolishing FGM. Our intersectional approach is particularly important in the current political context, at a time when the rise of far-right ideologies and growing intolerance pose significant challenges to inclusivity and equality in society.

The latest European elections held in June 2024 have reshaped the composition of the European Parliament shifting it to the right, towards more conservative but also xenophobic positions.

As representatives of the European anti-FGM movement, End FGM EU is therefore wary of the challenges that this context presents to its mission. In saying that, this context makes the Network's work and approach even more essential. The current position paper is part of a larger framework that the Network has adopted increasingly in the course of the past years, to adopt an intersectional lens in the analysis and the outline of the strategies to eliminate FGM. It is imperative to reiterate that FGM as a human right violation is indivisible from other human rights, that it stems from a complex societal system that rests on foundations of discrimination and oppression. As such, while FGM has important specificities that must be adequately targeted, its elimination will only be possible if the enabling structures around violence are dismantled.

This paper is the second publication stemming from the Network's Working Group on FGM and Intersectionality and should be read in continuity with the position paper "FGM, Antiracism & Intersectionality Position Paper".⁵



⁵ <https://endfgm.eu/resources/end-fgm-network/fgm-antiracism-and-intersectionality-position-paper/>

1.1 METHODOLOGY

This position paper was produced under the auspices of the End FGM EU's Working Group dedicated to exploring the intersections between FGM and religious discrimination. A consultant was hired to assist in developing the paper by collecting data through desk research and conducting online interviews with relevant members from the Network. Two Focus Groups (FG), divided into two sessions, were organised in Brussels with members from the Network, ambassadors, community activists, and religious leaders. The first discussion aimed to explore challenges and efficient practices at the community level in debunking religious interpretations used to justify FGM practices and examine how religious discrimination impacts the work done to advocate against FGM. The second session was focused on analysing how religious discrimination impacts the anti-FGM movement, particularly on the work to prevent and abolish practices of FGM and on the support provision for FGM survivors and members from the affected communities. The discussions provided insightful testimonials from community trainers and activists engaged in the anti-FGM sector, which increased our understanding of the diversity of individuals affected by religious discrimination and enabled us to outline recommendations addressed to EU institutions and other relevant stakeholders to adequately address religious discrimination.

1.2 TERMINOLOGY

Freedom of Religion and Belief is the freedom to profess any religion, which is guaranteed under international law, including Article 9 of the European Convention on Human Rights, according to which: 1) Everyone has the right to freedom of thought, conscience, and religion; including the freedom to change their religion or belief⁶ and freedom, either alone or in community with others and in public or private, to manifest their religion or belief, in worship, teaching, practice, and observance; 2) Freedom to manifest one's religion or belief⁶ shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

⁶ Murdoch, Jim. *Protecting the Right to Freedom of Thought, Conscience and Religion under the European Convention on Human Rights* Council of Europe Human Rights Handbooks. 2012

Religious Discrimination: Religion or belief discrimination refers to the differential treatment of individuals or groups based on their belief system or worship. The UN General Assembly Declaration on the elimination of all forms of intolerance and discrimination based on religion or belief stipulates the following: 1) No one shall be subject to discrimination by any State, institution, group of persons, or person on the grounds of religion or belief; 2) For the present Declaration⁷, the expression "intolerance and discrimination based on religion or belief" means any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.

Intersectionality is an analytical lens that helps us to analyse how the interaction between identity markers such as race, class, sex, gender, religion, disability, and sexual orientation creates overlapping systems of oppression and asymmetrical power relations on multiple levels. It is a term coined by black feminist Kimberlé Crenshaw, which stipulates that systems of oppression are not demarcated, nor do they exist independently from each other, but are interconnected⁸. As an analytical framework, intersectionality enables us to examine the overlapping and intrinsic systems of oppression that impact various communities in the anti-FGM movement. In its recent work, the End FGM European Network has critically examined how FGM as a form of gender-based violence meets with systemic racism⁹ and negatively impacts survivors, women from affected communities, and, more broadly, other stakeholders within the anti-FGM movement. By applying an intersectional approach, we can understand how systemic racism and religious discrimination can hinder the efforts to abolish practices of FGM.

Example: *Muslim women are susceptible to the same inequalities that other women encounter (gender pay gap, sexual harassment, domestic violence, etc.), but different identity categories such as race/ethnicity and perceived religious affiliation can further marginalise them. In the UK, around 50% of Muslim women¹⁰ have expressed being discriminated against and refused employment due to wearing a hijab. According to them, wearing a headscarf is a gendered and Muslim-specific visible marker that triggers experiences of discrimination, marginalisation, and exclusion in employment, healthcare, the justice system, etc.*

Islamophobia is a form of racism encompassing acts of violence and racial slurs stemming from negative portrayals and stereotypes about Muslims, leading towards the marginalisation and exclusion of the latter. As a form of racism, Islamophobia is foregrounded on the idea of Islam as an inherently violent/patriarchal culture to justify and legitimise policies, laws, and measures targeting Muslim community members.

⁷ https://legal.un.org/avl/ha/ga_36-55/ga_36-55.html

⁸ https://www.endfgm.eu/editor/0/Intersectionality_Brochure.pdf

⁹ End FGM EU Network. "FGM, Antiracism & Intersectionality Position Paper." 25 Oct. 2022.

¹⁰ Šeta, Đermana. "Forgotten Women: The Impact of Islamophobia on Muslim Women." ENAR, 11 Feb. 2016

Even individuals with no religious affiliation to Islam, who might be perceived as Muslim practitioners due to their ethnicity/migration status or other visual markers such as religious clothing, are susceptible to Islamophobia. The mass media discourse is influential in building an “Islamophobic common sense,” which normalises the xenophobic and racist attitudes in public opinion.

Example: *Islamophobic discourses have legitimised the securitisation of Muslim communities (and other individuals perceived as Muslim). This has resulted in the disproportional policing of communities at risk of FGM. In Denmark, parents of a Muslim Danish-Somali family were accused of forcing their daughters to undergo FGM¹¹ after returning from their summer vacations in Kenya in 2015. The suspicion was raised by school educators who based their claim on the perceived strange behaviour of one of the daughters. Initially, the claims were corroborated by testimonials from the Council of Forensic Medicine, which stipulated that two girls were forced to undergo FGM. Based on this expert assessment, the District, High, and Supreme Court found the parents guilty. Nonetheless, the family's parents appealed against the verdict by insisting on their innocence. A team of gynaecologists and leading experts on FGM examined both girls and found out that the latter had not been subjected to any practice of FGM. Considering the new expert assessment, the family requested authorities to reopen their case's criminal proceedings. Forensic experts from the Council refused to change the conclusion of their examination. Hence the Court of Appeal refused to reopen the criminal proceeding. This case drew criticism from civil society actors and legal experts who condemned the lack of due process.*

2 MAIN LEGAL INSTRUMENTS AND POLICY FRAMEWORK TACKLING RELIGIOUS DISCRIMINATION

Freedom for religious expression is enshrined by various legal instruments set out by regional and international actors, such as the United Nations (UN), the Council of Europe (CoE), and the European Union (EU). These instruments include legal and policy frameworks that provide protection against discrimination for individuals and communities to exercise their religious beliefs and practices.

¹¹ Enes Bayrakli, and Farid Hafez. *European Islamophobia Report 2022*. Leopold Weiss Institute, 2023, p. 197

In 1948, the United Nations adopted the Universal Declaration of Human Rights (UDHR), a milestone document in the history of human rights¹². Under Article 18 of the UDHR, the freedom of thought, conscience, religion, and belief were enshrined as fundamental human rights. This Declaration, enforced by the UN Human Rights Council, paved the way for the development of the International Covenant on Civil and Political Rights (ICCPR), a human rights treaty adopted by the UN in 1966¹³. ICCPR reaffirms the freedom of religion under Article 18 through similar provisions concerning the protection of the right to freedom of thought, religion, and belief following limitations necessary for the protection of public safety, order, or the fundamental rights and freedoms of others.

Following the UDHR, the Council of Europe established the European Convention on Human Rights (ECHR) in 1950¹⁴. The convention, which is enforced by the European Court of Human Rights, set forth the right to freedom of thought, conscience, and religion in Article 9, with EU institutions responsible for its implementation. Even though it does not constitute an EU instrument, ECHR is incorporated into the EU law through the Charter of Fundamental Rights¹⁵. Adopted in 2000, the Charter of Fundamental Rights of the European Union constitutes a fundamental document that enshrines the most important personal freedoms and rights enjoyed by citizens of the EU. While these legal instruments and policy frameworks provide a baseline for the prohibition of discrimination on the grounds of religion and belief, it is important to understand that the protection of religious freedom varies significantly from one state to another based on the specific constitutions of each EU country.

On the international level, the UN Human Rights Council appointed a Special Rapporteur on Freedom of Religion or Belief¹⁶ through Resolution 1986/20. The Special Rapporteur is an independent expert mandated to identify existing and emerging obstacles to the exercising of the right to religious liberty and “to promote the adoption of measures at the national, regional, and international levels to ensure the promotion and protection of the right to freedom of religion or belief.” On 31 March 2022, the UN Human Rights Council adopted resolution 49/5, which extended the mandate of the Special Rapporteur for a further three years. Under this role, the Special Rapporteur undertakes fact-finding country visits, identifies infringements and impediments to the exercise of the right to freedom of religion, and presents recommendations and remedial measures to overcome identified obstacles to the enjoyment of religious liberty at regional and international levels.

12 United Nations (2022). OHCHR | Universal Declaration of Human Rights. [online] OHCHR. Available at: <https://www.ohchr.org/en/universal-declaration-of-human-rights>.

13 Equality and Human Rights Commission (2010). International Covenant on Civil and Political Rights | Equality and Human Rights Commission. [online] Equalityhumanrights.com. Available at: <https://www.equalityhumanrights.com/en/our-human-rights-work/monitoring-and-promoting-un-treaties/international-covenant-civil-and>.

14 European Court of Human Rights (1950). European Convention on Human Rights. [online] Available at: https://www.echr.coe.int/documents/d/echr/Convention_ENG.

15 European Union (2000). CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION. [online] Available at: https://www.europarl.europa.eu/charter/pdf/text_en.pdf.

16 UN Special Rapporteur on Freedom of Religion or Belief (2023). Rapporteur’s Digest on Freedom of Religion or Belief Second edition (2023) Excerpts of the Reports from 1986 to 2022 by the UN Special Rapporteur on Freedom of Religion or Belief Arranged by Topics of the Framework for the Communications. [online] Available at: <https://www.ohchr.org/sites/default/files/Documents/Issues/Religion/RapporteursDigestFreedomReligionBelief.pdf>

According to the Special Rapporteur's report to the General Assembly in 2022, the existing measures and regulations have proved insufficient to address religious discrimination at the European level. Several experts in the report have expressed concerns at the increasing number of instances of intolerance, violence, and religious discrimination and urge the EU Member States to step up their efforts to protect and promote freedom of religion by repealing laws and policies that discriminate against individuals on the basis of religion or belief. Some EU countries have implemented laws that curtail the rights of religious communities or have maintained restrictive policies that impact religious groups in a discriminatory manner. Several Member States have implemented national laws restricting religious clothing (the Islamic hijab, Sikh turban, etc.). For instance, in 2010, France was the first EU country to ban wearing face-covering Muslim niqab or burqa in public. On many occasions the UN committee on Human Rights denounced this ban arguing that these types of bans are disproportionate and participate in marginalising Muslim women. Since 2021, the French state¹⁷ has justified some pre-existing bans on religious head coverings in public spaces.

In some of the EU countries, members of religious communities¹⁸ have reported feeling targeted, unwelcome, and discriminated against on the grounds of religion. A 2008 EU Framework Decision¹⁹ called upon Member States to criminalise hate speech, defining it as "public incitement to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent, or national or ethnic origin." Despite many EU countries implementing legislation that criminalises hate speech and crime, more progress is needed to take adequate measures to prevent, investigate, and prosecute acts of violence and discrimination based on religious grounds (both online and offline). In December 2021, the European Commission proposed to include hate speech and hate crime in the list of crimes under the Treaty on the Functioning of the European Union (TFEU). However, consensus to modify the TFEU was not reached. Islamophobia, antisemitism, and other forms of religious hatred²⁰ remain prevalent across the EU and are not addressed sufficiently despite official efforts to combat religious discrimination.

The EU has several legislative and non-legislative acts designed to combat discrimination and promote religious freedom within its Member States. A few of the EU mechanisms related to anti-religious discrimination are:

The Racial Equality Directive (2000/43/EC), introduced in 2000 to combat discrimination on various grounds (including religion or belief) in the areas of education, employment, social protection and access to services²¹. Member States are required to integrate the Directive by introducing and adopting effective measures to promote equality in various areas.

17 Beardsley, E. (2021). French Senate Voted To Ban The Hijab For Minors In A Plea By The Conservative Right. [online] NPR.org.

Available at: <https://www.npr.org/2021/04/08/985475584/french-senate-voted-to-ban-the-hijab-for-minors-in-a-plea-by-the-conservative-right>

18 Institute for Jewish Policy Research (2019). Young Jewish Europeans: perceptions and experiences of antisemitism. [online] Available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-young-jewish-europeans_en.pdf.

19 Official Journal of the European Union (2023). C_2023079EN.01001201.xml. [online] Europa.eu. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A52022IR1407> [Accessed 24 Sep. 2023].

20 Council of Europe (2020). Ultra-nationalism, anti-semitism, anti-Muslim hatred: Anti-racism commission raises alarm over situation in Europe. [online] www.coe.int. Available at: <https://www.coe.int/en/web/portal/-/ultra-nationalism-anti-semitism-anti-muslim-hatred-anti-racism-commission-raises-alarm-over-situation-in-europe>.

21 End FGM EU Network (2022). FGM, Antiracism & Intersectionality Position Paper. [online] Available at: <https://www.endfgm.eu/content/documents/reports/FGM%20antiracism%20paper%20Web-version.pdf>.

The EU Anti-Racism Action Plan 2020-2025²² by the European Commission, commits to combat racism, which also includes forms of religious discrimination, recognising Islamophobia as a form of racism.

The first EU Strategy on combating antisemitism 2021-2030²³ was adopted by the EU in 2021. The strategy urges Member States to step up with their action plans and produces progress reports to monitor the implementation of the strategy in Member States²⁴. The EU Agency for Fundamental Rights (FRA)²⁵ is essential in monitoring and promoting human rights (including religious freedom) within the EU. FRA conducts research and provides data and advice to EU institutions on human rights issues.²⁶

Since FGM affects some members of religious groups and due to the misconceptions linking FGM to religion, it seems crucial to produce a position paper that critically examines how forms of religious discrimination affect various actors in the anti-FGM movement.



22 European Commission (2020). EU Anti-racism Action Plan 2020-2025. [online] commission.europa.eu. Available at: https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025_en.

23 European Commission (2021). EU Strategy on combating antisemitism and fostering Jewish life (2021-2030). [online] Available at: https://commission.europa.eu/document/6160ed15-80da-458e-b76b-04eacae46d6c_en

24 First Progress report published in October 2024 https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-antisemitism/eu-strategy-combating-antisemitism-and-fostering-jewish-life-2021-2030/first-progress-report-eu-strategy-combating_en

25 European Union Agency for Fundamental Rights (2019). European Union Agency for Fundamental Rights. [online] European Union Agency for Fundamental Rights. Available at: <http://fra.europa.eu/en>.

26 One relevant recently published source from the Fundamental Rights Agency is the survey report Being Muslim in the EU, which finds extensive examples of discrimination lived by members of the EU Muslim population. See FRA, Being Muslim in the EU - Experiences of Muslim: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2024-being-muslim-in-the-eu_en.pdf

3 FGM AND RELIGION: CHALLENGES IN DEBUNKING RELIGIOUS DOGMA PERPETUATING FGM

3.1 DEBUNKING THE LINKAGES BETWEEN FGM AND RELIGION

Religion is often used to (dis)continue a practice justified by culture and is also cited as a reason for carrying out FGM. For instance, Muslims, Christians, and Animists can be found among those who practise FGM in Sub-Saharan Africa. In Asia, the practice began later and is seen as a religious obligation, in the same way as male circumcision²⁷ (in Indonesia, it is called “female Islamic circumcision”). As a practice, FGM existed well before the arrival of monotheistic religions²⁸.

Despite being perceived and practiced sometimes as a religious obligation, FGM does not have a religious basis. As a practice, FGM existed well before the arrival of monotheistic religions²⁹. Many community trainers and activists argue that even though FGM is not endorsed by any of the major religions, FGM is sometimes practiced due to **misinterpretation of scriptures and/or because of the influence of religious leaders endorsing FGM.**



27AMS Belgium (2016). Addressing common myths and misconceptions GENITAL MUTILATION. [online] Available at: <https://www.endfgm.eu/content/documents/Myths-and-Misconceptions.pdf>.

28End FGM EU Network (2017). PRACTISING A SPECIFIC RELIGION IS NOT IN ITSELF AN INDICATION THAT SOMEONE SUPPORTS FGM. RELIGION CANNOT EXPLAIN THE EXISTENCE OF THE PRACTICE. [online] Available at: https://www.endfgm.eu/editor/0/Infographic_FGM_religion.pdf [Accessed 28 Oct. 2023].

29 UNICEF (2013). Female Circumcision between the Incorrect Use of Science and the Misunderstood Doctrine. [online] Available at: https://www.endfgm.eu/content/documents/Final_English_FGM_summary.pdf.

It is important to recognise that in the general opinion the practice of FGM is very often specifically associated with the religion of Islam. This perception is based on a lack of deep knowledge and on the misuse of religious prescriptions that has been carried out by some Muslim communities and religious scholars of Islamic faith, thus perpetuating this false belief (see for example: “[...]in predominantly Muslim communities, the practice has been linked with Islam and the belief that every Muslim woman must be subjected to it is very strong³⁰ and UNFPA’s latest report: “Opposition to FGM laws enforcement by influential groups has entailed promoting FGM as an “obligatory” religious rite, labelling FGM programmes as “Western-based” or “colonial” efforts to erase African culture, and promoting FGM medicalization as a safer alternative. The effective use of social media has helped opposition movements garner public support.³¹ Therefore, it is important to underline that in this paper we focus on debunking the specific link between this religion and FGM, not because we believe that it is the most important one, but because it is the most often heard argument and we believe it deserves to be tackled with determination, to avoid additional stigmatisation of the Muslim community and wrong use of the Islamic faith for Islamophobic ends. Due to this consideration²⁹ and to the difficulty encountered in involving more religious representatives in the focus group discussions for circumstantial reasons, the reader will find there to be an over representation of the Islamic viewpoint on the issue. We would like to insist however that we strongly encourage religious leaders to come together to adopt inter-faith stances against violent practices such as FGM that are detrimental also to the religious communities and the religion itself due to its wrong application.

Some good practices that we wish to highlight include: Religious leaders declaration against FGM in Mauritania, facilitated by IPPF Arab World <https://awr.ippf.org/news/fgm-religious-leaders-declaration> .

Many of our members also operate by constantly involving religious leaders of different faiths in their work: see for example FORWARD UK’s awareness raising video in collaboration with the Home Office featuring two religious leaders of different faiths: Ending Female Genital Mutilation <https://www.youtube.com/watch?v=HkDuzLA8T9w>

30 Ibrahim Lethome Asmani; Maryam Sheikh Abdi, 2008, “Delinking Female Genital Mutilation/ Cutting from Islam”, p. 2

31 UNFPA, 2024 Ending FGM Annual Report, p. 37 https://www.unfpa.org/sites/default/files/pub-pdf/2024_Ending%20FGM%20Annual%20Report_v16.pdf

The misinterpretation of religious texts results from the misuse of religious terms to refer to FGM. Some proponents of FGM use the word Sunnah, which refers to the traditions of Islam concerning the behaviour and creeds that the Prophet Mohammed advocated throughout his life. There is another meaning for Sunnah, which emanates from the usage among many Muslim communities, meaning something small. In the context of FGM, some supporters of the practice believe it involves cutting something small from the female genitalia, hence Sunnah. Therefore, some of the Muslim communities believe that FGM is "sunna," thus one of his traditions. Several Muslim scholars and religious leaders have debunked this misconception. According to various Islamic studies³² there is no practice in Prophetic Sunnah called 'Sunnah-based FGM/C.' Further, Prophet Mohammad's biography contains no evidence that the Prophet allowed the circumcision of his daughters, wives, or any of his female relatives. Some other FGM proponents base their arguments on five hadiths³³, in which the Prophet Mohammed allegedly referred to FGM. Many Islamic scholars and religious leaders do not authenticate three of the hadiths based on the lack of credibility of the narrators. In the other two hadiths, one of them does not mandate FGM, while the other hadith does not refer to FGM, according to Islamic scholars. "There are only two schools of Muslim thought that stipulate that it (FGM) is obligatory. The other schools do not say it is mandatory," explained one Imam invited to the Focus Group discussion.

Religious authorities also play a crucial role in shaping community practices due to the influence that they have on community members while guiding social and spiritual aspects of life. On the one hand, there are instances when religious leaders have promoted and encouraged FGM, thus reinforcing the myth of FGM as a religious practice by consequently generating strong resistance to it. When religious leaders endorse FGM, it encourages community members to practice FGM as they see it as part of their religious identity as a Muslim, Christian, etc. One community trainer interviewed shared how she once met a religious leader in a small village in Sudan who supported FGM: "That means that the parents in that Sudanese village would be influenced by his thought and force FGM on their daughters."

32 UNICEF (2013). Female Circumcision between the Incorrect Use of Science and the Misunderstood Doctrine. [online] Available at: https://www.endfgm.eu/content/documents/Final_English_FGM_summary.pdf.

33 Muslims consider the Holy Qur'an as God's direct revelation and the primary moral guidance, while the sayings and traditions set as an example by the Prophet Muhammad during his lifetime are handed down in the Hadith writings. For Muslims, Hadiths are among the sources through which they understand the practice of the Prophet Muhammad and his Muslim community (ummah). As such, they constitute an important source, second only to the Qur'an, for law, ritual, and creed. See also: <https://egypt.unfpa.org/sites/default/files/pub-pdf/d9174a63-2960-459b-9f78-b33ad795445e.pdf>

However, the religious discourse on FGM has witnessed significant changes throughout the years. Some religious leaders have taken a public stand against FGM and thus have managed to persuade communities to oppose the practice. For example, around 76 percent of the villagers surveyed in Gewane, Ethiopia,³⁴ expressed that *“learning through religious leaders that Islam did not endorse FGM gives the freedom to abandon the practice without the fear that we would be opposing their religiosity.”* In addition, the involvement of religious scholars and intellectuals in challenging prevailing misconceptions has contributed to de-linking FGM from religion. For instance, the Government of Egypt has fostered the engagement of renowned Christian and Muslim religious scholars,³⁵ who were already denouncing FGM and encouraged them to take a stronger leadership role in promoting the abandonment of FGM. These anti-FGM public statements, covered by local media outlets in 2008-2009, had a powerful impact in changing the attitudes among religious leaders and the general public. For example, the fatwa of the Grand Mufti of Egypt, Sheik Ali Gomaa³⁶ in which he publicly stated that Islam condemns FGM, received primetime in the media following the FGM-related death of two girls in 2007. Hence, it is crucial to involve and gain the support of respected community leaders and religious leaders to disseminate anti-FGM messages that contribute to debunking the linkages between FGM and religion.

3.2 CHALLENGES AND STRATEGIES IN UPROOTING FGM AT COMMUNITY LEVEL

Internationally recognised as a human rights violation, FGM is a deeply entrenched social norm, and the use of religious texts within pro-FGM discourse in some affected communities is part of what makes it very difficult to tackle at the community level. As community activists and trainers testify to it: “FGM is deeply rooted in the mentalities and communities. Also, it is very much justified with the religious argument, which makes it even more deeply rooted”. The religious argument remains a sensitive issue to address for various reasons, ranging from the fact that it is related to genitalia to the stigma surrounding religion. In Italy, a community trainer who was interviewed shared how she speaks about FGM and religion in small groups due to the topic being very delicate and intimate because it touches on private parts. According to another community trainer, women are sometimes misinformed and do not know that the daughters of the Prophet were not cut: “I ask them if they have any evidence that Prophet Muhammad practised that on his daughters. They do not have any basis because there isn’t any article in the Holy Quran that says that...”.

34 The UNICEF Innocenti Research Center (2010). *The Dynamics of Social Change Towards the Abandonment of Female Genital Mutilation/Cutting in Five African Countries*. p.29.

35 Ibid. p.21.

36 Barsoum, G., Rifaat, N., El-Gibaly, O., Elwan, N. and Forcier, N. (2009). *Toward FGM-free villages in Egypt: A mid-term evaluation and documentation of the FGM-free village project*. Population Council, p.85.

In other settings impacted by war and conflicts, and with a high prevalence of FGM, community activists find it challenging to be able to speak against FGM due to the political instability and lack of prioritisation of these issues: “I come from the Kurdish community in Iraq...Speaking about religion or FGM is still considered taboo and remains difficult. They think there are more important issues that we have to discuss because there are ongoing conflicts”.

When FGM is linked to one’s religious identity, sometimes individuals who oppose FGM (within communities affected by the practice) may face social ostracism³⁷ or discrimination because they are perceived as going against established religious norms. This discrimination can be based on religious identity and community pressure to conform. To strengthen prevention, it is therefore necessary to debunk the religious arguments that legitimise FGM with coordinated and systematic efforts to deconstruct these misconceptions following a bottom-up approach and acknowledging that the work must come from within the communities. To achieve this, it is crucial to educate, empower, and engage communities on the ground. As one anti-FGM advocate stated: “It is important to engage with Survivor- led communities. Generally, there is a need for more funding to link the work of different grassroots organisations with communities. Without coordinated funding, it is impossible to reach out to those communities on the ground...”. A combination of community engagement and awareness-raising on the lack of religious basis for FGM is needed to target affected communities to explain the health risks, human rights violations³⁸ and lack of religious grounds.

Within the religious debate, there are conflicting positions among religious leaders and scholars as various schools of thought perceive FGM differently. Given that religious leaders hold significant influence and credibility within their communities, they can play an important role in discouraging the practice by speaking out against FGM. For instance, studies conducted in Kenya³⁹ have demonstrated that involving religious leaders in anti-FGM awareness raising is a successful intervention at the national and community level. “Religion remains a ‘hot’ topic to include in our workshops but nonetheless we tackle it by sharing the narrative of progressive Imams.... In Belgium, there is the issue of not having Imams educated enough and this prevents them from taking part in social debates...” said one activist during the focus group discussion. Some of the challenges that community activists encounter is developing the right approach for the involvement of religious leaders. As cited by some of the community trainers, sometimes the efforts for the involvement of religious leaders “can backfire with claims of meddling, foreign interference or pushing a Western agenda onto the religion”. Several community trainers emphasise the importance of engaging with religious scholars and leaders to provide interpretations of religious texts that debunk the myth of FGM as a religious obligation. For this reason, there needs to be more networking between religious leaders, grassroots organisations, and the community itself in de-linking FGM from religion.

37 UNFPA (2023). Female genital mutilation. [online] United Nations Population Fund. Available at: <https://www.unfpa.org/female-genital-mutilation#readmore-expand>.

38 International Planned Parenthood Federation (2018). Female genital mutilation (FGM) is a human rights violation | IPPF. [online] IPPF. Available at: <https://www.ippf.org/blogs/female-genital-mutilation-fgm-human-rights-violation>.

39 UNFPA-UNICEF Joint Programme on the Elimination of Female Genital Mutilation: Accelerating Change (2020). FGM Elimination and COVID-19: Sustaining the Momentum Country Case Studies | ANNUAL REPORT 2020. p.11.



4

FGM AND RELIGION: CHALLENGES AND STRATEGIES IN TACKLING RELIGIOUS DISCRIMINATION

4.1 MANIFESTATIONS OF RELIGIOUS DISCRIMINATION IN THE ANTI-FGM SECTOR

Even though FGM has no religious basis, the use of religion to justify the practice in some communities has reinforced the misconception of FGM as being a religious practice. Admittedly, this myth has created a baseline for the stigmatisation of specific religious communities, thus leading to religious discrimination. The practice is often perceived as Islamic due to pervasive Islamophobia, which remains politically present across Western countries. When Islam is on the news, it is portrayed through sensationalist language, with mainstream media outlets still framing FGM as “a repulsive Muslim practice”⁴⁰ alongside other stereotypical narratives. For example, in 2020, the Finnish parliament’s debate on the practices of FGM looked like a springboard for inciting anti-Muslim sentiments, with less political willingness dedicated to discussing support provision for survivors of FGM. When parliamentarians voted to criminalise FGM, political figures from the Finns Party (PS), a right-wing populist political party, instrumentalised FGM by linking it to Islam to advance the xenophobic rhetoric of “the incompatibility of Islam with Finnish values”.⁴¹ This binarism of Islam/West is used as a trope to essentialise Islam as a misogynistic faith⁴² and a “threat” to the values of the civilised/secularist West. Following an intersectional approach, we have examined the intersections between FGM and religious discrimination to understand the manifestations of discrimination on the grounds of religion and how the latter impacts the anti-FGM movement.

Religious discrimination manifests in different forms across various sectors, affecting access to information, resources, and state services for FGM Survivors and affected communities, particularly for vulnerable groups like migrants and refugees. Many End FGM EU members have met in their work professionals who hold preconceived ideas about FGM and religion. “...there are health professionals who don’t treat patients well because of some misconceptions. For instance, some gynaecologists and midwives encounter FGM survivors, and they don’t know how to treat them due to lack of general knowledge or because they see it as a religious practice, not as a form of GBV,” testified one anti-FGM advocate based in Belgium. There are other recorded cases of doctors being hesitant to talk to FGM survivors because they do not know what the right approach is or they believe that FGM is a religious practice by justifying it through cultural relativism⁴³

40 Enes Bayrakli, and Farid Hafez. *European Islamophobia Report*. 2018. Ankara, Turkey, Seta, 2019, p. 467

41 Enes Bayrakli, and Farid Hafez. *European Islamophobia Report 2020*. Austria, Leopold Weiss Institute, 2021, p. 291.

42 Enes Bayrakli, and Farid Hafez. *European Islamophobia Report 2020*. Austria, Leopold Weiss Institute, 2021, p. 291

43 Cultural relativism informs current positions on cultural diversity and multiculturalism, which has been used to defend female genital cutting as a social group’s right. For more information, read the following: Nyangweso, M. (2014). *Female genital cutting in industrialized countries : mutilation or cultural tradition?* Santa Barbara, California: Praeger.

According to community activists, religious discrimination remains pervasive in the healthcare sector. It significantly affects access to services for FGM survivors and girls at risk belonging to religious communities: "We do encounter survivors who are hesitant to approach professionals because they feel like they are not being heard. I believe religious discrimination stops girls from opening up to their case/social worker or their healthcare professional". Certain studies carried out on healthcare inequalities have identified forms of religious discrimination manifested in the failure to accommodate the needs of religious patients. For instance, the NHS Race and Health Observatory⁴⁴ has revealed institutional prejudice and widespread failure of the healthcare system in the UK to accommodate significant religious differences, resulting in religious patients facing poorer outcomes, particularly Muslim women who felt they had been subjected to stereotyping. Due to these stereotypes depicting FGM as a "Muslim"/"African" problem, there are FGM-affected girls and women who do not necessarily fit into this image and will be excluded from support services. End FGM EU members have recorded cases of institutional discrimination towards FGM survivors. "In the Netherlands, the problem is with the insurance companies which do not cover the medical costs for FGM survivors because they think it is a matter of religion and needs to be paid by the affected people," said one of the anti-FGM advocates. Other forms of religious discrimination foregrounded on stereotypes were recorded within the Family Planning services: "If health professionals see a hijabi girl, they are reluctant to inform the client about reproductive rights by saying 'You have so many children, why do you need to care'..." testified one member of the network.

Various reports shed light on stigmatising approaches⁴⁵ undertaken by local and national authorities under FGM- safeguarding procedures in health care settings, social services, schools, border control, etc. Community activists believe that Muslim families are particularly susceptible to inaccurate and unjustified safeguarding referrals due to the misconception that FGM is largely accepted and practiced among Muslim communities. Institutionalised Islamophobia has legitimised intrusive procedures that have led to over-policing and heightened surveillance of Muslim communities, thus generating traumatising experiences. Despite professional guidelines indicating that coming from an FGM-affected community and planned travel to an FGM-affected country do not in themselves constitute a level of risk requiring referral to social services, there are cases of unevidenced FGM safeguarding referrals recorded by community activists. An anti-FGM advocate recalled the case of a Malian family based in Spain who experienced FGM-safeguarding referral in school: "The daughter of the family told in school that she was going on vacation to her home country (Mali). One of her classmates shared this with his Spanish family, and the latter reported this information to the police. Without approaching any organisation or social worker, the police started a legal prosecution against the family to pull the passport back and remove the custody of the children". According to the activists, such approaches are more common during holiday season because healthcare professionals, teachers and law enforcement authorities are more alert due to fears of a potential "vacation cutting"⁴⁶. These cases emphasise the importance of appropriate training and of hiring trained intercultural mediators in different types of services to engage in conversations with families to assess the received signals, in order to avoid misreading signs of risks and profiling and criminalising certain communities.

44 Waheed, A. (2022). How the NHS is failing Muslim women. [online] <https://www.newarab.com/>. Available at: <https://www.newarab.com/features/how-nhs-failing-muslim-women>.

45 Karlsen, S., Carver, N., Mogilnicka, M. and Pantazis, C. (2019). When Safeguarding becomes Stigmatising - A report on the impact of FGM- safeguarding procedures on people with a Somali heritage living in Bristol.

46 Harris, C. (2017). Police fear young girls are being 'taken on holiday for FGM'. [online] euronews. Available at: <https://www.euronews.com/2017/07/20/police-fear-young-girls-are-being-taken-on-holiday-for-fgm> [Accessed 12 Oct. 2023].

Intercultural mediators are key in all sectors and throughout the whole process of prevention, disclosure, assistance and protection of women and girls at risk of FGM. This professional figure should be formally recognized and valued. At the same time, intercultural mediators should have access to training and resources on FGM, as the risk of having a pro-FGM intercultural mediator could be potentially really damaging for the assisted women and girls.

Institutional discrimination pervades asylum policies as well. Under the 1951 Convention⁴⁷ relating to the Status of Refugees, a girl or woman seeking asylum because she has been compelled to undergo or is likely to be subjected to FGM can qualify for refugee status. Women and girls who claim persecution based on their FGM status or risk seek international protection on the grounds of “nationality” if FGM is practiced as a “rite of passage”⁴⁸ by a particular ethnic group in the home country. In addition, women and girls from FGM-affected communities can claim international protection based on their advocacy activities against FGM or if they are considered members of a “particular social group.” A recent study report conducted on asylum procedures⁴⁹ at the EU level demonstrates how national authorities across Member States have undertaken steps to ensure that gender-specific circumstances (such as FGM) are recognised as grounds for international protection. Despite such positive developments, members from End FGM EU have recorded cases of asylum judges who held misconceptions regarding FGM and religion: “I would say that there are asylum judges who hold such beliefs...When you read the court verdicts of the asylum claims, you realise that there is a misunderstanding of FGM as a religious practice”. While religion is one of the protected grounds for seeking asylum, it should be clearly outlined that FGM is not endorsed by any religion in the verdict issued for asylum claims involving women/girls seeking protection based on their FGM status or risk.

In addition, there are consequences of religious discrimination in the advocacy work against FGM, affecting in particular female activists with a religious background. An activist in the Focus Group discussion said: “One community trainer I know, a Senegalese Muslim girl, believes she receives a different treatment when interacting with professionals compared to other community trainers who are hijabi girls. She thinks professionals take her more seriously because she is not veiled”. Another participant from the Focus Groups shared a similar experience of her colleague, a veiled Muslim girl working as an intercultural mediator, who felt discriminated against at the workplace because of her religion. Given the diverse actors affected by religious discrimination in the anti-FGM sector, it is thus essential to tackle religious discrimination both when preventing and responding to it.

47 UN High Commissioner for Refugees (UNHCR) (2009). GUIDANCE NOTE ON REFUGEE CLAIMS RELATING TO FEMALE GENITAL MUTILATION United Nations High Commissioner for Refugees (UNHCR) Protection Policy and Legal Advice Section Division of International Protection Services Geneva. [online] Available at: <https://www.refworld.org/pdfid/4a0c28492.pdf>.

48 Mishori R, Ottenheimer D, Morris E. Conducting an asylum evaluation focused on female genital mutilation/cutting status or risk. *Int J Gynecol Obstet.* 2021;153:3–10. <https://doi.org/10.1002/ijgo.13428>

49 European Union Agency for Asylum (2023). Asylum Report 2022 Annual Report on the Situation of Asylum in the European Union.

4.2 CHALLENGES AND NEEDS IN TACKLING RELIGIOUS DISCRIMINATION IN THE ANTI-FGM SECTOR

Admittedly, there are challenges and obstacles to addressing religious discrimination in the anti-FGM movement. Community activists emphasise the importance of hiring cultural and linguistic mediators in supporting access to services for FGM survivors and affected community members, given the lack of knowledge and the reluctance that some professionals have to address FGM with their clients. Studies from scientific research⁵⁰ show how the figure of the mediator can serve as a key element in facilitating communication between women and healthcare professionals. According to members from End FGM EU, intercultural mediators get hired mainly in healthcare services. Still, their involvement should not be limited only to the healthcare settings, given the vital role the mediator can play in schools, family planning, border control, etc. Moreover, the lack of trust and culturally sensitive dialogue between affected communities and health practitioners prevents data collection on FGM. As one anti-FGM advocate recalled: “There are professionals who interact with FGM-affected communities in the health, education sector, etc., but don’t report the data because they do not have the sufficient training to speak about it...they even associate FGM to Islam because they perceive Muslim women as oppressed”⁵¹ As one anti-FGM advocate recalled: “There are professionals who interact with FGM-affected communities in the health, education sector, etc., but don’t report the data because they do not have the sufficient training to speak about it...they even associate FGM to Islam because they perceive Muslim women as oppressed”.

Regarding diversity and inclusion policies, more representation of affected communities is needed to ensure diversity within organisations, policies, and legislation. “Some reflection that we are having at the internal level in our organization is to be more inclusive and have community voices from different countries, not only Sub-Saharan region and Muslim” said one participant during the focus group discussion. In addition to organising training on cultural sensitivity with professionals from different sectors, activists from the network highlighted the importance of involving professionals from the community itself: “I think cultural sensitivity is something that can be trained on with professionals in capacity building, but I think it’s more effective when you have a professional from the community itself that knows a lot more on how to hold that conversation or dialogue with the families at risk”.

50 Ugarte-Gurrutxaga, M.I., Molina-Gallego, B., Mordillo-Mateos, L., Gómez-Cantarino, S., Solano-Ruiz, M.C. and Melgar de Corral, G. (2020). Facilitating Factors of Professional Health Practice Regarding Female Genital Mutilation: A Qualitative Study. *International Journal of Environmental Research and Public Health*, 17(21), p.8244. doi:<https://doi.org/10.3390/ijerph17218244>.

51 European Institute for Gender Equality (2022). Data collection on female genital mutilation in the EU. [online] Available at: https://eige.europa.eu/publications-resources/publications/data-collection-female-genital-mutilation-eu?language_content_entity=en.

In one interview with a former End FGM EU ambassador, she criticised the lack of consistent engagement with communities on the ground by policymakers: “We should follow a strengthened framework that includes communities throughout the whole process because the approach we see sometimes is very tokenistic...with community participants being included at the last minute”. Studies conducted about the role of communities within interventions to address FGM in Europe emphasise how the involvement of communities remains inconsistent and further engagement efforts are needed.⁵²

5 CONCLUSION



As we have examined in this paper, institutional and underlying religious discrimination negatively impacts the FGM safeguarding policies, support provision, and protection of women and girls affected by FGM. Given this, the End FGM European Network acknowledges the importance of addressing religious discrimination in the anti-FGM movement, which requires a comprehensive and multi-faceted approach involving close collaboration between government agencies, civil society actors, religious institutions, and affected communities. End FGM EU is fully committed to combating religious discrimination through concerted efforts to identify the obstacles and tailoring the actions in challenging forms of religious discrimination without leaving anyone behind.



52 Connolly, E., Murray, N., Baillot, H. and Howard, N. (2018). Missing from the debate? A qualitative study exploring the role of communities within interventions to address female genital mutilation in Europe. *BMJ Open*, [online] 8(6), p.e021430. doi:<https://doi.org/10.1136/bmjopen-2017-021430>.

6

RECOMMENDATIONS

Recommendations for civil society organisations

- Designate internal regulations on preventing and identifying forms of religious discrimination, strengthening the framework on reporting and providing anonymity and protection for whistleblowers and activists, and ensuring accountability.
- Work closely with religious leaders, including by training them to be allies in debunking myths around FGM and religion and advocating for the abandonment of FGM within their communities; make sure that religious experts in all diversity are included in the work and strategy design phases: this includes many women who have authority within their circle, including from a religious perspective.
- Develop inclusive hiring procedures and working policies to create a diverse workforce by recruiting employees from various communities and create an environment that encourage retainment. This includes the inclusion of strategies on religious inclusion with practices sensitive to the cultural and religious needs of job applicants and foster an environment where employees of different religious identities are respected and valued in the workplace.
- Develop context-specific educational programs which serve to de-link the misconception that FGM is mandated by religion, providing tools and arguments for trainers, mediators, agents of change etc. Adopt a bottom-up approach by identifying and supporting community trainers trained on debunking misconception who can advocate for the abandonment of FGM within their communities.
- Conduct media campaigns and ensure that communication strategies are culturally sensitive and community-centred and do not use discourses of victimising and stigmatising certain racial/religious communities.
- Take into account the link between religious arguments and FGM in research and data collection.
- Facilitate self-reflection, awareness raising and learning on religious discrimination and its impact within the anti-FGM movement, involving affected communities and Survivors.

Member State level recommendations

- Adopt a national action plan to prevent and combat FGM, ensuring the involvement of affected communities and religious leaders in the co-creation and implementation of FGM-related policies.
- Provide women and girls affected by FGM with access to comprehensive and culturally sensitive and aware medical, psycho-social, linguistic and legal support services.
- Ensure the presence and systemic integration of trained intercultural mediators when assisting professionals and FGM-affected members in all sectors and throughout all actions, in order to facilitate a bridge of communication and understanding between all individuals involved.
- Ensure that professionals who interact with FGM-affected communities in the relevant sectors such as health, education, justice, etc., receive culturally sensitive training and are adequately skilled to support women and girls who have undergone FGM or are at risk.
- Provide funding for grassroots organisations working with communities on the ground to debunk misconceptions around FGM and religion and simplify processes for receiving funding, to alleviate the administrative burden for community trainers.
- Fund intersectional research and data collection that takes into account the impact of religious-based discrimination on different missions and social movements, including the anti-FGM mission.
- Facilitate the coordination between FGM-affected communities, civil society actors, religious institutions, and other stakeholders in healthcare, asylum and migration, safeguarding, education, etc.
- Provide legal protection and support, including through targeted awareness raising campaigns, for activists or individuals speaking out against FGM in case they encounter backlash or discrimination in their respective communities or at large.
- Review and counter the practice of misusing laws and legal tools that to over-police, criminalise and stigmatise specific religious/racial communities, for example in the framework of counter-terrorism strategies and FGM safeguarding policies.
- Ensure the correct transposition and full implementation of provisions contained in key EU law, such as the Directive to prevent and combat violence against women and domestic violence⁵³, the Council Directive (EU) 2024/1499⁵⁴ on Standards for Equality Bodies, and its amendment through Directive (EU) 2024/150055.

EU level recommendations

- Ensure the adoption and full implementation of the EU Anti-Racism Action Plan 2020-2025 by all Member States and put in place effective measures of accountability.
- Adopt an EU Strategy on Combating Islamophobia, ensure the Commission Coordinator on Combatting anti-Muslim hatred is adequately resourced and that a full strategy to combat Islamophobia is adopted and implemented; ensure that all strategies aimed at combatting religious-based discrimination, such as the Anti-Semitism 2021-2030 strategy, are implemented by all Member States.
- Strengthen the monitoring of social media networks and online platforms to tackle disinformation and trace users who incite hatred based on religion, especially far-right groups which instrumentalise FGM to feed xenophobia and racism towards certain religious/migrant communities.
- Monitor the full implementation of Council Directive (EU) 2024/1499 and Directive (EU) 2024/1500⁵⁵ of the European Parliament and of the Council to improve the effectiveness of equality bodies.
- Establish monitoring and accountability mechanisms to ensure consistent involvement of religious and underrepresented communities in the policy development related to FGM.



⁵⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32024L1500>

ABOUT END FGM EU

The **End FGM European Network** (End FGM EU) is an umbrella network of 39 national organisations working 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 Female Genital Mutilation (FGM) in Europe and beyond.

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