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Cc: Mr. **Adrian Diaz Velasco**, Counsellor for Social Affairs  
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Ms. **Rocío Ariño Serrano**, Counsellor Equality  
Ms. **María José Tarrero Martos**, Counsellor Work, Migrations and Social Security

Brussels, 12 September 2023

## **Re: Recommendations to the Spanish Presidency of the Council of the European Union**

Dear Mr. Ambassador,

I am writing to you after having read your Presidency programme and priorities.

The End FGM European Network (End FGM EU) is a European umbrella organisation consisting of 39 national NGO experts on female genital mutilation (FGM), in 16 European countries, including Spain. 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.

### **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 Spanish Presidency, starting the Trio formed with Belgium and Hungary.

The Trio programme is set to strengthen the area of freedom, security and justice in its internal and external dimensions in accordance with EU values and respecting **EU fundamental rights**. We deem it important to focus on human rights, which must include preventing and eliminating FGM, a human, women's and child's rights violation. We are also glad to see that, as part of the Trio programme, Spain is committed to working towards the reform of the common European Asylum System and the Pact on Migration and Asylum, with a special focus placed on combating violence against women and gender-based violence. We insist on the need for a **human rights based gender-, age- and culturally-sensitive Common European Asylum System**, being respectful and providing **special protection measures to FGM-affected women girls or girls at risks of FGM seeking asylum**. The Trio programme also emphasizes Europe's key **social and health dimensions to foster inclusion and non-discrimination** within a fairer Europe. Health services and support services are fundamental to ensure FGM and GBV Survivors<sup>1</sup> are protected and supported: they should be widely available, multidisciplinary and inclusive. These aspects are crucial to the elimination of FGM, towards which we promote intersectional perspective, 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 increasing resources towards ending gender-based violence and promoting sexual and reproductive health and rights to match the actual needs of the sector.

Concerning the Spanish Presidency programmatic document, the **prioritisation of gender equality externally** is a key aspect to accelerate the implementation of the 2030 Agenda and the SDGs. We welcome the two-fold approach in the humanitarian sphere, focusing on combating gender violence, providing access to reproductive health rights, and on empowering women and women's organizations. However, we are alarmed by the limited attention the programmatic document gives to women's rights and human rights priorities that the EU should be pioneering also internally. The protection of democratic values, individual freedoms, non-discrimination, and fundamental rights is a concern that has to be prioritized. We call on the Spanish Presidency to promote gender equality and fight against gender-based stereotypes, effectively implement the Gender Equality Strategy 2020-2025 and move forward with the Commission's legislative proposal to combat gender-based violence.

Based on the core values of the EU, the afore-mentioned 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 seriously address Gender-Based Violence, with a focus on prevention.**
  - **Urge all Member States 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.
  - **Promote the adoption of an adequate compromise text for the Directive on Violence against Women and Domestic Violence during trilogues.** This legislative proposal should be pursued as a complementary tool to protect victims of gender-based violence across the EU and **serve effectively the actual needs of**

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<sup>1</sup> At End FGM EU, we promote the use of non-stigmatising and empowering language, which includes using the term "survivors of violence" instead of "victims", in order to emphasize the resilience of persons affected by gender-based violence.

**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 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.** 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 Spain to ensure that it is rightly implemented in all Member States.
- **Prioritise access and enjoyment of full sexual and reproductive 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, as the findings of the 2021 and 2022 Gender Equality Index have further reminded us.
- 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**<sup>2</sup>, 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 promote the implementation of the soon-to-be-adopted 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.

## **2. Grant international protection to survivors and people at risk of gender-based violence such as FGM.**

The Spanish Presidency should advance negotiations towards a fair Migration and Asylum Pact, in line with the EU's fundamental values and human rights guarantees. We urge the Presidency to ensure 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. This is in line with commitments to uphold the Charter of Fundamental Rights and to strive for EU accession to the European Convention on Human Rights, which we welcome.

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<sup>2</sup> Community activists talk about FGM, Islamophobia and Racism | End FGM EU  
[https://www.youtube.com/watch?v=VWfYcS8\\_JQ](https://www.youtube.com/watch?v=VWfYcS8_JQ)

### 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.

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

We call on the Presidency to work with other MS, EU institutions and stakeholders towards the realisation of the 2030 Agenda. There is a need to increase investments specifically targeted at SDG 5.3 if we want to achieve this goal in the few remaining years. 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 increase 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.

Finally, our Members have expressed their concern regarding the Spanish general elections and the upcoming European elections. 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 Spanish 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** and for guaranteeing and securing women's rights.

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

Yours sincerely,



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