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Cc: Ms **Madeleine Josefsson**, Counsellor Criminal Law and Civil Law
Ms **Karolyna Schlyter**, Counsellor for Social Affairs
Mr. **Erik Adell Hellström**, Counsellor for Fundamental Rights (FREMP)
Ms. **Emma Wallinder**, Counsellor Foreign Policy Department
Ms. **Karolina Vrethem**, Counsellor Foreign Policy Department
Ms. **Elizabeth Ekenstaf**, Counsellor Employment, Health and Social Affairs
Ms. **Annika Öberg Jarlebring**, Coordinator Justice and Home affairs
Ms. **Liselotte Åberg**, Migration and Asylum
Mr. **Daniel Brunson**, Counsellor Justice and Home affairs

Brussels, 2nd February 2023

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

Dear Mr. Ambassador,

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

The End FGM European Network (End FGM EU) is a European umbrella organisation consisting of 36 national NGO experts on female genital mutilation (FGM), in 16 European countries, including Sweden. 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 Swedish Presidency, concluding the Trio formed with Czech Republic and France. The Trio programme emphasises a key area on **protecting citizens and freedoms**, which is of interest to End FGM EU, since it entails the Trio's commitment to: promoting gender equality and fighting against gender-based stereotypes, effectively implementing the Gender Equality Strategy 2020-2025 and moving forward with the Commission's legislative proposal to combat gender-based violence. Additionally, as part of the Trio programme, Sweden is committed to fighting against all forms of hate and discrimination, with a specific attention to LGBTIQ rights, anti-racism and the rights of people with disabilities. Moreover, we deem important the focus that the Trio programme puts on **promoting Europe's interests and values in the world**, specifically in relation to accelerating the implementation of the 2030 Agenda and the SDGs. These aspects combined are crucial to our work, as in our work we highlight that an intersectional perspective is key to combat gender inequalities, which are the result of several overlapping forms of discrimination and need to be considered and tackled together. The prioritisation of **child protection** is also a key aspect that we are glad to see included in the Trio engagements: indeed, FGM is in most cases performed on minors and represents thus an abuse of children's rights.

Concerning the Swedish Presidency programmatic document, we welcome the overall priority of ensuring the protection of **democratic values, individual freedoms, non-discrimination, and fundamental rights**. 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.

Based on the core values of the EU and the Council Conclusions *"Preventing and combating all forms of violence against women and girls, including female genital mutilation"* of June 2014 and on the programme and priorities of the Swedish Presidency, End FGM EU calls on the Presidency and the Council to:

- ☒ **Tackle Gender-Based Violence, with a focus on prevention.** Ensure the **ratification of the Council of Europe's Istanbul Convention (IC) by the EU and all Member States**. It is encouraging to see this among the priorities of the Presidency. 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. The EU accession to the IC should not be further delayed.
- ☒ We also support the Swedish Presidency's intention to move forward with a Directive on Violence against Women and Domestic Violence. The proposed Directive should be strengthened and pursued as a complementary tool to protect victims of gender-based violence across the EU. 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 **support services** to all Survivors.
- ☒ 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). We highlight that FGM Survivors¹ 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 Sweden to ensure that it is rightly implemented in all Member States.

¹At End FGM EU, we use the positive term "survivors of violence" instead of "victims", in order to emphasize the resilience of persons affected by gender-based violence.

- ⊗ **Prioritise sexual and reproductive health rights, with a holistic approach** 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 reminded us.
- ⊗ Non-discrimination and gender-mainstreaming are key aspects of prevention: a Europe free from discrimination and racism should be the vision for the near future, and it should incorporate **an intersectional approach to tackle the still persisting and sometimes increasing issues of racism, xenophobia and islamophobia²**, all of which negatively affect the fight against the practice of female genital mutilation, reinforcing stereotypes and the marginalisation of affected communities.
- ⊗ Call on Member States to develop actions and programmes to end violence against women and girls, including FGM, dedicated to **prevention and protection**, and to collaborate with each other as well as third-country partners to identify and implement promising practices in this area. The **upcoming European Commission Recommendation on how to effectively prevent and combat harmful practices** will hopefully serve as a key tool to increase minimum standards across the EU.
- ⊗ **Grant international protection to survivors and people at risk of gender-based violence.** 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.
- ⊗ **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.
- ⊗ **Strive toward the achievement of the 2030 Sustainable Development Goals.** We also recommend the Presidency 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**. 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 funding** available for cross-regional cooperation and to explore **innovative financing mechanisms** that could support the sectors' efforts to maintain such commitment.

² Community activists talk about FGM, Islamophobia and Racism | End FGM EU
https://www.youtube.com/watch?v=VWfYcS8_JQ

In the face of the many crises it has to deal with, we urge the Swedish 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.

We wish the Swedish Government a fruitful and constructive Presidency Semester, we stand ready to support you and we look forward to close cooperation during this period and beyond.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Xheni Dani'.

Xheni Dani
Policy and Advocacy Coordinator

On Behalf of Ms. Emilie Jarrett, Interim Director

End FGM European Network

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