

# Female Genital Mutilation in the U.S. Factsheet

## What is FGM?

Female genital mutilation (FGM) is a harmful traditional practice that involves the removal of part or all of the female genitalia. The World Health Organization (WHO) has classified FGM into 4 types:

- **Clitoridectomy:** partial or total removal of the clitoris and/or the prepuce
- **Excision:** partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora
- **Infibulation:** the most extreme form, the removal of all external genitalia and the stitching together of the two sides of the vulva
- **Other:** all other harmful procedures done to the female genitalia for nonmedical purposes, for example, pricking, piercing, incising, scraping and cauterization

## What are the health consequences of FGM?

FGM is generally performed without anesthetic, and can have lifelong health consequences including chronic infection, hemorrhage, severe pain during urination, menstruation, and sexual intercourse. It could lead to complications during childbirth and increases the risk of newborn deaths. Women may also suffer psychological trauma as a result of being subjected to FGM. While anti-FGM advocates occasionally report cases of death as a direct or indirect result of FGM, there is no statistical data on how many girls die from the procedure.

FGM is recognized internationally as a human rights violation, torture and an extreme form of discrimination against women and girls.

## Why is FGM performed?

- To control women's sexuality and to ensure virginity until marriage and fidelity in marriage.
- To make a girl more acceptable in the community and increases her eligibility for marriage.
- As a traditional rite of passage into adulthood.
- FGM is associated with notions of being "feminine," "modest," "clean" and/or "beautiful."
- Various myths surround FGM in practicing communities, e.g. that the clitoris will grow into a penis if not cut, or that a baby will die if its head touches the clitoris during birth.

## Can FGM be compared with male circumcision?

FGM varies from male circumcision because the underlying ideology behind the two practices differs. FGM is a patriarchal cultural tradition carried out with the intent of subjugating women and controlling their bodies. The practice serves to further oppress women, reinforcing the perpetuation of their marginalization and inferior status in society. Male circumcision on the other hand is not rooted in a blatantly discriminatory ideology. Further the harmful health implications of FGM cannot be compared with that of male circumcision. While male circumcision is the removal of foreskin and does not affect the male sex organ itself, FGM damages the sex organs, inhibiting pleasure and causing severe pain and complications for women's sexual and reproductive health.

## What is the prevalence rate of FGM in the U.S.?

- In 1997, the U.S. Department of Health and Human Services estimated that over 168,000 girls and women living in the U.S. have either been, or are at risk of being, subjected to FGM.
- In 2000, the African Women's Health Center at Brigham and Women's Hospital estimated that 227,887 women and girls had been at risk of being subjected to FGM in the U.S. that year.

## **What is the history of FGM in the U.S.?**

The occurrence, prevalence, and effects of FGM on certain practicing communities within the U.S. are shrouded in silence when compared to some European nations. In 1996, in a landmark decision, Fauziya Kassindja, who had escaped from Togo fleeing FGM and a forced marriage, was granted asylum in the U.S. This precedent-setting case recognized FGM as a form of gender-based persecution on the basis of which women could seek asylum in the U.S. Soon after Fauziya's case, the federal law banning FGM was passed in the U.S.

The statistics available about FGM in the U.S. are speculations mostly based on immigrant populations from FGM practicing communities in the U.S. While there have been only a couple of reported cases of FGM in Georgia (in 2003 and 2010), anti-FGM activists in the U.S. have heard from community members about American girls from practicing communities being subjected to FGM either when they are on vacation in their parents' countries of origin or when circumcisers are brought into the country to cut girls, or some reports also indicate that a few doctors may be performing FGM on girls in hospitals in the U.S. But the silence surrounding the issue makes it extremely difficult for girls and women who oppose the practice within communities to speak out openly against it.

There is a general lack of information about how to handle FGM in schools and health institutions in the U.S. While enacting and enforcing laws that prohibit FGM are key, it is critically important for relevant local and community groups working in African immigrant communities to address the issue of FGM within those communities. Culturally sensitive awareness-raising, education and outreach programs should also be put in place in order to protect girls living in the US from FGM. It is generally agreed that, to be effective, approaches to ending FGM must be holistic and include education and outreach components as well as measures for legal protection and accountability.

## **What laws protect girls from FGM in the U.S.?**

Every summer or during school holidays, girls from FGM-practicing immigrant communities in the U.S. are faced with the real and imminent threat of being subjected to FGM while on vacation in their parents' country of origin. Although a 1996 federal law bans FGM in the U.S., it does not address the act of transporting girls overseas to be subjected to FGM. The states of Florida, Georgia, and Nevada currently each have these "vacation provisions" as part of their laws. On April 26, 2010 Congressman Joseph Crowley (D-NY) and Congresswoman Mary Bono Mack (R-CA) introduced *The Girls' Protection Act* (H.R. 5137), bipartisan legislation co-sponsored by over 138 Members of Congress that would address this gaping loophole. Such laws exist in several European countries that have substantial immigrant populations from FGM-practicing communities and can act as an effective deterrent to FGM. Unfortunately *The Girls' Protection Act* did not pass in 2010.

## **Which states have laws against FGM?**

See table on next page. (Research conducted summer 2010.)

## U.S. STATES WITH ANTI-FGM LAWS

State	Summary	Only applies to minors (under 18 unless otherwise specified)	Parent/guardian/circumciser subject to prosecution	Medically necessary exception	Cultural/ritual reasons, consent not a defense	Provisions for community education & outreach
California <sup>i</sup>	Passed in 1996; Effective 1/1/1997	X	X	X		X
Colorado <sup>ii</sup>	Effective 5/24/1999	Under 16	X	X	X	X
Delaware	Effective 7/3/1996	X	X	X	X	
Illinois	Effective 1/1/1998		X	X	X	
Maryland	Effective 4/28/1998	X	X	X	X	
Minnesota	Passed in 1994; Effective 8/1/1995			X	X	X
Missouri	Passed 7/13/2000	Under 17	X	X	X	
Nevada	Effective 6/26/1997	X	X*	X	X	
New York	Passed 9/29/1997; Effective 45 days later	X	X	X	X	X
North Dakota	Effective 8/1/1995	X		X	X	
Oregon	Effective 7/15/1999	X	X	X	X	X
Rhode Island <sup>iii</sup>	Effective 7/3/1996					
Tennessee	Effective 7/1/1996			X	X	
Texas	Effective 8/30/1999	X		X		
West Virginia	Passed 2/23/1999; Effective 90 days later	X	X	X	X	
Wisconsin	Effective 5/28/1996	X		X	X	

\* Removing a female child from the state for the purpose of FGM also a felony.

<sup>i</sup> California: enhanced penalty for FGM under "Abandonment and Neglect of Children" (Penal Code).

<sup>ii</sup> Colorado: within child abuse law, and only state where doctor-patient and husband-wife privileges are inapplicable in prosecutions for FGM.

<sup>iii</sup> Rhode Island: within assault statute.