



LEGAL FRAMEWORK

International and European conventions

Greece has ratified various international conventions condemning FGM, including the Universal Declaration of Human Rights (UDHR), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), and the Charter of Fundamental Rights of the European Union (2010/C 83/02). Greece has signed the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (CETS No. 210).

Criminal law

In Greece, cases related to FGM can be criminally prosecuted through Articles 308, 309 and 310 of the Penal Code, referring respectively to the criminal offences of bodily injury, dangerous bodily harm and bodily harm against a minor. The principle of extraterritoriality is not applicable and, as such, FGM is not punishable when committed outside the country.

Child protection law

The general legislative framework related to Child Protection appears to cover cases of FGM as a form of violation of child human rights or child abuse. Law 3625/2007 incorporates the Optional Protocol for the Protection of the Rights of the Child. It focuses on child trafficking, child prostitution and the selling of children's organs. It is, however, important to note that this law provides for the prohibition of corporal violence against children, which makes it applicable to FGM.



Asylum law

Article 11 of Asylum Law 3907/2011 can be used to grant refugee status to women or girls who have undergone FGM or who are in danger of being subjected to FGM. Article 18 deals with vulnerable persons (including women and girls who have undergone FGM or are in danger of being subjected to FGM), and Articles 20 and 25 refer to child asylum claimants.

Professional secrecy law

In Greece, general law with regard to professional secrecy and disclosure, in particular Article 371 of the Penal Code and Articles 57, 914, 932 of the Civil Code may be applied to report cases of performed or planned FGM. It is stipulated

About the study

In order to contribute to identifying and filling the gaps in prevalence data collection and support the development of strategies for combating female genital mutilation (FGM), the European Institute for Gender Equality has commissioned the 'Study to map the current situation and trends of female genital mutilation in 27 EU Member States and Croatia'. The study was launched at the request of Viviane Reding, Vice-President of the European Commission. It was conducted by the International Centre for Reproductive Health (ICRH) of the Ghent University and Yellow Window Management Consultants (a division of E.A.D.C.).

The desk research in the 27 EU Member States and Croatia and the in-depth research in nine EU Member States brings about the first collection of information and data, legal and policy framework, actors, tools and methods in the area of FGM in the EU. The different national approaches to tackle FGM in the EU were analysed and compared in order to identify practices with potential in prevention, protection, prosecution, provision of services, partnership and prevalence.

The data provided in this publication were collected through desk research conducted between December 2011 and April 2012. More information and references about the study are available at: eige.europa.eu

INDICATOR COUNTRY	FGM prevalence studies	Asylum granted on FGM grounds	Specific criminal law provision on FGM	National action plan covering FGM	FGM-related child protection interventions	Hospital/medical records of FGM
BELGIUM	✓	✓	✓	✓		✓
BULGARIA						
CZECH REPUBLIC						
DENMARK			✓	✓	✓	
GERMANY	✓	✓				
ESTONIA						
IRELAND	✓	✓	✓	✓		✓
GREECE				✓		
SPAIN			✓	✓	✓	
FRANCE	✓	✓		✓	✓	✓
ITALY	✓	✓	✓	✓	✓	
CYPRUS			✓			
LATVIA		✓				
LITHUANIA		✓				
LUXEMBOURG						
HUNGARY	✓	✓				
MALTA						
NETHERLANDS	✓	✓		✓	✓	✓
AUSTRIA		✓	✓	✓		
POLAND						
PORTUGAL				✓		✓
ROMANIA		✓				
SLOVENIA						
SLOVAKIA		✓				
FINLAND				✓	✓	
SWEDEN		✓	✓	✓	✓	✓
UNITED KINGDOM	✓	✓	✓	✓	✓	✓
CROATIA			✓	✓		

What is female genital mutilation?

- Female genital mutilation (FGM), also known as female genital cutting, is a form of gender-based violence. It comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons.
- Female genital mutilation has negative effects on the health of women in the short, medium and long term and may even lead to death. It is carried out for both cultural and social reasons. Religious arguments tend to be used to justify the practice but there is no religious mandate for it.
- According to UNICEF, FGM is practised in more than 20 African countries spreading between Senegal in the west and Somalia in the east.
- Although overall figures are difficult to estimate, thousands of women and girls residing in the European Union may have been genitally mutilated or are at risk of FGM.
- The EU institutions and the Member States are committed to fighting FGM, as it is shown in the Commission's 'Strategy for equality between women and men (2010–2015)'. The Daphne III programme has played a crucial role in putting FGM on the agenda in several EU countries and in providing financial support for the implementation of transnational projects in this field.
- The European Parliament resolution of 14 June 2012 on ending female genital mutilation clearly stipulates that 'any form of female genital mutilation is a harmful traditional practice that cannot be considered part of a religion, but is an act of violence against women and girls which constitutes a violation of their fundamental rights'. The European Parliament calls on the Member States to take a firm action to combat this illegal practice.

that, for reasons of public interest or the best interests of the child, medical practitioners are obliged to report suspected cases of sexual and other forms of abuse to the police or the National Child Services. Criminal or civil sanctions are foreseen in case of non-reporting.

POLICY FRAMEWORK

Greece is one of the eight countries that have developed an action plan exclusively dealing with FGM. The 'Greek National Plan of Action to Prevent and Eliminate FGM' was developed, in 2009, in the framework of the EC Daphne project 'Developing National Action Plans on Female Genital Mutilation in the EU', and was coordinated by the Hellenic Sudanese Friendship League. A consortium of civil society organisations compiled it and no governmental representatives were included. Some of the most important actions to be implemented through this action plan included raising community awareness, providing education and empowerment for community stakeholders – in particular religious and community leaders – raising awareness and providing training for health professionals, investigating legal actions to protect second generation girls and creating an information line and consultancy services in Greece with regard to FGM. However, this

action plan was neither adopted by any authority nor assigned to any implementing agency. In addition to this national action plan dealing exclusively with FGM, the 'National Action Plan for Reproductive and Sexual Health 2008–2012' tackles sexual and reproductive health and rights and is introduced through the 'National Action Plan for Public Health'. It refers specifically to FGM by stipulating that the right to protection from FGM is one of the twelve sexual and reproductive rights in the country.

PREVALENCE OF FGM IN THE COUNTRY

In Greece, there is a lack of representative data on the number of women victims of FGM or the number of girls at risk of FGM. Data on migrants obtained from the Hellenic Statistical Authorities are not representative due to the high number of undocumented migrants living in Greece. Although the national action plan on FGM drafted as a result of the Stop FGM Campaign of 2007 is in place, no prevalence data are available in the country.

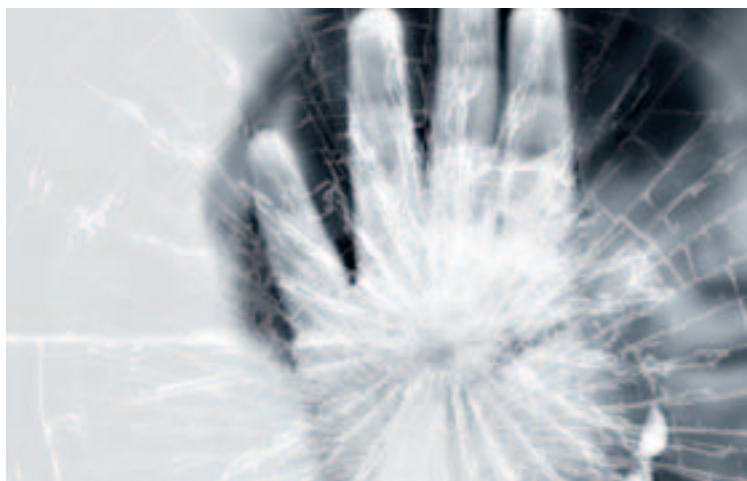
The results of a survey among 73 obstetricians/gynaecologists working at Alexandra's Hospital in Athens and the General Hospital of Kavala (Macedonia) were published in 2006. According to this study, 41% of these professionals had examined at least 95 adult women victims of FGM. The study also suggested that 1,239 mutilated women resided in Greece in 2006, half of whom resided in Athens.

Figures

- A study among obstetricians and gynaecologists indicated that 1,239 genitally mutilated women resided in Greece in 2006, half of whom resided in Athens.

Facts

- In 2007, the first campaign against female genital mutilation, 'Stop FGM in Greece', was launched to raise awareness and to combat FGM in Greece.
- Greece developed a national action plan on FGM in 2009, which has now expired. FGM is recognised as one of the twelve sexual and reproductive rights in the 'National Action Plan for Reproductive and Sexual Health 2008–2012'.
- There is currently no representative or reliable data available on the prevalence of FGM in Greece.
- A number of civil society organisations, together with a public health care organisation, have joined forces by forming a steering committee for the implementation of the Greek national action plan to prevent and eliminate female genital mutilation.



What is gender-based violence?

- Gender-based violence is a violation of human rights and a form of discrimination. It is defined as violence directed against a person on the basis of gender. Gender-based violence reflects and reinforces inequalities between men and women and results in physical, mental and sexual harm. It includes, among others: domestic violence, rape, sexual harassment, sexual violence during conflict, female genital mutilation, forced marriages, forced prostitution, forced sterilisation, female infanticide and prenatal sex selection.
- In the European Pact for Gender Equality (2011–2020) the Council of the European Union reaffirms its commitment to fulfil EU ambitions regarding gender equality as mentioned in the Treaty. In particular, it emphasises the need to combat all forms of violence against women in order to ensure the full enjoyment of human rights by women and girls and, as a consequence, to enhance gender equality with a view to creating inclusive growth and development in labour markets in Europe.
- The European Parliament Resolution on the elimination of violence against women of 26 November 2009 urges Member States to improve, among others, their national laws and policies to combat all forms of violence against women, in particular through the development of comprehensive national action plans to combat violence against women.
- The European Commission's Strategy for Equality between Women and Men 2010–2015 emphasises the importance of combating violence against women. The Stockholm Programme 2009 highlights the need for special support and legal protection for victims of violence against women. In addition, the Women's Charter 2010 envisages the implementation of a comprehensive and effective policy framework to combat gender-based violence as well as the strengthening of the measures to eradicate female genital mutilation and other acts of violence.

About the European Institute for Gender Equality (EIGE)

The European Institute for Gender Equality is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans and beyond, by providing them with specific expertise and comparable and reliable information on gender equality in Europe.

More information: eige.europa.eu

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