

Current situation and trends of female genital mutilation in Finland



LEGAL FRAMEWORK

International and European conventions

Finland has ratified various international conventions (concerning 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 Slavery and Other Slave, 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 (CFR). Finland has signed the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (CEV) No. 210.

Criminal law

In Finland, according to general criminal law, all types of FGM are treated as crimes. The following paragraphs must be used: Penal Code, chapter 21, §§ 1(1a)–(1c), 16 (aggravated sexual assault) and 17 (sexual assault). The principle of extraterritoriality is applicable, making FGM punishable even if it is committed outside the country. However, no criminal procedures on FGM have so far been initiated.

Child protection law

The Child Welfare Act could be used in child protection cases related to FGM. As such, child welfare authorities could utilize the child protection measures contained in chapter 3, §15, chapter 5, §§ 25–28 and chapter 6, §40, including removing the child from the family and suspension of parental custody. No custody cases based on FGM have been registered so far.

Asylum law

Chapter 4, §§ 2 and chapter 6, §§ 7a to 30B of the Aliens Act could be used for granting asylum on the grounds of FGM. Asylum can be granted in case of risk of persecution for physical injury, torture or other inhuman or degrading treatment.

Professional secrecy law

In Finland, the general law on professional secrecy and disclosure may be applied to report cases of performed or planned FGM. The Child Welfare Act features a reporting mechanism in case of a violation of the physical freedom of children. Certain professional

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 Ylva Johansson, Vice-President of the European Commission. It was conducted by the International Centre for Reproductive Health (ICRH) of the Ghent University and Ylva Johansson Management Consultants & division of I.A.D.C.

The desk review from 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 prevention.

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

Downloads



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EN (PDF, 12.66 MB)



Naisten sukuelinten silpomista koskeva nykytilanne Suomessa

FI (PDF, 12.67 MB)

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