

Current situation and trends of female genital mutilation in Cyprus



LEGAL FRAMEWORK

International and European conventions

Cyprus has ratified various 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 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 (CFREU).

Criminal law

In 2005, a specific criminal law provision on FGM was adopted. Article 213A of the Penal Code prohibits FGM, which is defined as the cutting or mutilation, in any way, of the major lip or the minor lip or the clitoris of a woman's genitalia. The consent of the victim does not affect the legal qualification of the act. Upon decision of the court, the principle of exterritoriality may be applicable, making FGM punishable even if it is committed outside the country.

Child protection law

The general legislative framework appears to cover cases of FGM as a form of violation of a girl's human rights or child abuse. Nevertheless, FGM is not specified in the Child Protection Law. The Commissioner for the Protection of Children's Rights Law states that the Commissioner has the right to intervene with the aim to protect a child and represent their interests. In addition, the Children's Law, Cap. 352, prohibits sexual acts to children under 16. According to Article 34 of this law, sexual acts are defined as 'wilful assault, ill-treatment, neglect, abandonment, exposure, liability to cause the child unnecessary suffering or injury to health including injury to or loss of sight, hearing, speech or organ'.

Asylum law

Provision 3(2) of the Asylum Law (2006 L. 65(II)(6)), last amended in 2008, allows a woman or girl who has either been subjected to FGM or fears being forced to undergo FGM when returning to her country of origin to apply for refugee status. A woman or girl can claim asylum based on the fact that she belongs to a particular social group practicing FGM. Nevertheless, the law does not include a specific provision concerning FGM.

Professional secrecy law

In Cyprus, general law with regards professional secrecy and disclosure may be applied to cases of FGM. However, there is no specific legal provision which concerns reporting cases of performed or

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 Queen University and fellow Winflow Management Consultants (a division of I.A.D.C.).

The desk research in the 27 EU Member States and Croatia and the in-depth research in one EU Member State brings about the first collection of information and data, legal and policy framework, actors, facts 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, provision of services, partnerships and prevalence.

The data provided in the 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)



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