

Current situation and trends of female genital mutilation in Ireland



LEGAL FRAMEWORK

International and European conventions

Ireland 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 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 (2000/C43/01). Ireland has accepted the terms of Protocol of the European Convention on Preventing and Combating Violence Against Women and Domestic Violence (ECtA No 210).

Criminal law

Since April 2012, there has been a specific criminal law concerning FGM, namely the Criminal Justice (Female Genital Mutilation) Act 2012. It states that neither a reference to necessity or moral reasons for FGM nor the girl's consent can constitute a defence for the accused person. The penalties under the Act are up to 14 years in prison and/or a fine of EUR 10,000. The principle of retroactivity is applicable, making FGM punishable even if it is committed outside the country. The offences of aiding, abetting, counselling or procuring for the commission of FGM are provided for in Irish general criminal law.

Child protection law

Apart from the recent Criminal Justice (Female Genital Mutilation) Act, general child protection provisions will be applied in cases of FGM charges as well. The Child Care Act (amended

Asylum law

FGM asylum claims can fall under the Refugee Act 1996, as amended, as it includes 'belonging to the female sex and, in its interpretation of a particular social group'. It has proposed to introduce domestic gender guidelines in the Immigration, Residence and Protection (IRP) Bill 2012 to provide for more gender-equal and gender-sensitive asylum and protection processes in Ireland.

in 1991) is primarily intended to allow for the removal of children by the Health Service Executive (HSE) in cases of abuse or mistreatment. The Children First Bill 2012 (National Guidance for the Protection and Welfare of Children) intends to put child protection on a legal basis.

Map of Europe: Shows the estimated prevalence of FGM in each EU Member State. Ireland is highlighted in blue.

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 Valérie Reding, Vice-President of the European Commission. It was conducted by the International Centre for Reproductive Health (ICRH) of the Ghent University and Willow Window Management Consultants in division of E.A.D.C.

The desk research in the 27 EU Member States and Croatia and the in-depth research in four 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 to prevent, protect, prosecute, provide services, partner up and prevent violence.

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

Downloads



Current situation of female genital mutilation in Ireland

EN (PDF, 565.78 KB)



An staid reatha um chiorrú ball giniúna ban in Éirinn

GA (PDF, 582.8 KB)

Metadata

COUNTRY: [Ireland](#)

AREAS: Gender-based violence

AUTHOR: EIGE

PUBLISHER: Publications Office of the EU

ISBN: EN 978-92-9218-252-6; IE 978-92-9218-117-8

DOI: EN 10.2839/80225; IE 10.2839/22994