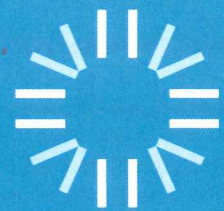
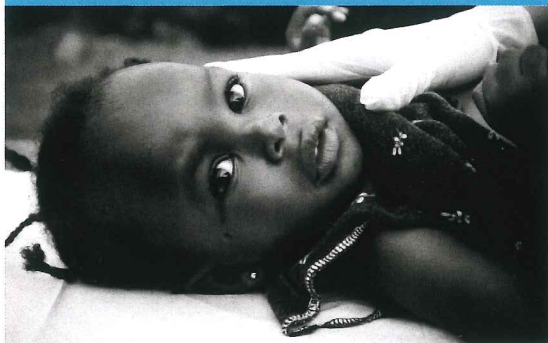


Breaking the Silence. Protecting Liberty. Celebrating Dignity.

Working to End Female Genital Mutilation, Forced Marriage, Child Marriage, and Honor Violence in the U.S.



aha foundation



ISSUE BRIEF: Female Genital Mutilation in the U.S.

FGM is a harmful traditional practice that is internationally recognized as a violation of women's and girls' fundamental human rights. The practice of FGM is generally motivated by beliefs about what is considered proper sexual behavior and cultural ideas of femininity and modesty.

This dangerous procedure has no health benefits and has lifelong health and psychological consequences. Immediately following the procedure, girls are at risk for severe pain, shock, bleeding, bacterial infection, and injury to nearby tissue. In the long term, girls and women

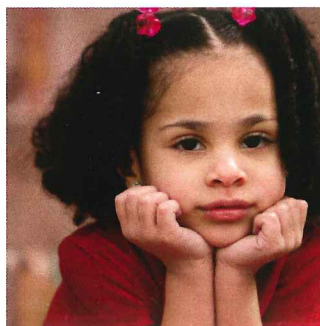
who have suffered this procedure are at risk for recurrent bladder and urinary tract infections, cysts, infertility, and complications during intercourse and childbirth.

The threat of female genital mutilation is a reality for a significant number of girls in the United States. While many think of this as a custom that only occurs in foreign countries, research conducted by the Centers for Disease Control and Prevention found in 2016 that approximately 513,000 women and girls in the U.S. had either been subjected to female genital mutilation or were at risk.

FORCED AND CHILD MARRIAGE IN THE U.S.

Forced marriage is when an individual is forced, coerced, threatened, or tricked to marry without her informed consent. A woman or girl may suffer honor violence if she resists or refuses a forced marriage. Forced marriage differs from arranged marriage because victims are non-consenting. It is estimated that there were as many as 3,000 known or suspected cases of forced marriage within immigrant communities in the United States between September 2009 and September 2011.

Child marriage, or a marriage involving a minor, often occurs in conjunction with forced marriages. Children are often forced into marriage due to strong traditional practices and are left trapped in a dangerous situation, with little to no resources for help. Child marriage has serious negative consequences, such as increased risk of divorce, a higher chance of living in poverty, discontinuing education prematurely, and physical and mental health consequences. Between 2000 and 2010, it is estimated that nearly 250,000 children were wed in the U.S.



HONOR VIOLENCE

Honor violence against women and girls occurs when actual or perceived behavior is deemed to be shameful or violates cultural or religious norms within their family and community. Conduct such as resisting a forced marriage, seeking a divorce, having friends of the opposite sex, dating someone not accepted by her family, violating restrictive dress codes, seeking out employment or education opportunities, or non-normative sexual orientation may result in honor violence.

Typically seen in the form of physical or emotional abuse, rape, or kidnapping, honor violence also includes harmful practices such as female genital mutilation and forced marriage. In extreme cases, honor violence can lead to murder. In sharp contrast with domestic violence, honor violence is often condoned by families and communities, making it particularly difficult to identify and stop. While the exact number of women and girls in the U.S. who have suffered or are at risk of honor violence is unknown, estimates have shown that honor violence is on the rise.



AHA FOUNDATION: WORKING TO END HONOR VIOLENCE IN THE U.S.

AHA Foundation Provides Resources and Protection

■ AHA Foundation worked with the Department of State to bring home Salma, who was tricked by her mother to travel to the West Bank, her family's place of origin, to be forced into an unwanted marriage. Today, Salma is living safely in the U.S., and has re-enrolled in college. The AHA Foundation continues to work with her to ensure she is receiving appropriate services and has a smooth transition back to life in the U.S.

Discreet Text Line for At-Risk Women

■ AHA created a "text line" that offers women and girls facing honor violence or forced marriage immediate access to discreet help and emotional support.

Advocacy Campaigns

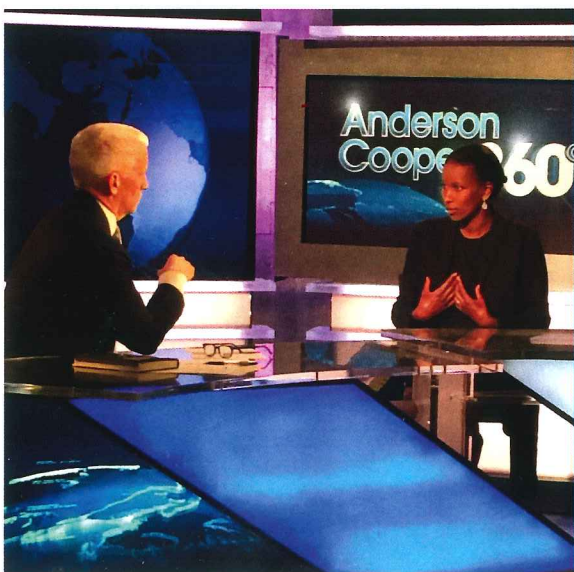
■ The AHA Foundation works at the federal and state level to pass legislation that aims to address harmful cultural practices in the U.S. This year, the AHA Foundation has supported successful efforts in Arkansas, Idaho and Utah to pass legislation to address FGM. Arkansas and Utah join Michigan in passing the most comprehensive anti-FGM laws in the U.S.

Training Law Enforcement and Service Providers

■ Service providers and law enforcement often lack the knowledge and resources to properly identify and respond to cases of honor violence. The AHA Foundation has trained more than 2,700 law enforcement officials and other professionals most likely to encounter women and girls facing FGM, forced marriage, child marriage, and honor violence on how to react and respond to such issues.

SUPPORTING LEGISLATION TO END FGM IN KENTUCKY

■ **The AHA Foundation urges Kentucky lawmakers to pass comprehensive anti-FGM legislation in the state that would ban the practice, support survivors, and work towards ending this form of child abuse.** Such legislation would send an important message that FGM is a serious crime and will not be tolerated in Kentucky. According to the Population Reference Bureau, 1,845 women and girls are at risk in the state of Kentucky. A strong anti-FGM law would have a significant deterrent effect and would protect little girls from this dangerous practice.

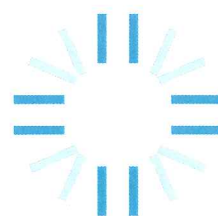


ABOUT THE AHA FOUNDATION

Our Mission Statement

The AHA Foundation is a 501(c)(3) nonprofit, founded in 2007 by human rights activist Ayaan Hirsi Ali, that advocates liberty for all by championing human rights and individual liberties above cultural, social or religious imperatives. The Foundation places a significant focus on championing the rights of women and girls and protecting them from violence and harmful traditional practices.

There
is
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and
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*aha*foundation

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Female Genital Mutilation (FGM) FAQs

WHAT IS FEMALE GENITAL MUTILATION?

Female genital mutilation (FGM) is any procedure involving the partial or total removal of the external female genitalia or other injury to the female genital organs and is often performed on girls between the ages of 4 and 14 to ensure their virginity until marriage.

IS FEMALE GENITAL MUTILATION HARMFUL?

Yes. The World Health Organization (WHO) reports that FGM has no health benefits and can cause a number of health problems. Immediately following the procedure, girls are at risk for severe pain, shock, bleeding, bacterial infection, and injury to nearby tissue. In the long term, girls and women who have suffered this procedure are at risk for recurrent bladder and urinary tract infections, cysts, infertility, and complications during childbirth. In some cases, FGM can be lethal.

IS FEMALE GENITAL MUTILATION PRACTICED IN THE UNITED STATES?

Yes. Because this is a private ritual that occurs within the secrecy of the family, there is no

way of knowing exactly how prevalent FGM is in the U.S. Research conducted by the Centers for Disease Control and Prevention found that approximately 513,000 women and girls in the U.S. have either suffered the procedure or are at risk of FGM, a number that approximately doubled between 2000 and 2014.

IS FGM BECOMING MORE PREVALENT IN THE UNITED STATES?

Yes. The estimated number of girls at risk of FGM in the U.S. has quadrupled since 1997. Immigration to the U.S. from African, Middle Eastern, and South Asian countries - where the practice of FGM is most deeply entrenched - is responsible for the rise in numbers.

WHAT IS THE FEDERAL LEGISLATION REGARDING FGM?

FGM was criminalized on the federal level in 1996 and made punishable by up to five years in prison. In January 2013, the federal FGM law was amended by the Transport for Female Genital Mutilation Act, which prohibits knowingly transporting a girl out of the country for the purpose of undergoing FGM. The act was designed to address the

problem of "vacation cutting," or taking girls to a location where FGM is legal or not penalized. Under the federal law, anyone found guilty of doing so may be sentenced to up to five years in prison.

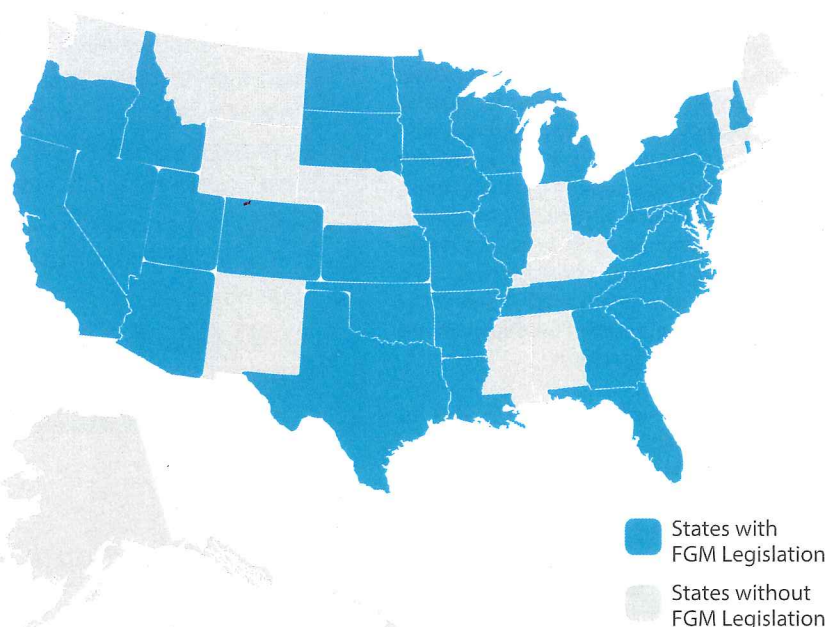
It was not until 2017, in *United States v. Nagarwala*, that federal prosecutors brought charges against a medical practitioner for performing FGM on young girls. The district court judge presiding over the case ruled that the federal FGM ban was unconstitutional and key charges against the defendants were subsequently dropped. The fate of the law remains unclear. In April 2019, the Department of Justice decided not to appeal this latest ruling and indicated that they agree with the judge's ultimate determination regarding the law's constitutionality. Currently, congressional leaders are working to defend the constitutionality of the federal FGM ban.

WHY DO WE NEED SPECIFIC STATE LEGISLATION ADDRESSING FGM? WHY WOULD THIS NOT FALL UNDER ASSAULT OR ABUSE?

Legislation banning FGM sends a strong message that this abuse is not tolerated in the U.S. Specific state legislation combating FGM is necessary to give prosecutors the tools they need to bring perpetrators to justice. Also, we know anecdotally that families on the fence about whether or not to cut their daughters, but who may be facing pressure from family or communities, have used the existence of legislation as an excuse for why they will not go ahead with the procedure.

The recent case in Livonia, Michigan, *United States v. Nagarwala*, highlights the need for state-specific legislation as the girls involved in the case were brought from Minnesota, where a practitioner can get life in prison for cutting girls, to Michigan, where there was no state legislation outlawing the practice at that time. Michigan has since put in place comprehensive legislation banning FGM.

Further, many state assault statutes specify intent to harm and/or serious bodily injury to be guilty of the statute. Parents' intent in cutting their girls is not to harm them, so proving intent to harm is problematic. In



**Pennsylvania law effective August 27, 2019. North Carolina law effective December 1, 2019.

terms of bodily injury, in a minority of cases, there may be no lasting visible scars from the procedure. Even in cases which may be less severe physically, lifelong psychological consequences may still result.

HOW MANY STATES HAVE SPECIFIC FGM LEGISLATION?

Currently, only 35 states in the U.S. specifically ban FGM. The remaining 15 do not have measures in place to prosecute, and prevent, FGM from taking place within their borders.

WHAT IS VACATION CUTTING? WHY DO WE NEED SPECIFIC LANGUAGE IN OUR LEGISLATION TO ADDRESS THIS?

"Vacation cutting" is when girls are taken away from their homes to their parents' country of origin (typically during school breaks) to undergo the FGM procedure. State legislation needs to specifically address vacation cutting because if not, it serves as a loophole for parents, grandparents, or guardians to take girls to another location for FGM. This loophole must be closed to protect the thousands of girls at risk of FGM in the U.S.

WHICH STATES HAVE THE MOST WOMEN AT RISK OF FGM?

States with more than 25,000+ women and girls at risk include: California, Maryland, Minnesota, New Jersey, New York, Texas, Virginia, and Washington. States with between 10,000-24,999 women and girls at risk include: Florida, Georgia, Illinois, Massachusetts, Michigan, Ohio, and Pennsylvania.

WHY ARE SOME CULTURES PERFORMING FGM? WHY SHOULD CULTURAL TRADITIONS NOT BE A VALID DEFENSE FOR FEMALE GENITAL MUTILATION?

In some cultures, FGM is used to initiate girls into adulthood and to ensure their marriageability. It is a way to control the sexuality of women and an attempt to prevent sex before marriage. Other reasons include: promotion from local structures of power including religious or community leaders, strengthening of cultural ideals of femininity through removal of body parts considered "unclean," serving as a confirmation of virginity at the time of marriage, and encourages conformity to social convention.

[15]

THE NUMBER OF
STATES THAT ARE
FAILING
GIRLS ON FGM

Culture, ritual, tradition, and custom cannot serve as a defensible reason for FGM because it is a human rights abuse. The rights of young girls should always be protected and not left to tradition.

DOES FGM LEGISLATION INFRINGE ON RELIGIOUS FREEDOM?

No. No major religion requires FGM as part of the faith. Further, FGM legislation does not infringe on religious freedom; it protects the human rights of girls. No religion should be used as a justification for abusing human rights, especially for minors. FGM violates women's and children's human rights, including their right to health, to be free from violence, to life and physical integrity, to non-discrimination, and to be free from cruel, inhumane, and degrading treatment.

WHY BAN FEMALE GENITAL MUTILATION IF MALE CIRCUMCISION IS LEGAL?

FGM has no benefits and can cause lifelong health and psychological consequences. Immediately following the procedure, girls are at risk for severe pain, shock, bleeding, bacterial infection, and injury to nearby tissue. In the long term, girls and women who have suffered this procedure are at risk for recurrent bladder and urinary tract infections, cysts, infertility, and complications during childbirth. In some cases, FGM can be lethal. In addition to physical consequences from FGM, there are also psychological and social consequences. These same consequences are not seen in male circumcision.

Additionally, FGM is most often a tool to control female sexuality. This is not the case for male circumcision. FGM is recognized

globally as a human rights violation that according to the WHO "reflects deep-rooted inequality between the sexes, and constitutes an extreme form of discrimination against women."

DOES FGM LEGISLATION IMPACT THOSE SEEKING TRANSGENDER REASSIGNMENT?

No, FGM legislation does not affect those seeking transgender reassignment. Transgender reassignment is often considered medically necessary for those diagnosed as suffering from gender dysphoria. FGM legislation includes a provision that allows for surgeries performed by licensed medical practitioners that are necessary to the health of the person on whom it is performed. Transgender reassignment will likely fall into this category.

SHOULD A MINOR BE ABLE TO CONSENT TO FGM?

Minors should not be able to consent to FGM because of the high possibility that they are being forced into undergoing the practice. If a minor truly wishes to have her genitals cut, mandating she wait until she is at least 18 years old does not deny her the right to do so, it merely delays the procedure.



The approximate
**NUMBER OF WOMEN AND GIRLS
IN THE U.S. THAT HAVE EITHER
SUFFERED THE PROCEDURE
OR ARE AT RISK OF FGM,**
according to the Centers for Disease
Control and Prevention,
a number that approximately
DOUBLED
BETWEEN 2000 AND 2014.

FGM IS AN INTERNATIONALLY-RECOGNIZED
HUMAN RIGHTS ABUSE



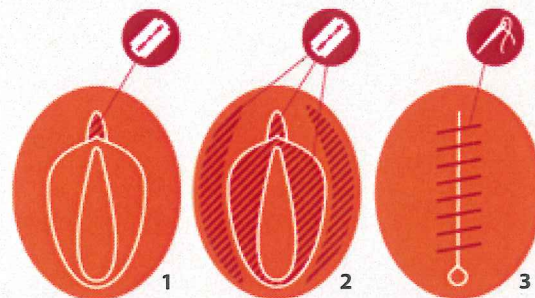
The Grim Reality of Female Genital Mutilation



FEMALE GENITAL MUTILATION (FGM) includes all procedures that involve partial or total removal of the external female genitalia or other forms of harm that **intentionally alter, injure, or violate female genitalia for non-medical reasons.**

There Are Four Major Types of FGM According to the World Health Organization

- 1 Clitoridectomy:** Involves the removal of the clitoris and or clitoral hood, an otherwise normally functioning body part that is sliced off and thrown away.
- 2 Intermediate infibulation:** As much of the clitoris as possible is removed and the labia minora cut, often times the labia majora as well to narrow the vaginal opening.
- 3 Vaginal fusing or total infibulation:** Total infibulation includes the clitoris and the inner labia being removed and the outer labia cut or scraped, then sewn together. Vaginal fusing is the most severe form of FGM which includes all aspects of total infibulation, as well as the inner walls of the vagina scratched to cause bleeding and sewing again. The girl's feet are then tied together in an effort to fuse the two sides of the vagina with scar tissue to close it up.
- 4 The 'nick':** Involves pushing a girl's legs apart and using a needle to prick her clitoris, typically to draw blood. This can sometimes include cutting, scraping or cauterizing the girls genitals.



INTERNATIONALLY RECOGNIZED HUMAN RIGHTS ABUSE

FGM IS A DEEPLY ROOTED, CULTURALLY-BASED ABUSE grounded in outdated patriarchal norms and is not particular to any religious group nor prescribed by any major religion. It is an internationally condemned form of gender-based violence that is recognized as a severe violation of women's and girls' fundamental human rights.



Typically carried out on girls between the ages of four and fourteen, FGM is performed in order to reduce a girl's libido and decrease the physical pleasure she derives from sex.

The practice is driven by preconceptions regarding appropriate female sexual conduct and is used as a means to preserve virginity before marriage, prevent infidelity, and maintain sexual purity throughout a woman's life.

NO HEALTH BENEFITS - JUST HARM

FGM IN ALL ITS FORMS IS A DEGRADING AND DANGEROUS PROCEDURE that should never be tolerated, not even when performed by a healthcare professional. Even seemingly less invasive forms can produce lifelong injuries.

According to the World Health Organization:

Immediate Risks Include: Severe pain, shock, bleeding, bacterial infection, and injury to nearby tissue.

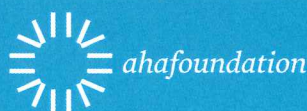
Long Term Risks Include: Chronic bladder and urinary tract infections, cysts, infertility, and complications during childbirth.

Psychological Consequences Include: Post-traumatic stress disorder (PTSD), loss of trust, betrayal, depression, anxiety, guilt, and suicidal thoughts.

Social Condemnation: Women and girls who have resisted FGM may face social alienation, shame, accusations of being "unclean," and may be at risk of familial and community-sanctioned violence in an attempt to regain or preserve family honor.

Risk of Death: For some women and girls, preventing FGM could be a matter of life and death. Immediately after an FGM procedure, excessive blood loss or infection may prove fatal. Later in life, FGM-related complications at childbirth could result in death of the mother or infant — possibly both.

ZERO TOLERANCE OF FGM is the ONLY SOLUTION



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