

U.S. and state law

In 2002 a bill prohibiting female genital mutilation was introduced in the Iowa Legislature by Sen. Nancy Boettger (Harlan). It passed the Senate, but did not make it through the House. More recent bills received even less consideration. In light of a recent federal court ruling, It's important that the legislature act now to ban FGM.

1. The Congress passed a law in 1996, the Female Genital Mutilation Act, 18 U.S. Code 116, introduced by Rep. Pat Schroeder that allowed for a fine and imprisonment.
2. An amendment was passed in 2012 or 13 banning "vacation cutting"-taking a girl out of state for the procedure.
3. A November 2018 ruling by Bernard Friedman, a federal judge in Detroit, found that the law could not be permitted under the Commerce Clause of the Constitution. "Congress overstepped its bounds by legislating to prohibit [female genital mutilation]," Friedman wrote, calling it a "local criminal activity" for the states to regulate, not Congress. He noted that the Supreme Court has said that individual states, not the federal government, have the authority to police local criminal activity. The charges against a Michigan doctor, accused of mutilating multiple (at least nine) underage girls, were the first federal case involving the procedure. If the ruling that Congress did not have the right to criminalize the practice stands, it's imperative that each state pass legislation.
4. All of the states surrounding Iowa, except Nebraska, have laws about FGM.
5. Iowa is one of 23 states that do not have laws prohibiting FGM.

As a result of Judge Friedman's ruling and lacking prohibitions in federal or state law, girls in Iowa may be subjected to this clear violation of human rights without consequence.

About FGM

- FGM is a cultural practice that does not have a basis in any particular religious tradition, has been practiced for generations (some estimate as early as the 5th century BCE) in a number of African, Middle Eastern, and Asian countries, and has spread around the world as people migrated to places like the U.S. and Europe.
- Immigrants from Ghana, Ethiopia, Nigeria, and Egypt (where FGM is practiced) account for 41% of the immigrants from Africa to the U.S.
- FGM is prevalent in cultures where women & girls have few or no rights.
- FGM is performed on girls as young as two and up to age 14 or 15.
- Girls who refuse FGM face rejection by their family and/or community.
- FGM is done to preserve virginity until marriage, eliminate or reduce the sex drive of girls, or as a rite of passage.

- The exterior female genitalia (head of the clitoris or all of it) is cut off, usually under non-medical conditions; sometimes the vagina is sewn shut as well.
- There is a high risk of prolonged bleeding, infection, and death.
- Lifetime consequences can include incontinence, fistulas, menstrual problems, difficulty with urination, chronic pain, urinary tract infections, and depression.
- FGM often causes complications during childbirth.
- Some, but not all, women can still experience orgasm and can become pregnant.
- The WHO recognizes FGM “cutting” as a violation of human rights.
- International conventions-the Convention on Eliminating Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child-recognize the harm caused by FGM, deeming it a human rights violation.
- The UN and EU’s “Spotlight Initiative” (along with UNICEF and the UNFPA) uses legislative and educational approaches involving traditional leaders, civil society organizations, and women’s groups to change social norms and attitudes toward FGM.
- The WHO estimates that 2 million girls and women alive today worldwide have undergone FGM-about 3 million are at risk per year.
- It’s estimated that 513,000 women and girls in the U.S. today are living with FGM.

Resources re: FGM (many other are available)

- International Day of Zero Tolerance for Female Genital Mutilation, February 6
<http://www.un.org/en/events/femalegenitalmutilationday/>
- Health Risks of FGM-World Health Organization
http://www.who.int/reproductivehealth/topics/fgm/health_consequences_fgm/en/
- Female Genital Mutilation-World Health Organization
<http://www.who.int/news-room/fact-sheets/detail/female-genital-mutilation>
- Female Genital Mutilation on the Rise in the U.S., Newsweek, 2-16-15
<https://www.newsweek.com/fgm-rates-have-doubled-us-2004-304773>
- endfgmtoday.com
- The Spotlight Initiative to eliminate violence against women and girls
<http://www.un.org/en/spotlight-initiative/index.shtml>
- CNN news story-Charges dropped in first federal genital mutilation case in U.S.
<https://www.cnn.com/2018/11/20/us/female-genital-mutilation-case-charges-dropped/index.html>
- Multiple news outlets, including NPR, NY Times, Washington Post, the Guardian, and Fox also reported on the federal FGM ruling

Legislation prohibiting FGM is supported by **AAUW Iowa**, an organization working to advance equity for women and girls and the **Iowa United Nations Association**,

which promotes knowledge about the life saving and life changing work of the UN and supports human rights for all.

Legislators have the power to prohibit this violation of human rights and send a clear message that we will not tolerate the mutilation of any girl living in this state. Please work together to find common ground on FGM legislation.