



HRSP NEWSLETTER

U.S. Department of Justice, Criminal Division, Human Rights and Special Prosecutions Section

August 2014

FEMALE GENITAL MUTILATION/CIRCUMCISION OR CUTTING: A FEDERAL CRIME

Female genital mutilation or circumcision/cutting (FGM/C) is the practice of partially or totally removing the external female genitalia for non-medical reasons. FGM/C is often performed without anesthetic and, depending on the extent of the cutting, can have lifelong physical and mental health consequences, including chronic infection, hemorrhage, severe pain, complications during childbirth, and increased risk of newborn deaths. It has no known health benefits. FGM/C is mostly carried out on young girls between infancy and age 15, and is most common in the western, eastern, and north-eastern regions of Africa, as well as in some countries in Asia and in the Middle East, and among refugees and immigrants to North America and Europe from those areas. The United States government considers FGM/C to constitute a violation of the rights of girls and women and a form of gender-based violence. According to a 1997 report by the Centers for Disease Control and Prevention (CDC), approximately 168,000 girls and women living in the U.S. had or were at risk of FGM/C. The CDC expects to issue a new report by the fall reflecting updated numbers for those at risk of FGM/C.

In addition to whatever state laws that may apply, there is a federal law that makes it a crime to perform FGM/C in the United States on any girl younger than 18 years old. It is punishable by up to 5 years in prison, fines, or both. 18 U.S.C. § 116. This same law also makes it a crime to knowingly send, or attempt to send, a girl younger than 18 years old to a country outside of the United States so that FGM/C can be performed. Congress outlawed this practice – commonly referred to as “vacation cutting” – in 2013 to prevent people from sending girls overseas to have FGM/C done. The law applies to those who perform the acts, as well as to those persons who aid and abet them. 18 U.S.C. § 2.

The U.S. Strategy to Prevent and Respond to Gender-based Violence, launched in August 2012, specifically recognizes FGM/C as a form of gender-based violence. The Department of Justice, including its Human Rights and Special Prosecutions Section (HRSP), is working with other federal government agencies to end the practice of FGM/C in the U.S. and investigate and prosecute those who perform FGM/C on girls in the U.S. or send them abroad to have it done.

If you have information about persons who perform FGM/C within the United States, or information about someone within the U.S. being subject to FGM/C or being sent to another country so that FGM/C can be performed, you may contact Kathleen O'Connor at HRSP at 1-800-813-5863, or send an email to HRSP_TIPS@USDOJ.GOV. You may also contact the Human Rights Violators and War Crimes Center via email at HRV.ICE@ice.dhs.gov or online at tips.fbi.gov.

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