Please cite as: EUAA, '5.2.2. Addressing FGM/C' in *Asylum Report 2022*, May 2022.

5.2.2. Addressing FGM/C

5.2.2. Addressing FGM/C

icon presenting addressing FGM/C

The Finnish Immigration Service produced new, comprehensive guidance for reception staff to help combat FGM/C in countries of origin.

The Maltese IPA and AWAS signed a memorandum of understanding on the medical referral of applicants claiming to be survivors of FGM/C. The IPA refers these women and girls to AWAS, which follows up with a medical examination at a local hospital. When the fact of FGM/C is confirmed, the applicant receives a medical certificate, the IPA omits questions related to this fact during the interview to avoid retraumatising the person, and AWAS adapts material reception conditions accordingly.

As part of an ongoing commission from the Swedish government to several authorities to combat and prevent FGM/C, the Swedish Migration Agency undertook a legal quality monitoring of 400 cases, with the final report expected to be published in 2022.1360

Among court cases related to FGM/C, the Norwegian Immigration Appeals Board ruled that the mother of a girl who was granted international protection due to a risk of FGM/C in the country of origin should be granted a derivate residence permit for international protection and should not be referred to apply for family reunification (*see Section 4.14*). The decision was based on the best interests of the child.

In the Netherlands, the Court of the Hague rejected the appeal of a Nigerian woman who claimed that her four children were at risk of FGM/C, noting that legislation prohibited FGM/C in Nigeria and the applicant's statements were found to be contradictory.

The UN Committee on the Rights of the Child concluded that Denmark violated the best interests of a girl who was at risk of FGM/C and forced marriage if returned to her country of origin. The committee underlined that the authorities assessed only the general situation in the country of origin and did not consider the child's specific context.

With regard to gender-based violence, a protocol was approved in Spain to establish common criteria for professionals who work with applicants and beneficiaries of international protection to detect and prevent gender-based violence in reception. The Swedish Migration Agency updated its legal position from 2017 on investigating and assessing women's gender-based persecution within the asylum procedure.1361

- 1360 https://www.regeringen.se/499569/contentassets/1dee1ad8e8264594b1e5a819ceb28d5d/01029_att-forebygga-och-bekampa-konsstympning_jamy_tillganp.pdf
- 1361Swedish Migration Agency | Migrationsverket. (July 2021). Rättsligt ställningstagande. Utredning och bedömning av förföljelse på grund av kön avseende kvinnor RS/069/2021 (version 2.0) [Legal position. Investigation and assessment of gender-based persecution of women RS/069/2021 (version 2.0)]. https://lifos.migrationsverket.se/dokument?documentSummaryId=45493

© European Union Agency for Asylum 2026 | Email: info@euaa.europa.eu