



Indonesia: End government legitimization of female genital mutilation (FGM)

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In November 2010, the Indonesian Ministry of Health passed a regulation [No. 1636/MENKES/PER/XI/2010 regarding “Female Circumcision”] legitimizing the practice of female genital mutilation (FGM) and authorizing medical professionals to perform it. Though this “medicalization” of FGM permits a procedure that is harmful to girls and women and represents a violation of the ethical code governing the professional conduct of nurses, midwives and other health care workers, efforts to overturn the legislation have been unsuccessful; human rights groups on the ground fear an increase in FGM due to this regulation.

FGM is a harmful traditional practice that affects up to 140 million women and girls around the world. All forms of the practice violate a range of their human rights, including the right to non-discrimination, to protection from physical and mental violence, to the highest, attainable standard of health, and, in the most extreme cases, to the

right to life. FGM also constitutes torture and cruel, inhuman or degrading treatment.

According to the World Health Organization (WHO), FGM refers to all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons. In Indonesia it is generally practiced on baby girls within the first six weeks of birth, but may vary depending on local customs. Reasons given for the practice include religion, custom, “cleanliness” and suppressing sexual desire. According to a 2003 Population Council study surveying eight sites in six provinces among girls aged 15-18, 86-100% had undergone some form of FGM that commonly involves cutting or injury to the clitoris. Approximately 92% of the surveyed families expressed support for the continuation of FGM not only for their daughters but also for their future granddaughters.

The WHO, of which Indonesia is a Member State, has consistently stated that “under no circumstances should FGM be performed by health professionals or in health establishments.” In a 2010 interagency publication, [Global strategy to stop health-care providers from performing female genital mutilation](#), a number of organizations including UN bodies and the WHO found that “[t]he involvement of health-care providers in the performance of FGM is likely to create a sense of legitimacy for the practice. It gives the impression that the procedure is good for health, or at least that it is harmless. This can further contribute to institutionalization of the practice, rendering it a routine procedure and even leading to its spread into cultural groups that currently do not practice it.”

In its 2012 consideration of Indonesia’s report the CEDAW Committee expressed its deep concern about “the serious regression with regard to the practice” of FGM and particularly the Ministry of Health’s regulation authorizing certain medical practitioners to conduct FGM. It called on the Indonesian Government to withdraw the 2010 regulation and to “adopt robust legislation which will criminalize all forms of female genital mutilation...and provide sanctions against offenders”; it went on to call for awareness raising and sensitization. In its examination of Indonesia in 2008, the Committee Against Torture also called for the Government to “adopt all adequate measures to eradicate the persistent practice of female genital mutilation, including through awareness-raising campaigns in cooperation with civil society organizations.”

The Indonesian regulation on “Female Circumcision” runs counter to a number of Indonesian laws which include decrees enshrining international legal obligations in the national legal framework. These are Law No. 7/1984 on the

ratification of the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Law No. 5/1998 on the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); Law No. 39/1999 on Human Rights; Law No. 23/2002 on Child Protection; Law No. 23/2004 on the Elimination of Domestic Violence; and Law No. 23/2009 on Health.

Indonesia is also a member of the World Health Assembly of the WHO which passed a resolution in 2008 urging all member states to accelerate work towards the elimination of FGM, to enact and enforce legislation against the practice and to prohibit performance of FGM by any person including medical professionals. The Indonesian Society of Obstetrics & Gynecology is a member of the International Federation of Gynecology and Obstetrics (FIGO) which passed a resolution opposing “any attempt to medicalize FGM or to allow its performance, under any circumstances, in health establishments or by health professionals.” In addition, the Indonesian National Nurses Association is a member of the International Council of Nurses (ICN) and the Indonesian Midwives Association is a member of the International Confederation of Midwives (ICM), both of whom also have position statements against FGM and its medicalization.

WHAT YOU CAN DO

Please join Equality Now and our partner Kalyanamitra in calling on the Ministry of Health and the Ministry of Women Empowerment and Child Protection to live up to their domestic and international obligations by:

- Repealing the 2010 Ministry of Health regulation legitimizing the practice of FGM
- Enacting and implementing comprehensive legislation banning FGM with strong penalties for violators
- Conducting public awareness-raising and education campaigns to change cultural perception and beliefs on FGM and acknowledging FGM as a human rights violation with harmful consequences

Also join us in calling upon the Indonesian Society of Obstetrics & Gynecology, the Indonesian National Nurses Association and the Indonesian Midwives Association to live up to their international obligations as members of FIGO, ICN and ICM by:

- Publicly condemning FGM in all its forms and its medicalization
- Ensuring that strong measures are put into place to discipline Association members who practice FGM
- Urging the government to repeal the 2010 regulation, working with them to enact a law banning FGM and promoting a comprehensive strategy and public education against the practice

Letters should go to:

Dr. Nafsiah Mboi, SpA, MPH Minister, Health Ministry of Indonesia Jl H.R.Rasuna Said Blok X.5 Kav. 4-9, Blok A, 2ndFloor, Kuningan Jakarta, Indonesia, Post Code: 12950 Tel: +62-21-520-1590 Fax: +62-21-520-1591 Email: info@depkes.go.id	Linda Amalia Sari, S.IP Minister, Ministry of Women Empowerment and Child Protection of Indonesia Jalan Medan Merdeka Barat No. 15 Jakarta, Indonesia, Post Code: 10110 Tel: +62-21-384-2638 +62-21-380-5563 Fax: +62-21-380-5562 +62-21-380-5559 Email: danty_anwar@yahoo.co.uk	Dr. Nurdadi Saleh President Perkumpulan Obstetri Dan Ginekologi Indonesia (Indonesian Society of Obstetrics & Gynecology) Jalan Taman Kimia No. 10 Central Jakarta Indonesia Tel.: +62-21-314-3684 Fax: +62-21-391-0135 Email: pogi@indo.net.id	Mrs. Dewi Irawati Indonesian National Nurses Association Jalan Jaya Mandala No.15 Patra Kuningan Jakarta 12870 Indonesia Tel: +62-21-831-5069 Fax: +62-21-831-5070 Email: dppppni@gmail.com	Dr. Harni Koesno President Indonesian Midwives Association - IMA (Ikatan Bidan Indonesia) Jalan Johar Baru V/D13 10560 Jakarta Pusat Indonesia Tel: +62-21-424-4789 +62-21-422-6043 Fax: +62-21-424-4214 Email: ppibi@cbn.net.id
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With a copy to: Dr. Prijo Sidipratomo; Chairman, Indonesian Medical Association; Jalan.Dr. Samratulangi No. 29, Menteng; Jakarta, Indonesia, Post Code:10350; Fax: +62-21-390-0473; Email: pbidi@idola.net.id; pbidi@idionline.org

Please keep Equality Now updated on your work and send copies of any replies you receive to:

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