

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Indonesia: Authorities must enact legislation prohibiting all forms of female genital mutilation**

As people in Indonesia and around the world gather to mark International Women's Day on 8 March, Amnesty International calls on the Indonesian government to repeal a 2010 government regulation permitting "female circumcision" (sunat perempuan). The authorities should also help eliminate this harmful practice by enacting specific legislation with appropriate penalties prohibiting all forms of female genital mutilation (FGM).

Later this month, Amnesty International will be presenting a petition from the Asia Pacific Youth Network (APYN) and activists in over 30 countries and territories, including from Indonesia, urging the Indonesian government to repeal the 2010 regulation on "female circumcision" and enact specific legislation to prohibit the practice. They echo calls from over 130 national, regional and international organizations in 2011 to end the practice of female genital mutilation in Indonesia.

In November 2010 the Indonesian Health Ministry issued a regulation (No. 1636/MENKES/PER/XI/2010) which legitimizes the practice of female genital mutilation and authorizes certain medical professionals, such as doctors, midwives and nurses, to perform it.

In a report by the pre-session working group in November 2011, the Committee on the Elimination of all Forms of Discrimination against Women (CEDAW Committee) described the 2010 government regulation on "female circumcision" as a "setback in combating violence against women". The Committee asked the Indonesian government to explain steps taken to withdraw the regulation and to eliminate the re-emerging practice of female genital mutilation in Indonesia. In its response the Indonesian government said that the regulation should not in any way be construed as encouraging or promoting the practice of female genital mutilation and that the Minister of Health would review the implementation of the regulation with the purpose of ensuring its compliance with CEDAW. Indonesia is due to report to the CEDAW Committee at its 52<sup>nd</sup> session in July 2012.

Amnesty International is concerned that the 2010 regulation condones and encourages female genital mutilation, a practice which inflicts pain and suffering on women and girls, and hence violates the absolute prohibition of torture and ill-treatment. The physical effects of female genital mutilation can include pain, shock, haemorrhage, damage to the organs surrounding the clitoris and labia, and infection. Long term effects can include chronic urinary tract infections, stones in the bladder and urethra, kidney damage, reproductive tract infections resulting from obstructed menstrual flow, pelvic infections, infertility, excessive scar tissue, keloids (raised, irregularly shaped, progressively enlarging scars) and dermoid cysts. A 2009 Indonesia-wide survey on female genital mutilation, published by the Institute of Population and Gender Studies, Yarsi University, Jakarta, found the major complications experienced by women and girls to be haemorrhaging, psychological trauma and infection.

The practice of female genital mutilation highlights discriminatory stereotypes about female genitalia being "dirty" or degraded; that women are not entitled to make their own choices about sexuality in the same way as men; and that women and girls can only be fully dignified in their religious practice if their bodies are altered, hence that there is something inherently

wrong about women's bodies. Attitudes which denigrate women because of their actual or perceived sexuality are often used to justify violence against women.

In June 2011, the Director of Mother's Health at the Ministry of Health denied that the regulation legitimized female genital mutilation or any kind of abuse, insisting that the regulation was introduced to ensure "female circumcision" was carried out safely by trained health professionals. However, Indonesia has an obligation to ensure the eradication of all kinds of violence against women and girls. Medical and human rights groups in Indonesia have raised concerns that the regulation could do the opposite and increase the practice in the country.

The regulation runs counter to the government's steps to enhance gender equality and combat discrimination against women in all its forms and violates a number of Indonesian laws, including 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; Presidential Decree No. 36/1990 concerning the ratification of the Convention on the Rights of the Child; Law No. 23/2002 on Child Protection; Law No. 23/2004 on the Elimination of Domestic Violence; and Law No. 23/2009 on Health. It also runs counter to a 2006 government circular, No. HK.00.07.1.3. 1047a, signed by the Director General of Community Health, which specifically warned about the negative health effects of female genital mutilation on women.

In its 2007 concluding observations, the CEDAW Committee recommended that Indonesia develop a plan of action to eliminate the practice of female genital mutilation, including implementing public awareness-raising campaigns to change the cultural perceptions connected with it and provide education regarding the practice to explain that it is a violation of the human rights of women and girls that has no basis in religion.