



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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19 April 2005

### GMB43496.E

Gambia: The practice of female genital mutilation (FGM), including the ethnic groups among which the practice is prevalent; the existence of any law banning the practice; attitudes of government authorities toward the practice; state protection available to victims and to people who oppose the practice (April 2005)  
Research Directorate, Immigration and Refugee Board, Ottawa

#### Practice and prevalence

Various sources state that in The Gambia, the practice of female genital mutilation (FGM) is widespread (AFP 27 Jan. 2005; *The Independent* 28 May 2004; *ibid.* 19 Dec. 2003; WHO 1 Feb. 2004; Morison 20 Dec. 2001; *Country Reports 2004* 28 Feb. 2005, Sec. 5) and "entrenched" (*ibid.*). The prevalence of FGM is estimated to be between 60 and 90 per cent (*ibid.*; AFP 27 Jan. 2005; WHO 1 Feb. 2004; *The Independent* 19 Dec. 2003). However, while FGM is practised by seven of the nine Gambian major ethnic groups, it is more common among the Mandinka, Fulas and Serahule people (*The Independent* 28 May 2004) and "less frequent among the educated and urban segments" of the population (*Country Reports 2004* 28 Feb. 2005, Sec. 5).

Performed on girls from shortly after their birth or up until age 16 (28 Feb. 2005, Sec. 5; see also *The Independent* 28 May 2004), in The Gambia, FGM involves the removal of the clitoris (*The Independent* 28 May 2004; Morison 20 Dec. 2001; *The Independent* 28 May 2004) and labia minor (*ibid.*).

#### Attitudes and beliefs

According to a 30 November 2004 PANA article, many Gambians, including State House Imam Abdoulie Fatty support FGM because of their belief that Islam mandates the practice (PANA 30 Nov. 2004; see also *Country Reports 2004* 28 Feb. 2005, Sec. 5). The PANA article cited Imam Fatty as stating that FGM "is good and should be encouraged by every Muslim," while anti-FGM campaigners were described as the "enemies of the Islamic faith and infidels" (30 Nov. 2004). In addition, in a study conducted in the Gambia in 2001, the majority of circumcised women from the Mandinka, Fula and Wolof ethnic groups favour the practice (Morison 20 Dec. 2001). However, women on whom FGM was performed expressed concern about the effects on their health (*ibid.*; *The Independent* 28 May 2004)

#### Legal Status and Protection Available

Gambian authorities have not passed a law yet that prohibits FGM (*Country Reports 2004* 28 Feb. 2005, Sec. 5; *The Independent* 21 May 2004). Sources explained that while "in theory" the Gambian government is opposed to FGM (*The Independent* 19 Dec. 2003; see also *Country Reports 2004* 28 Feb. 2005, Sec. 5; WHO 1 Feb. 2004), the same government continues, in practice, to act in ways that favour it and to bar anti-FGM activists from media access (*ibid.*; *The Independent* 19 Dec. 2003; PANA 30 Nov. 2004). According to *Country Reports 2004*, Gambian president Yahya Jammeh stated that the "government would not impose a ban on FGM" (28 Feb. 2005).

In addition, regarding the situation in Gambia, German courts (AFP 27 Jan. 2005) and Spanish courts (*The Independent* 21 May 2004) have prevented four girls (one in the case of Germany, and three in the case of Spain) from being repatriated by their parents to The Gambia, where they may be in "real danger of genital mutilation," (*The Independent* 21 May 2004). While the German judge described FGM as "a cruel, grave form of abuse that is impossible to justify and a clear violation of the welfare of the child" (AFP 27 Jan. 2005), in the case of the Spanish decision, the girls' father declared that there was nothing he could do to protect his daughters because FGM was part of the Gambian tradition (*The Independent* 21 May 2004).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

#### References

Agence France-Presse (AFP) [Paris]. 27 January 2005. "German Courts Can Stop Genital Mutilation of Immigrant Girls: Ruling." (Dialog)

*Country Reports on Human Rights Practices for 2004* . 28 February 2005. "The Gambia." US Department State. Washington, D.C. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41605.htm>> [Accessed 18 Apr. 2005]

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Panafrican News Agency (PANA) [Dakar]. 30 November 2004. "Gambia Women Kick Against FGM." (Financial Times Information/Dialog)

World Health Organization (WHO). 1 February 2004. Judith Mandelbaum-Schmid. "Mali Takes Grass Roots Approach to Ending Female Genital Mutilation." (Dialog).

#### Additional Sources Consulted

**Publications:** *Africa Confidential* , *Africa Research Bulletin* , *Jeune Afrique/L'Intelligent* , Resource Centre country file.

**Websites, including :** AllAfrica, Amnesty International (AI), European Country of Origin Information Network (ECOI), Human Rights Watch (HRW), UNICEF, Women's Human Rights Resources, Women Living Under Muslim Law.

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