



Statement on Federal Court Decision to Reject House Appeal of Michigan Case

Wednesday Sep. 18th, 2019

For Immediate Release

On Friday, September 13th, the U.S Circuit Court of Appeals for the sixth Circuit denied the House of Representatives' motion to intervene in the appeal of *USA v. Jumana Nagarwala*, the Michigan criminal case involving Female Genital Mutilation or Cutting (FGM/C) where a U.S. doctor was charged with performing FGM/C on nine 7 year-old girls at a clinic in Detroit. The [US End FGM/C Network](#) is deeply disappointed in the outcome of the Court's decision, which has denied the House's motion to defend the constitutionality of the long standing federal ban outlawing FGM/C in the U.S., and has granted the government and defendant's request to voluntarily dismiss the case.

However, the U.S. government [defines](#) FGM/C as a form of gender-based violence and child abuse, and an egregious human rights violation, and with evidence of girls being taken across state lines to have this procedure done, we believe that FGM/C is indeed a federal issue and that it is our government's responsibility to defend against it. We are deeply concerned that this decision puts girls at risk, as the lack of a federal ban leaves an inter-state loophole and creates confusion among law enforcement charged with protecting girls from this practice. The decision is also discouraging to anti-FGM/C advocates, including survivors, who have been bravely speaking out against this practice, and dismantles education and prevention efforts in the U.S. and across the globe.

We call for the following actions:

1. Urge Congress to respond swiftly to create new federal legislation that is constitutionally robust and protects all girls, including those living in states without laws against FGM/C
2. Continue to advocate for [state-level](#) legislative bans that not only criminalize FGM/C, but offer a holistic approach to mobilizing communities and empowering survivors and advocates
3. Continue to expand programs, interventions, and research projects that inform legislative and prevention efforts

We would like to thank the House Democrats for moving to intervene in this case, as well as our members who have been working closely with the House to support this effort. This work has not been in vain, and we are encouraged by the immediate and holistic actions that our members are taking to craft the needed amendments to reinstate the federal law. We are also relieved that while moving to dismiss the appeal, the U.S. Department of Justice continues to deem FGM/C as a "heinous practice" that "should be universally condemned" and is also encouraging law makers to make the needed amendments.

We must all commit to creating an environment that protects women and girls and supports survivors. The US End FGM/C Network advocates for community mobilization to build strong local, state, and federal laws

that grant women and girls the recourse to uphold their rights and hold our government accountable for implementing and enforcing these laws.

ABOUT THE US END FGM/C NETWORK

The US End FGM/C Network is a collaborative group of civil society organizations, foundations, activists, policymakers, researchers, healthcare providers and others committed to promoting the abandonment of female genital mutilation or cutting (FGM/C) in the U.S. and around the world. To learn more about our work, please visit endfgmnetwork.org. Our members include individuals and representatives from the following organizations:

28 Too Many	There Is No Limit Foundation
African Cultural Alliance of North America (ACANA)	Threads Weaving Dreams
African Family Health Organization	UNICEF USA
Bridging Refugee Youth & Children's Services	US Clinician Network on FGM/C
Equality Now	US Mali Charitable Assoc.
The FGM Taskforce of Greater Los Angeles Area	Vital Voices Global Partnership
Forma	Wallace Global Fund
The George Washington University, Dept. of Prevention & Community Health	We Speak Out
Global Woman P.E.A.C.E. Foundation	Women's Global Education Project
Globalizing Gender	Women's Health Initiative Harlem United
Icahn School of Medicine at Mount Sinai	Yale Center for Asylum Medicine
Inter-African Committee - USA	
International Center for Research on Women	
International Institute of Minnesota	
Kakenya Center for Excellence	
Maine Access Immigrant Network (MAIN)	
Muslim American Leadership Alliance (MALA)	
Muslims for Progressive Values	
New York Coalition to End FGM	
Network of Youth in Action	
Orchid Project	
Ottenheimer Health	
Partnerships for Health	
Pastoralist Child Foundation	
Philadelphia International Women's Project	
RAHMA	
Refugee Women's Health Clinic/Maricopa Integrated Health System	
Safe Hands for Girls	
Sahiyo	
Sanctuary for Families	
Servicing Wild Flowers International	
Southwest Interdisciplinary Research Center	
Tanzania Development Trust	
The Mount Sinai Human Rights Program	
The Surgery Center for FGM	