

Genital autonomy for children in Finland

An overview of policy
and legislative developments
2008 – 2022

Intact Finland (Intakt rf / Ehjä ry)
Johan Nyman

Genital autonomy?

The right to self-determination over one's own body (bodily integrity)
concerning
non-medical cutting of the person's genital organs
regardless of the person's gender

Genital autonomy for children?

Work for fostering
the protection of children from
non-medical genital cutting
- girls, boys, intersex children

Brian Earp (bioethiker; Yale, Oxford)

22.9.2022:

“In general, the position I defend is one of *genital autonomy* — that means, protecting people from non-voluntary genital modifications that they don’t want, didn’t request, or definitely cannot consent to, while preserving and allowing the *choice* of relatively more mature and autonomous persons to decide whether or how they may want their bodies to be modified under conditions of informed consent.”



Brian Earp (bioetiker; Yale, Oxford)

22.9.2022:

”Protecting Children or Policing Gender?”
(20.9.2022)

<https://twitter.com/briandavidearp/status/1573672630355386374>

My response: the article acknowledges that double mastectomies are increasingly performed in legal minors, and it does not endorse this trend. Even so, ‘several well-documented cases’ of X does not contradict an assertion of ‘rarity’ — especially when the reference to rarity had to do, not with mastectomies, but rather, with genital surgeries in particular. The overwhelming majority of genital surgeries intended to address or alleviate gender dysphoria occur after the age of 18, with some prominent gender medicine clinics categorically refusing to perform them before that age. In any case, I do not endorse genital surgeries in anyone incapable of validly consenting to them that are not urgently medically necessary. In the highly unusual circumstances in which doctors perform genital surgeries in persons under the age of 18 (the vast majority of these instances being on 17-year-olds, who, presumably, do not have substantially less decision-making capacities than do 18-year-olds, on average) for purposes of attempting to address longstanding gender-dysphoric distress, it is because, in their judgment, it is in fact necessary for the health and well-being of the particular individual in question. Since I don’t know about the specific circumstances of each such judgment, I am not sure whether they could have been reasonable; if the surgeries were not in fact medically necessary (on some reasonable conception) or if the person requesting them could not have given morally meaningful consent, then on principle I would not support the surgeries. That being said, if you think that legal adults (i.e., 18 year olds) should in principle be permitted to choose body modifications for personal reasons, out of respect for the autonomy of sufficiently mature persons to decide about their own bodies, then I think some further thought would be needed to determine how best to distinguish the level of autonomy of an average 17-year-old compared to that of an 18-year-old. In general, the position I defend is one of *genital autonomy* — that means, protecting people from non-voluntary genital modifications that they don’t want, didn’t request, or definitely cannot consent to, while preserving and allowing the *choice* of relatively more mature and autonomous persons to decide whether or how they may want their bodies to be modified under conditions of informed consent. Whether someone has the mental and emotional capacity to give meaningfully informed consent to a given body modification is a difficult question; your position seems to be that no one, categorically, under the age of 18 has the capacity, whereas once they turn 18, suddenly they have the capacity. But I don’t think the legal age of majority/minority (which is essentially arbitrary and varies depending on the domain in question) necessarily tracks with the moral capacity to autonomously make certain choices about one’s own body in particular individual cases.

Brian D. Earp

Senior Research Fellow in Moral Psychology

Uehiro Centre for Practical Ethics

brian.earp@philosophy.ox.ac.uk

[Personal webpage](#)

[Uehiro webpage](#)

[Twitter](#)

Area of Specialisation: [Ethics](#), [Feminist Philosophy](#), [Moral Philosophy](#), [Practical Ethics](#)

Membership Type: [Fixed-Term Tutorial & Research Fellows](#)

Career and Education	Recent Publications	Research Interests
2022	Senior Research Fellow, University of Oxford	
2021	Ph.D. in Philosophy and Psychology from Yale University	
2015	Presidential Scholar in Bioethics, The Hastings Center	
2014	M.Phil. in History and Philosophy of Science from Cambridge University	
2011	M.Sc. in Experimental Psychology from University of Oxford	
2010	B.A. in Cognitive Science with distinction from Yale University	



They stood up, and addressed the elders. And highlighted the need for a change.

<https://www.bbc.co.uk/programmes/p060m113>

<https://youtu.be/pfNx03dVCdY>

Genital autonomy: which terms? When, for whom?

Circumcision or genital mutilation?

- not determined by sex/gender
- each individual decides
 - how to relate to the cutting that was done to them as a child
 - some are proud and happy
 - others are indifferent, do not experience any downside from it
 - others are sad/angry/dejected
 - experience it as an integrity violation
 - limits well-being and daily life
- regardless of sex/gender!**
- what to call the procedure
 - regardless of sex/gender!**

1995

The Criminal Code of Finland

(39/1889, amendments up to 766/2015 included)

Chapter 21 - Homicide and bodily injury (578/1995)

Criminal code, chapter 21: 5§ and 6§

- form the basis
- are gender neutral!
- but their application differs, based on gender

Section 5 - Assault (578/1995)

(1) A person who employs physical violence on another or, without such violence, injures the health of another, causes pain to another or renders another unconscious or into a comparable condition, shall be sentenced for *assault* to a fine or to imprisonment for at most two years.

(2) An attempt is punishable.

Section 6 - Aggravated assault (654/2001)

(1) If in the assault

-
- (1) grievous bodily injury or serious illness is caused to another or another is placed in mortal danger,
 - (2) the offence is committed in a particularly brutal or cruel manner, or
 - (3) a firearm, edged weapon or other comparable lethal instrument is used
- and the offence is aggravated also when assessed as a whole, the offender shall be sentenced for *aggravated assault* to imprisonment for at least one year and at most ten years.

(2) An attempt is punishable.

thl.fi – Finnish institute for health and welfare

Female genital mutilation is a crime

In Finland, FGM is punishable under the Criminal Code of Finland as assault or aggravated assault. The maximum penalty for aggravated assault is 10 years in prison.

A family member may also be guilty of committing a crime if they do not themselves carry out the genital mutilation but arrange for it to take place or provide assistance for it.

If a Finnish citizen or equivalent person, such as a foreigner residing permanently in Finland, commits FGM abroad, the act is a punishable offence even if it does not contravene the legislation of the country in question.

If a professional suspects that a girl is at risk of FGM or has undergone FGM while living in Finland, they should first bring it up with the girl and her parents. In addition to this discussion, the professional is obliged to submit a child welfare notification to the social welfare authorities and a report to the police.

Criminal code, chapter 21:

5§ and 6§

- form the basis
- are gender neutral!
- but their application differs, based on gender
- **why this difference?**

Non-medical male circumcision

Non-medical circumcision refers to a procedure carried out based on religious or cultural grounds which involves the removal of foreskin from the boy's penis.

While non-medical male circumcision is not currently prohibited under Finland's legislation, it is considered to violate the child's bodily integrity and self-determination.

Health care professionals should address the issues with pregnant women and parents of underaged boys when the person with an immigrant background or asylum seeker comes from a region where male circumcision is performed on cultural grounds.

thl.fi

Criminal code, chapter 21:

5§ and 6§

- form the basis
- are gender neutral!

- but their application differs, based on gender
- **why this difference?**

Non-medical male circumcision

Non-medical circumcision refers to a procedure carried out based on religious or cultural grounds which involves the removal of foreskin from the boy's penis.

While non-medical male circumcision is not currently prohibited under Finland's legislation, it is considered to violate the child's bodily integrity and self-determination.

Health care professionals should address the issues with pregnant women and parents of underaged boys when the person with an immigrant background or asylum seeker comes from a region where male circumcision is performed on cultural grounds.

The Ministry of Social Affairs and Health provides instructions on non-medical male circumcision

- Non-medical male circumcision is not part of publicly funded health care.
- Circumcision may only be performed by an authorised physician.
- Before performing a circumcision, a physician must provide the child's guardians with sufficient information about the nature, effects and possible disadvantages of circumcision and the irreversibility of the procedure.
- The written consent of the guardians is needed and circumcision may not be performed if one of the guardians opposes it.
- Circumcision may not be performed if the boy opposes it when he is able to understand its meaning based on his age and level of development.
- Circumcision must be performed under appropriate and sterile conditions under local anaesthesia administered by the physician.

The instructions of the Ministry of Social Affairs and Health are applied to the circumcision involving the removal of the foreskin performed on boys under 18 for which there are no medical grounds.

Guide for parents about non-medical male circumcision

THL's and The Finnish Immigration Services' brochure about male circumcision is available in seven languages:

1995

2008

Supreme Court (HD, KKO): precedent KKO:2008:93

KKO 2008:93 Summary

A had had his four years and six months old son B circumcised by a person unknown to the Court, but who was presumably a doctor. Both A and B were Muslims, and the circumcision was done because of religious and cultural reasons. The operation had taken place in the home of A's mother, and B had been topically anaesthetized. The public prosecutor brought charges for assault against A.

According to chapter 21 section 5 of the Finnish Criminal Code, a person who employs physical violence on another or, without such violence, injures the health of another, causes pain to another or renders another unconscious or into a comparable condition, shall be sentenced for assault to a fine or to imprisonment for at most two years.

On [the] grounds [presented], the Supreme Court dismissed the charges against A

1995

2008

Supreme Court (HD, KKO): precedent KKO:2008:93

The Supreme Court held that circumcision, even if it is irreversible, is a rather harmless operation when it is carried out duly and in a professional manner. Even if it may cause some pain to the boy, there are no health-related or other disadvantages to the boy, and circumcision doesn't have a stigmatizing effect on him. It is notable that circumcision is sometimes performed due to medical reasons and therefore there are approved professional methods to do it.

In this case, non-medical circumcision can be considered advantageous to B. It was done because of religious reasons and it will likely advance B's best interests relating to developing his identity as well as connecting him to his religious and social community. Therefore, concerning the best interests of the child, non-medical circumcision in this case is considered justifiable and overall a relatively insignificant operation. There is no reason to consider it such an offence against the rights and best interests of the child that would be punishable as assault.

1995

2008

Supreme Court 2008:93 :: complication rate

Thorup (2013) states that out of performed ritual circumcisions in a clinical setting, 5.1% lead to complications that require corrective measures or operations. In addition, there are 2% complications that do not require corrective surgery.

That is a total of **7.1% complications**.

Thorup & Ifaoui (2013): *Complication rate after circumcision in a paediatric surgical setting should not be neglected*

<https://pubmed.ncbi.nlm.nih.gov/23905566/>

The Supreme Court held that circumcision, even if it is irreversible, is a rather harmless operation when it is carried out duly and in a professional manner. Even if it may cause some pain to the boy, there are no health-related or other disadvantages to the boy, and circumcision doesn't have a stigmatizing effect on him. It is notable that circumcision is sometimes performed due to medical reasons and therefore there are approved professional methods to do it.

1995

2008

Supreme Court 2008:93 :: SEXUS 2019

Tilfredshed med omskæringsstatus

"Hvor tilfreds er du med, at du er omskåret?"

"Hvor tilfreds er du med, at du ikke er omskåret?"

Satisfaction with circumcision status

"How satisfied are you with being circumcised?"

"How satisfied are you with not being circumcised?"

Det første spørgsmål blev stillet til 2.001 mandlige respondenter, som oplyste, at de var omskåret. Heraf svarede 1,8% "Ved ikke". Det andet spørgsmål blev stillet til 27.116 mandlige respondenter, som oplyste, at de ikke var omskåret. Heraf svarede 3,9% "Ved ikke". Svarfordelingen blandt de resterende 1.965 respondenter, som var omskåret, og de resterende 26.108 respondenter, som ikke var omskåret, ses i Figur 4.20.

1995

2008

SEXUS 2019

Satisfaction with circumcision status

"How satisfied are you with being circumcised?"

"How satisfied are you with not being circumcised?"

Tilfredshed med omskæringsstatus

"Hvor tilfreds er du med, at du er omskåret?"

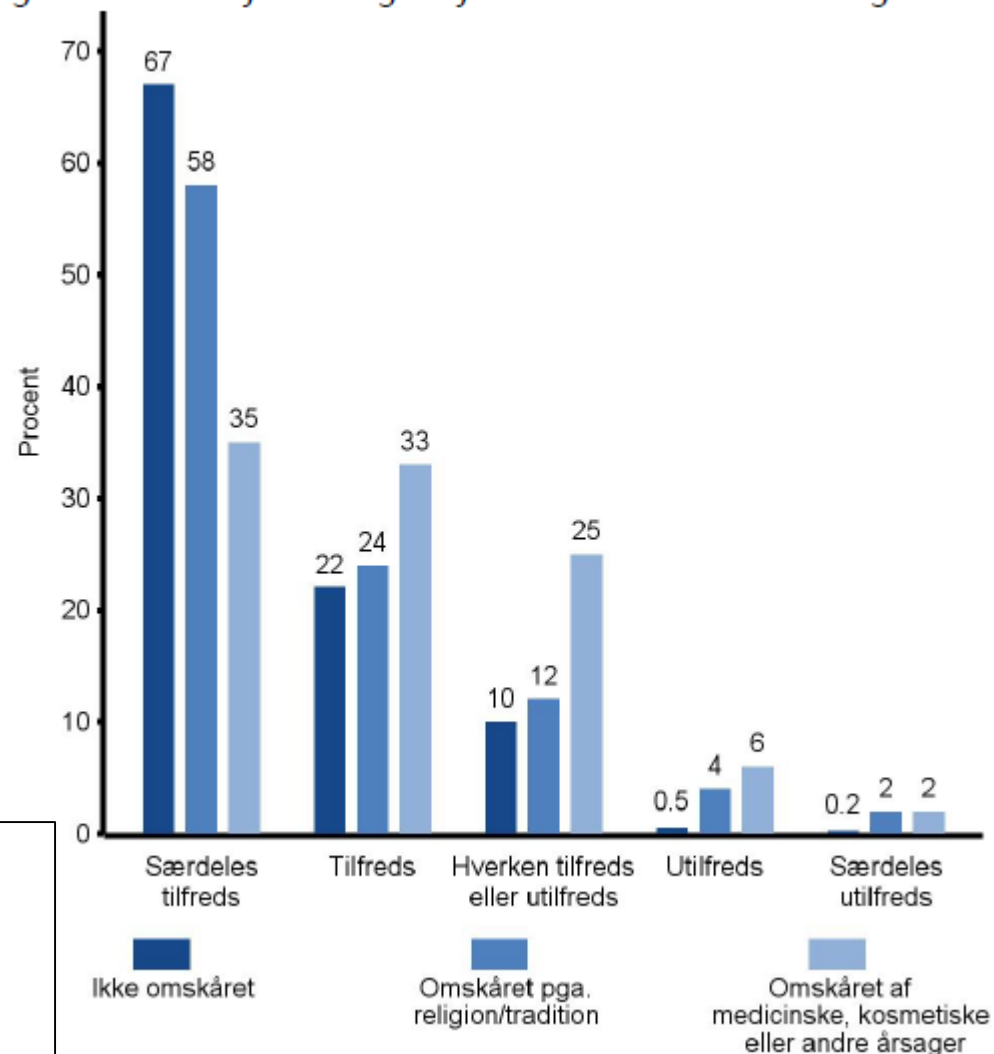
"Hvor tilfreds er du med, at du ikke er omskåret?"

Det første spørgsmål blev stillet til 2.001 mandlige respondenter, som oplyste, at de var omskåret. Heraf svarede 1,8% "Ved ikke". Det andet spørgsmål blev stillet til 27.116 mandlige respondenter, som oplyste, at de ikke var omskåret. Heraf svarede 3,9% "Ved ikke". Svarfordelingen blandt de resterende 1.965 respondenter, som var omskåret, og de resterende 26.108 respondenter, som ikke var omskåret, ses i Figur 4.20.

The biggest population survey on sexuality
SEXUS in Denmark (Frisch & al. 2019):

5,5% (religious reasons) and 7,4% (medical reasons) of the asked circumcised men were dissatisfied that circumcision had been done on them

Figur 4.20. Svarfordeling: Tilfredshed med omskæringsstatus



1995

2008

Supreme Court (HD, KKO): precedent KKO:2008:93

The public prosecutor claimed that accepting non-medical circumcision of boys would be sex discrimination, seeing as circumcision of girls is forbidden. In addition, it would be discrimination on the basis of religion, because other than Jewish and Muslim boys won't be subjected to non-medical circumcision. The Supreme Court stated that in reality, circumcision of girls is genital mutilation and it is thus a far more severe breach on personal integrity than that of boys. Female circumcision is not reasonably comparable to male circumcision in a criminal sense. Furthermore, allowing non-medical circumcision of boys is not religion-based discrimination solely because it's only included in the tradition of the aforementioned religions.

The Brussels Collaboration
(2019)

+

Brian Earp (2012→) & al.:

- **consent** before gender
- gender does not decide “the degree of severity” in different types of genital cutting procedures
- granted and ensured bodily integrity for **both parents** provides the best basis for ensuring genital autonomy for the child

Medically Unnecessary Genital Cutting and the Rights of the Child: Moving Toward Consensus

The Brussels Collaboration on Bodily Integrity

What are the ethics of child genital cutting? In a recent issue of the journal, Duivenbode and Padela (2019) called for a renewed discussion of this question. Noting that modern health care systems “serve individuals with a wide array of preferences about how their bodies should look and function,” they asked how physicians and policymakers should respond to requests for procedures “that may be rooted in cultural or religious values, or perhaps ... social preference rather than good medical practice” (4). The impetus for their article was a recent high-profile U.S. federal court case—the first to test the 1996 American law prohibiting “female genital mutilation” (FGM). Legally, this term refers to the intentional cutting or sewing of “the whole or any part of the labia majora or labia minora or clitoris of another person who has not attained the age of 18 years.” No allowance is made for what the law calls “custom or ritual.” The sole exception is for medical necessity.¹

We do not take a position on the legal merits of this sole exception. Instead, we seek to clarify and assess the underlying *moral* reasons for opposing all medically unnecessary genital cutting² of female minors, no matter how severe. We find that within a Western medicolegal framework, these reasons are compelling. However, they do not only apply to female minors, but rather to nonconsenting persons of any age irrespective of sex or gender.

Keeping our focus exclusively on a Western context for the purposes of this article, we argue as follows: Under most conditions, cutting any person’s genitals without their informed consent is a serious violation of their right to bodily integrity. As such, it is morally impermissible unless the person is nonautonomous (incapable of consent) and the cutting is medically necessary (Box 1).

For consensual cutting (i.e., cutting with the ethically valid consent of the affected individual), expected medical benefits or even nonmedical benefits may reasonably factor into a person’s decision to request a genital-altering procedure. A consenting individual can determine whether the downsides of the cutting are worth the expected upsides in light of their own considered preferences and values (Aurenque and Wiesing 2015). These preferences and values may often differ from those of the individual’s parents and may also vary substantially from person to person both within and across communities.

For nonconsensual cutting (i.e., cutting without the ethically valid consent of the affected individual), the threshold for proceeding should be higher. In other words, the mere prospect of health-related (prophylactic), sociocultural, faith-based, cosmetic, or other perceived benefits cannot normally justify the nonvoluntary infliction of an acute lesion, including tissue damage or removal—with the associated risks and potential long-

1995

2008

Criminal code, chapter 21:
5§ and 6§

- form the basis
- are gender neutral!
- but their application differs, based on gender
- **why this difference?**

1995

2008

2015

*Government Decree on the entry into force of the law on the entry into force of the **Council of Europe Convention on preventing and combating violence against women and domestic violence** and on the entry into force of provisions falling within the scope of the convention's legislation*

53/2015

Dokumentin versiot

 PDF

Valtioneuvoston asetus naisiin kohdistuvan väkivallan ja perheväkivallan ehkäisemisestä ja torjumisesta tehdyn Euroopan neuvoston yleissopimuksen voimaansaattamisesta sekä yleissopimuksen lainsäädännön alaan kuuluvien määräysten voimaansaattamisesta annetun lain voimaantulosta

Valtioneuvoston päätöksen mukaisesti säädetään naisiin kohdistuvan väkivallan ja perheväkivallan ehkäisemisestä ja torjumisesta tehdyn Euroopan neuvoston yleissopimuksen lainsäädännön alaan kuuluvien määräysten voimaansaattamisesta annetun lain (375/2015) 2 §:n nojalla:

1 §

Naisiin kohdistuvan väkivallan ja perheväkivallan ehkäisemisestä ja torjumisesta Istanbulissa 11 päivänä toukokuuta 2011 tehty Euroopan neuvoston yleissopimus tulee voimaan 1 päivänä elokuuta 2015 niin kuin siitä on sovittu.

Eduskunta on hyväksynyt yleissopimuksen 25 päivänä helmikuuta 2015 ja tasavallan presidentti 10 päivänä huhtikuuta 2015. Hyväksymiskirja on talletettu Euroopan neuvoston pääsihteerin huostaan 17 päivänä huhtikuuta 2015.



1995

2008

2015

Istanbul Convention (2011):

Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210)

1995

2008

2015

Article 38 – Female genital mutilation

Parties shall take the necessary legislative or other measures to ensure that the following intentional conducts are criminalised:

- a excising, infibulating or performing any other mutilation to the whole or any part of a woman's labia majora, labia minora or clitoris;
- b coercing or procuring a woman to undergo any of the acts listed in point a;
- c inciting, coercing or procuring a girl to undergo any of the acts listed in point a.



1995

2008

2015

2016

1995

2008

2015

2016

Two new Supreme Court precedents 2016:

- **KKO:2016:24** (the parents and the circumciser were acquitted)
- **KKO:2016:25** (the father was sentenced; the circumciser was acquitted)

On 31 March 2016, the Supreme Court adopted two decisions that complement a previous precedent in which the Court found that the non-medical circumcision of boys constitutes an assault offence but is not punishable when it is considered to be in the best interests of the child. Moreover, the Supreme Court noted that Finland has no legislation dealing specifically with non-medical circumcision. The Ministry of Social Affairs and Health has issued a recommendation on the matter, but the Supreme Court found that it does not resolve the ambiguity in questions concerning circumcision, such as the criminal liability of persons who have violated the recommendation.

1995

2008

2015

2016

Two new Supreme Court precedents 2016:

- KKO:2016:24 (the parents and the circumciser were acquitted)
- KKO:2016:25 (the father was sentenced; the circumciser was acquitted)

"Spotlight can show that the court's decision is partly based on a weak factual base, and unfounded assumptions"

(YLE Spotlight 12.9.2016, "Med kniven på förhuden" / "With the knife on the foreskin" <https://arenan.yle.fi/1-3083113>)

Korkein oikeus (KKO) on antanut tänään kaksi ennakkopäätöstä, joilla on linjattu poikien uskonnollisista ja kulttuurisista syistä tehdyn ympärileikkauksen rangaistavuutta. Ratkaisut täydentävät KKO:n aiempaa linjausta, jonka mukaan muusta kuin lääketieteellisistä syistä tehty pojan ympärileikkaus sinällään täyttää pahoinpitelyrikoksen tunnusmerkistön, mutta ei ole rangaistava tilanteessa, jossa sitä voidaan pitää lapsen edun mukaisena.

Ensimmäisessä tapauksessa oli kysymys kahdesta ympärileikkauksesta, jotka muslimiperheet olivat teettäneet 7- ja 12-vuotiaille pojilleen. Leikkaukset oli tehty molemmissa tapauksissa kummankin vanhemman pyynnöstä ja ne oli suorittanut henkilö, joka ei ollut lääkäri. KKO katsoi ratkaisevaksi sen, että toimenpiteet oli kuitenkin tehty lääketieteellisin kriteerein arvioiden ammattitaitoisesti, ja että toimenpiteitä oli pidettävä poikien edun mukaisina. Toisaalta etenkin jo 12 vuotta täyttäneen lapsen osalta toimenpide olisi edellyttänyt hänen oman mielipiteensä selvittämistä. KKO piti ennallaan Helsingin hovioikeuden tuomion, jolla vanhempia ja ympärileikkaukset tehnyttä henkilöä koskevat yllytys- ja pahoinpitelysyytteet hylättiin.

Toisessa tapauksessa nigerialaissyntyinen isä oli kulttuuritaustastaan johtuen ympärileikkauttanut nelikuisen poikansa tämän suomalaisen äidin tahdon vastaisesti. Isä oli erehdyttänyt ympärileikkauksen suorittaneen lääkärin uskomaan, että myös lapsen äiti oli antanut toimenpiteelle suostumuksensa. KKO katsoi, että toimenpide olisi edellyttänyt kummankin vanhemman suostumuksen ja päätyi siihen, että tämä seikka oli ratkaiseva harkittaessa sitä, voitiinko toimenpidettä pitää lapsen edun mukaisena. KKO tuomitsi isän pahoinpitelystä sakkorangaistukseen. Toimenpiteen tekijänä olleen lääkärin KKO vapautti syytteestä alempien oikeusasteiden tavoin.

KKO totesi ratkaisussaan lisäksi, että Suomessa ei ole muilla kuin lääketieteellisillä perusteilla tehtävää ympärileikkausta koskevaa nimenomaista lainsäädäntöä. Vaikka sosiaali- ja terveysministeriö on antanut kysymyksestä suosituksen, se ei poista ympärileikkaukseen liittyviä epäselvyyksiä esimerkiksi suosituksen vastaisesti toimivien henkilöiden rangaistusvastuuseen liittyen.

1995

2008

2015

2016

The Supreme Court calls for legislation

KKO:2016:25

- "It is unsatisfactory that the justification of a circumcision performed on other than medical grounds and the conditions for the criminal liability of the person who performed such a procedure have to be assessed on the basis of case-specific and discretionary aspects when it comes to the child's interest."
- "individual case-by-case court decisions cannot be used to comprehensively manage this issue"
- "[A proper] weighing [based on the over-all interest of the child] is only possible by a legislative procedure based on proper preparation."

11. Korkein oikeus toteaa, että rikosoikeuden keskeisten periaatteiden, henkilöiden yhdenvertaisuuden ja rikosvastuun ennustettavuuden, kannalta on epätyydyttävää, että muilla kuin lääketieteellisillä perusteilla tehdyn ympärileikkauksen oikeutus ja tällaisen toimenpiteen suorittaneen henkilön rikosvastuun edellytykset joudutaan arvioimaan lapsen etuun kytkeytyvien tapauskohtaisten ja arvostuksenvaraisten näkökohtien perusteella. Vaikka Korkein oikeus on erityislainsäädännön puuttuessa pyrkinyt linjaamaan suuntaviivoja, joiden täyttyessä poikalapsen ympärileikkausta voidaan pitää hänen etunsa kannalta oikeutettuna, yksittäistapauksia koskevilla ratkaisuilla ei pystytä kattavasti hallitsemaan tätä kysymystä. Muulla kuin lääketieteellisellä perusteella suoritettun ympärileikkauksen hyväksyttävyyden arviointi edellyttää laaja-alaista ja monitahoista lapsen kokonaisuuteen liittyvää punnintaa, jossa otetaan huomioon paitsi lapsen ja lapsen huoltajien oikeudet, myös teko-olosuhteisiin ja toimenpiteen suorittajaan liittyvät kysymykset. Tällainen punninta on mahdollista vain asianmukaiseen valmisteluun perustuvassa lainsäädäntömenettelyssä. Ensiarvoisen tärkeää on tällöin ottaa kantaa myös seuraamuksiin, joita mahdollisen erityissääntelyn rikkomisesta aiheutuu.

1995

2008

2015

2016

Supreme Court KKO:2016:24

- "Male children are also circumcised for medical reasons."
- "the circumcisions in this case have been in the best interest of the children"

8. Poikalapsia ympärileikataan myös lääketieteellisistä syistä. Biolääketiedesopimuksessa, sen selitysmuistiossa tai sopimuksen voimaansaattamista koskevissa lainvalmisteluasiakirjoissa ei ole mainintoja siitä, onko sopimusta tarkoitus soveltaa myös silloin, kun ympärileikkaus tehdään yksinomaan uskonnollisista tai kulttuurisista syistä, ilman lääketieteellistä perustetta ja mahdollisesti varsinaisen terveydenhoitojärjestelmän ulkopuolella.

34. Edellä lausutun perusteella ja koska leikkaukset on edellä todetuin tavoin tehty lääketieteellisesti arvioituna asianmukaisesti, Korkein oikeus päätyy katsomaan, että ympärileikkaukset tässä asiassa ovat olleet lasten edun mukaisia niin, että vanhempien samoin kuin toimenpiteen suorittaneen A:n menettelyä voidaan ratkaisussa KKO 2008:93 tarkoitettu tavoin pitää oikeutettuna.

1995

2008

2015

2016

2018

Citizens' initiative in Finland: Banning female genital mutilation



kansalaisaloite.fi

[Kirjaudu](#)[På svenska](#)Tekstin koko: [A](#) [A](#) [A](#)[Etusivu](#)[Selaa kansalaisaloitteita](#)[Tee kansalaisaloite](#)[Ohjeet](#)[Tiedotteet](#)

Tyttöjen sukuelinten silpomisen kieltäminen

2.4.2018



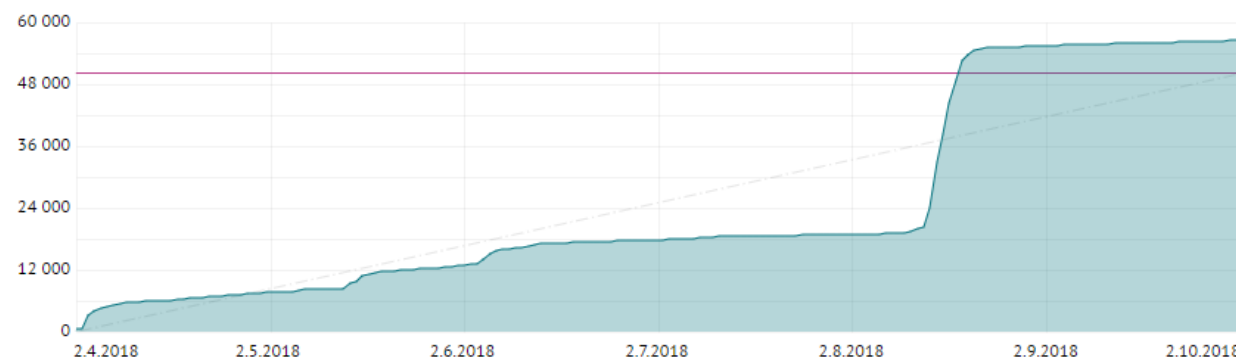
Aloite on lähetetty
eduskuntaan 3.6.2019

Aloite eduskunnan sivuilla: [KAA
1/2019 vp](#)

61 266

vahvistettua kannatusilmoitusta, joista muualla kerättyjä 5 193

Kannatusilmoituksia tässä palvelussa 56 073

[kokonaiskertymä](#)[päivätasolla](#)

1995

2008

2015

2016

2018

Citizens' initiative in Denmark:

Introduction of 18 years minimum age for circumcision of healthy children

FOLKETINGET



Indførelse af 18 års mindstealder for omskæring af raske børn

Startdato

01. februar 2018

Slutdato

18. maj 2021

Antal støtter

54.157

[Dette forslag har en anmærkning.](#)

Indførelse af 18 års mindstealder for omskæring af raske børn

 LÆS OP

Folketinget pålægger regeringen at fremsætte lovforslag, der indfører en kønsneutral mindstealder på 18 år for omskæring, som ikke er nødvendig af helbredsmæssige årsager.

1995

2008

2015

2016

2018

2019

UUTISET

UUTISET | KOTIMAA

3000 tyttöä uhkaa Suomessa sukuelinten silpominen - kansalaisaloite luovutettiin: "Järkyttävää, ettei ole kielletty erillislaille"

Kansalaisaloite keräsi 61 266 allekirjoitusta.

Finnish citizens' initiative: Banning female genital mutilation
- taken in for processing by the legal committee in September 2019





Finnish citizens' initiative: Banning female genital mutilation

- taken in for processing by the legal committee in September 2019
- expert opinions collected
- hearings for called experts
 - bioethical expert: Brian Earp?

1995

2008

2015

2016

2018

2019

STM:s action plan 2020-2025:
Non-Violent Childhoods



Non-Violent Childhoods

Action Plan for the Prevention
of Violence against Children
2020–2025



Table 25. Non-medical circumcision of boys. Objectives and actions for 2020–2025.

NON-MEDICAL CIRCUMCISION OF BOYS		
Objective: Non-medical circumcision of boys must not be performed until the person in question gives their consent based on information.		
Actions	Justification	Responsible parties and operators
Action 1. Discussion will be started about an age limit – that is, postponing circumcision until the boy can participate in making the decision (e.g. round-table discussions)	<ul style="list-style-type: none">• Decisions of the Supreme Court requiring legislation.• Convention on the Rights of the Child (UN 1989, Finnish Treaty Series 59-60/1991)• Lanzarote Convention (CoE No 201 in 2007, Finnish Treaty Series 88/2011)• Social Welfare Act (1301/2014): according to the Act, special attention must be paid to ensuring the child's physical integrity (section 5).• Programme of Prime Minister Antti Rinne's Government 2019	Ministry of Social Affairs and Health, THL
Indicators: <ul style="list-style-type: none">• The age when circumcision is performed will be monitored by 2025• Statistics on non-medical circumcision performed on underage boys at university hospitals 2020–2025		

STM:s action plan 2020-2025:
Non-Violent Childhoods

"Turvataan resurssit sukuelinten silpomisen vastaiseen työhön."

"Resurserna för arbetet för att stoppa könsstympning ska tryggas"

"The Government will ensure sufficient resources for the work against genital mutilation."

1995

2008

2015

2016

2018

2019

2020

Finnish citizens' initiative: Banning female genital mutilation

- taken in for processing by the legal committee in September 2019
- expert opinions collected
- hearings for called experts
 - ~~— bioethical expert: Brian Earp~~
- remitted to parliament October 2020 with two reservations
- plenary discussion and votation

Reservation 1 / Förslag

Förslag

Vi föreslår

att riksdagen stryker de stycken och meningar som gäller icke-medicinsk omskärelse av pojkar i motiveringen till utskottets betänkande LaUB 6/2020 rd på de grunder som anges i reservationen, och att riksdagen godkänner utskottets betänkande till den del det gäller förbud mot könsstympning av flickor och kvinnor.

Helsingfors 30.9.2020

Antero Laukkanen kd

Eva Biaudet sv

Reservation 2 / Förslag

Förslag

Vi föreslår

att riksdagen godkänner ett nytt förslag till beslut utöver utskottets förslag till beslut. (**Reservationens förslag till beslut**)

Reservationens förslag till beslut

Riksdagen förutsätter att statsrådet snarast möjligt vidtar åtgärder för att förbjuda och i strafflagen kriminalisera all icke-medicinsk omskärelse av pojkar och under denna valperiod förelägger riksdagen de lagförslag som behövs.

Helsingfors 30.9.2020

Leena Meri saf

Mari Rantanen saf

Sebastian Tynkkynen saf

Omröstning

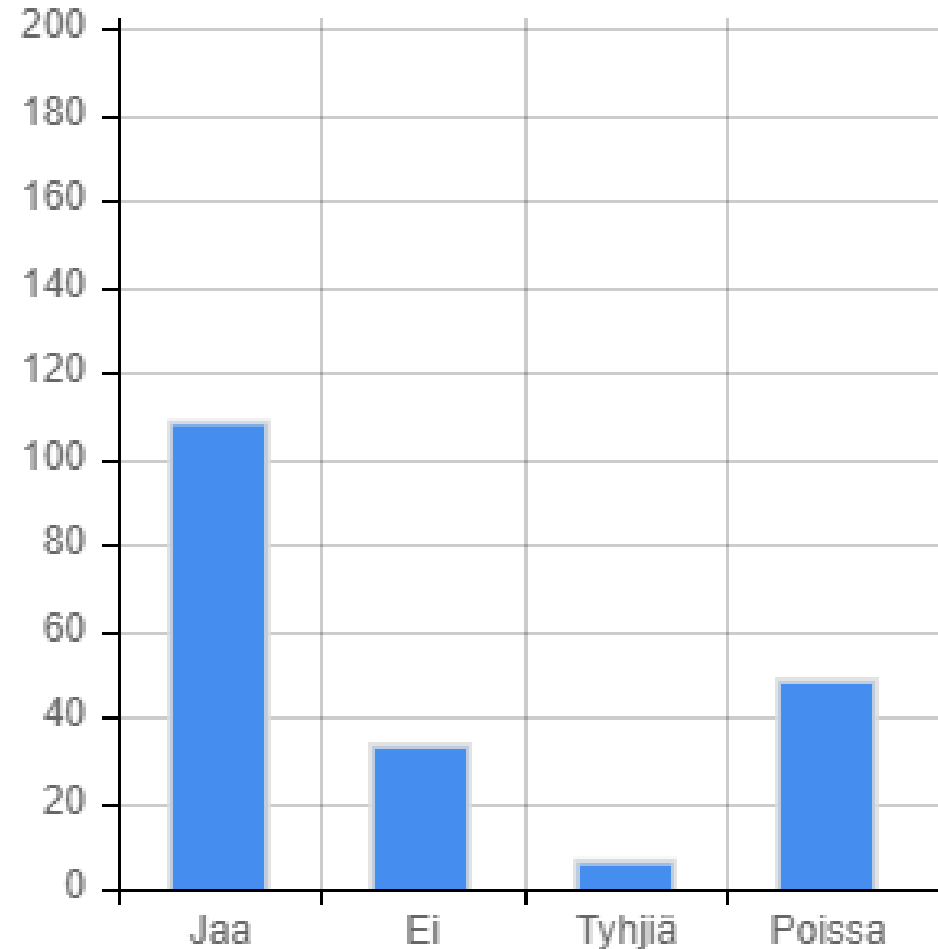
Av riksdagsledamöterna
anser

109: alla omnämmanden om
pojkar borde ha strukits

34: alla barn borde ha fått
likvärdigt skydd i lagen

56: tomma och borta

Jaa	Ei
109	34



1995

2008

2015

2016

2018

2019

2020

Finnish citizens' initiative: Banning female genital mutilation

- taken in for processing by the legal committee in September 2019
- expert opinions collected
- hearings for called experts
 - ~~— bioethical expert: Brian Earp~~
- remitted to parliament October 2020 with two reservations
- plenary discussion and votation
- remitted to the Government
- workgroup initiated May 2021, for planning legislative proceedings on FGM prohibition
 - mandate until summer 2022



Finnish citizens' initiative: Banning female genital mutilation

- taken in for processing by the legal committee in September 2019
- expert opinions collected
- hearings for called experts
 - ~~bioethical expert: Brian Earp~~
- remitted to parliament October 2020 with two reservations
- plenary discussion and votation
- remitted to the Government
- workgroup initiated May 2021, for planning legislative proceedings on FGM prohibition
 - mandate until summer 2022
 - mandate prolonged to November 2022
 - mandate prolonged to December 2022
- **parliamentary elections April 2023**