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GUIDELINES OF THE MINISTRY OF SOCIAL AFFAIRS AND HEALTH ON NON-MEDICAL CIRCUMCISION

Non-medical circumcision refers to the removal of penile foreskin for religious or cultural reasons. Circumcision has major religious significance for Jews and Muslims. It is estimated that there is a need to perform 400 circumcisions for religious reasons in Finland every year.

European experts believe there are no medical grounds for performing a circumcision for preventive reasons. A report prepared by the Finnish National Institute of Health and Welfare in 2014 concluded that serious adverse effects of circumcision were rare. However, mild and moderate adverse effects do occur, more frequently if the procedure is carried out after infancy, in unsterile conditions or by an inexperienced practitioner. Long-term effects of a non-medical circumcision (effects on sexuality, psychological harm) were not discussed in the systematic reviews consulted.

Non-medical circumcision is an irreversible procedure that violates a boy's bodily integrity. Delaying circumcision to adulthood or to time when a boy has reached an age and a development stage at which he is capable of giving his consent is, however, not always possible for religious reasons.

A working group appointed by the Ministry of Social Affairs and Health in 2003 to assess the need to pass legislation on male circumcision unanimously proposed that circumcisions on boys performed on religious and cultural grounds should be permitted under certain conditions (MSAH working group memos 2003:39). The objective of regulation would be to ensure that the procedure is carried out safely.

Non-medical circumcision of boys is not banned in any country, and no international agreement unequivocally prohibits it. In its Resolution adopted in autumn 2013, the Parliamentary Assembly of the Council of Europe recommended that the member states clearly specify the conditions in which medical and non-medical male circumcision can be performed.

The Ministry of Social Affairs and Health hereby issues the following guidelines concerning non-medical circumcision of boys. These guidelines are to be applied to penile foreskin circumcision performed for non-medical reasons on a boy aged under 18.

Persons performing the circumcision

Circumcisions may only be performed by licensed physicians.

Provisions on health care professionals also apply to non-medical circumcisions.

Informing the guardians

Before performing a circumcision, the physician must provide the child's guardians with sufficient information on the nature, effects and potential harm involved in the procedure, and of its irreversibility. Guardians must be provided with this information before they can give their consent to the procedure.

Guardians' consent

The boy's guardians must give their written consent to the circumcision. According to section 5 of the Act on Child Custody and Right of Access (361/1983), the persons who have custody of a child are jointly responsible for the duties inherent in custody and make decisions concerning the child

together. If the child has two guardians, the written consent of both guardians is required. If either guardian objects to the circumcision, the procedure may not be carried out.

Hearing the boy

The boy must be heard regarding the circumcision and must be given sufficient age-appropriate information on the circumcision and its effects.

A circumcision may not be performed against the boy's will, if he is able, in terms of his age and development stage, to understand what the procedure means.

Anaesthesia and conditions for the procedure

Circumcision must be conducted under anaesthesia administered by a physician.

The procedure must be carried out in a sterile environment, and the conditions must be otherwise appropriate.

Costs of the procedure

Non-medical male circumcision is not covered by publicly funded health care.

Conclusion

According to Article 24 (3) of the UN Convention on the Rights of the Child, States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

Finland will continue to engage in dialogue with religious communities to discourage the non-medical circumcision of boys. Notifications issued by the authorities for immigrants and asylum seekers will include information on the conditions, effects and potential harms of the non-medical circumcision of boys.

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