

Belgian Penal Code, Articles 458 and 458 bis

Targeted professionals: Health professionals and other professionals bound to secrecy, such as education staff and social workers

Professional Secrecy Provisions

Conditions for disclosing information

Crime of FGM is committed against a minor and the victim is in danger and he/she cannot ensure the integrity of the minor

Right or duty to report

Right to report; General duty to assist person in need (art. 422 bis Penal Code)

Existence of disciplinary sanctions in case of non-reporting

Yes. Sanctions when health professionals should have intervened to prevent worse from happening

Source

Leye, Els; Sabbe, Alexia, Responding to female genital mutilation in Belgium: Striking the right balance between prosecution and prevention; Penal Code;

<http://www.dekamer.be/FLWB/pdf/53/1995/53K1995001.pdf>

Additional information

Date of entering into force

458: 26 July 1996 458bis: 27 March 2001

Information collecting point

Public prosecutor

Metadata

TYPE: Policy / Legislation

LANGUAGE: Dutch, French

TYPES OF GBV: Female Genital Mutilation

KEYWORDS: female genital mutilation, gender-based violence, professional secrecy provisions