

# Section 226a Criminal Code - Female genital mutilation

Section 226a of the Criminal Code is designated as a result crime. This means that it is punishable that the external genitalia of a female person have been mutilated. How and in which context this is done is basically irrelevant. § 226a of the Criminal Code also applies to acts committed abroad if it is either a case in which there has been domestic cooperation (e.g so-called 'holiday FGM' if the parents who reside in Germany send their daughter abroad for having her cut, or if they do not prevent such travel) or if the victim or the perpetrator is German, or the perpetrator is a foreigner encountered in Germany who is not extradited and the act is punishable where it is committed.

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## Criminal Law

### Applicability of the principle of extraterritoriality

Section 226a of the Criminal Code applies to acts committed abroad if it is either a case in which there has been domestic cooperation or if the victim or the perpetrator is German, or the perpetrator is a foreigner encountered in Germany who is not extradited and the act is punishable where it is committed.

### Number of court cases

0 (last checked in June 2014)

### Availability of information collecting system or reports

The new legislation allows collecting statistical data on FGM cases. In the police crime statistics, the number of cases registered with the police as well as the number of suspects will be recorded in accordance with § 226a of the Criminal Code. Law enforcement statistics will record the number of judgments and condemnations.

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## Metadata

**TYPE:** Policy / Legislation

**LANGUAGE:** German

**TYPES OF GBV:** Female Genital Mutilation

**KEYWORDS:** female genital mutilation, criminal law