

# Belgian Penal Code, Article 409 (Specific criminal provisions on FGM)

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Performance, participation, facilitation, and attempt to perform FGM

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## Criminal Law

### Applicability of the principle of extraterritoriality

Yes (Article 10ter, Code of Criminal Procedure); Conditions: the victim is a minor and the offender must be found on the territory

### Types of FGM addressed

Clitoridectomy; excision, infibulation, all other forms except piercings and tattoos or transsexual operations (re-infibulation is not specifically stipulated as illegal)

### Number of court cases

### Number of FGM cases registered with judicial authorities

### Availability of information collecting system or reports

Not specified, but police and public organisations defending the rights of minors collect this information

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## Source

Leye, Els; Sabbe, Alexia (Responding to female genital mutilation in Belgium: Striking the right balance between prosecution and prevention),  
[http://www.icrh.org/files/ICRH\\_rapport%202009\\_def%20-%20high%20resolutio...](http://www.icrh.org/files/ICRH_rapport%202009_def%20-%20high%20resolutio...) Website Intact  
<http://www.intact-association.org/images/stories/documents/secret/nl/wet...>

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## Additional information

### Date of entering into force

27/03/2001

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## Metadata

**TYPE:** Policy / Legislation

**LANGUAGE:** Dutch, French

**TYPES OF GBV:** Female Genital Mutilation

**KEYWORDS:** female genital mutilation, gender-based violence, legislation, criminal law