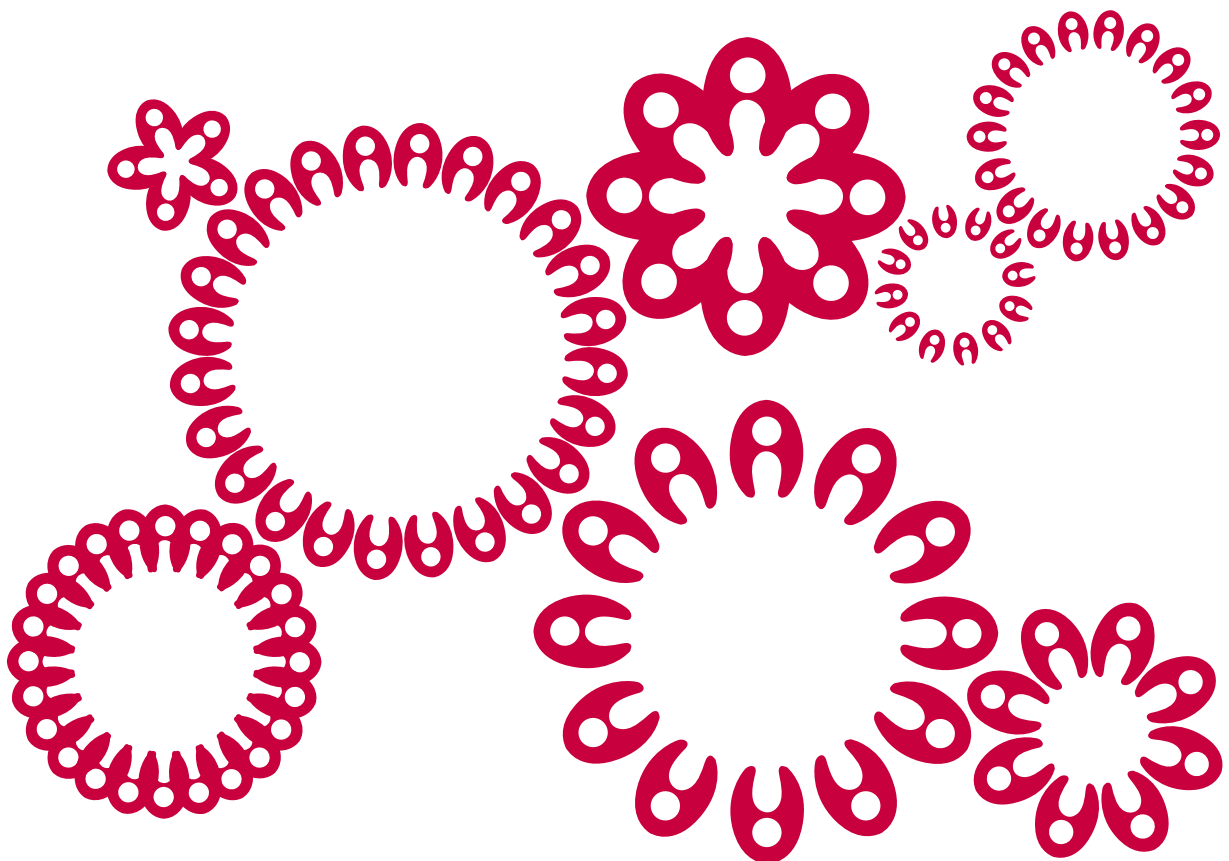


# C H A I N

## **INTERVENTION IN CASES OF FEMALE GENITAL MUTILATION (FGM) AND EARLY AND FORCED MARRIAGE (EFM)**

**An interdisciplinary guide for professionals working in Berlin with girls and women  
at risk of being subjected to or affected by FGM and/or EFM**



**TERRE DES FEMMES**

Menschenrechte für die Frau e.V.  
Human Rights for Women  
Gleichberechtigt, selbstbestimmt und frei  
equal, independent and free

Co-funded by the  
Rights, Equality and Citizenship Programme  
of the European Union



## IMPRINT

### Published by

TERRE DES FEMMES – Menschenrechte für die Frau e.V.  
Brunnenstraße 128, 13355 Berlin  
Telephone number: +49 (0)30 40504699-0  
Telefax: +49 (0)30 40504699-99  
E-mail: [info@frauenrechte.de](mailto:info@frauenrechte.de)  
[www.frauenrechte.de](http://www.frauenrechte.de)

### Editors:

Adèle Bessoule, TERRE DES FEMMES  
Janine Hildenbeutel, TERRE DES FEMMES

### Contributors:

Myria Böhmecke, TERRE DES FEMMES  
Sonja Störmer, TERRE DES FEMMES  
Marina Walz-Hildenbrand, Lawyer

### Layout

prussianorange

### Translation

Leonie Bergemann  
Kate McCane

First edition: 2022

© TERRE DES FEMMES - Menschenrechte für die Frau e.V. All rights reserved.

This guide was created as part of the CHAIN project. The CHAIN project is co-funded by the EU and is dedicated to the prevention of female genital mutilation (FGM) and early and forced marriage (EFM) in Europe; two forms of gender-based violence that are often intertwined.

The two-year project, which runs from 1 September 2020 to 31 August 2022 – is coordinated by TERRE DES FEMMES and implemented together with four European partner organisations: ActionAid Italia (Italy), Equipop (France), Save a Girl, Save a Generation (Spain) and the European Network End FGM EU (Belgium).



Co-funded by the  
Rights, Equality and Citizenship Programme  
of the European Union

### Disclaimer

The content of this publication reflects the opinion of the authors and is their sole responsibility.  
The European Union assumes no responsibility for any use of the information contained therein.

# Table of Contents

Preface .....	3
<b>1. What do the terms female genital mutilation and early and forced marriage refer to? .....</b>	<b>5</b>
1.1 Introduction: Female genital mutilation .....	5
1.2 Introduction: Early and forced marriage .....	8
<b>2. Female genital mutilation and early and forced marriage: Legal framework .....</b>	<b>13</b>
<b>3. Guidance for engaging in culturally sensitive interactions with at risk or affected individuals .....</b>	<b>19</b>
<b>4. Protecting girls and women at risk .....</b>	<b>23</b>
4.1 How do I assess whether minors and adolescent girls are at risk? .....	23
4.2 Recognising early warning signs of female genital mutilation and early and forced marriage .....	24
4.3 How can an underage girl be protected if she is at risk? .....	26
4.4 Guidance for helping (young) adults in Berlin .....	30
<b>5. Guidance and practical examples for social, educational, health and law enforcement professionals in Berlin .....</b>	<b>31</b>
5.1 Guidance and practical example for child and youth welfare professionals working in childcare centres and youth recreational facilities, providing social work services at schools and independent carriers of educational assistance and youth welfare offices, among others .....	32
5.2 Guidance and practical example for educational professionals at schools .....	33
5.3 Guidance and practical example for health professionals .....	34
5.4 Guidance and procedures for law enforcement .....	36
5.5 Guidance and practical example for other professionals, e.g. women's shelters, counselling centres, refugee shelters .....	41
<b>6. Counselling services/Points of contact/Important contacts in Berlin .....</b>	<b>43</b>
<b>7. Bibliography .....</b>	<b>45</b>
<b>8. Appendix .....</b>	<b>47</b>
<b>Appendix 1:</b> List of the most important telephone numbers for child protection services in Berlin .....	47
<b>Appendix 2:</b> List of the most important telephone numbers for police services in Berlin .....	48

*Dear readers,*

Harmful traditional practices are based on cultural and social patriarchal traditions and norms. Girls and women in particular are affected by tradition-based patriarchal forms and practices of violence. Whether it is early marriage, forced marriage or female genital mutilation, these traditional practices are a form of gender-based violence and discrimination and are a serious violation of the human rights of the women and girls in question. Both female genital mutilation (FGM) and early and forced marriage (EFM) express, manifest and perpetuate gender inequality. Female genital mutilation and early and forced marriage are often interrelated but until now have often been viewed in isolation from each other. Yet both practices are deeply rooted in patriarchal norms and structures and were designed to control and restrict female sexuality.

In order to break the chain of violence with regard to female genital mutilation and early and forced marriage, prevention and intervention work on female genital mutilation has been continued and extended to include early and forced marriage after the EU-funded CHANGE projects (2013–2020) on the elimination of female genital mutilation in the European Union (EU) had been successfully implemented. The project “CHAIN – Linking the prevention of female genital mutilation and early and forced marriage in Europe”<sup>1</sup> (2020–2022), also co-financed by the EU, is coordinated by TERRE DES FEMMES and implemented with partner organisations in France, Italy, Spain and Belgium. As part of the CHAIN project, multipliers from affected diaspora communities are selected and educated as Community Trainers. In addition to raising awareness among leaders (e.g. religious and traditional authorities or community elders) from their own communities, they also conduct training sessions for professionals working in the social, educational or medical fields. On the one hand, the aim is to bring about a shift in thinking within their community. On the other hand, the aim is to raise awareness of these issues among professionals.

In order to achieve long-term prevention of female genital mutilation and early/forced marriage, the project also focuses on developing a local intervention model in Berlin. The aim of this guide is to ensure interdisciplinary and coordinated case management in order to effectively protect girls and women.

This document is intended to provide guidance to teachers, social workers, social-education workers, day care-centre educators, employees of the German youth welfare office [Jugendamt] and refugee shelters, medical staff and police officers and ensure they can act with confidence. Staff in schools and youth facilities are often the first points of contact for girls who are at risk of being subjected to or already affected by female genital mutilation and/or early and forced marriage. The aforementioned professional groups are therefore confronted with the task of acting prudently and appropriately when faced with such situations, without endangering at-risk or affected individuals. Doctors, midwives and nurses as well as police officers may also encounter girls and women at risk or already affected by female genital mutilation and/or early and forced marriage in the context of their daily professional lives.

In order to provide guidance for professionals dealing with at-risk persons, this guide addresses the following questions in particular: What do the terms female genital mutilation and early and forced marriage mean? How do I assess and how can a girl/woman receive support and help in such a situation?

The long-term goal of this guide is to provide girls and women throughout Germany with effective protection against female genital mutilation and early and forced marriage. For this reason, the guide is designed as a model that can also be used in other German federal states and regions, taking local differences into account.

<sup>1</sup> Please visit the TERRE DES FEMMES website for further information on the CHAIN project: <https://frauenrechte.de/unserearbeit/themen/weibliche-genitalverstuemmelung/chain/aktuelles>

# 1. What do the terms female genital mutilation and early and forced marriage mean?

## 1.1 Introduction: Female genital mutilation

Female genital mutilation is a very complex issue and by no means merely a medical problem or purely a “women’s issue”. Just at first glance does female genital mutilation harm only the girls and women who are directly affected. A closer look reveals that the reasons for continuing this practice are rooted in various communities as a whole and that female genital mutilation has a detrimental effect on the entire community. According to the definition recognised by the World Health Organization (WHO), the term “female genital mutilation” comprises “all procedures **that involve partial or total removal of the external female genitalia**, or other injury to the female genital organs **for non-medical reasons**”.

According to the WHO, the existing forms of FGM are divided into four types:

### **Type I Clitoridectomy:**

Partial or total removal of the external and visible part of the clitoris and/or the prepuce/clitoral hood.

### **Type II Excision:**

Type I and additional removal of the labia minora, with or without removal of the labia majora.

### **Type III Infibulation:**

Narrowing of the vaginal opening in cutting and repositioning the labia minora and/or labia majora, so that most of the area is sealed. (“Defibulation” refers to the process of opening the sutured vaginal opening, e.g., for sexual intercourse; “Reinfibulation” refers to the process of suturing the vagina once again, for example after childbirth).

### **Type IV Other:**

This category includes all other harmful procedures that injure the female genitalia for non-medical purposes, such as piercing, scraping or cauterizing.

In a practical context these forms are often not clearly distinguishable, not least because various hybrid forms exist and because the procedures practised vary from region to region and sometimes even from woman to woman in charge of the procedure.



## Terminology

### “Female genital mutilation (FGM)”

The term “female genital mutilation (FGM)” serves to clearly distinguish the practice from circumcisions of male individuals from a linguistic point of view, and focuses on the severity of the procedure and the violation of human rights associated with it. For this reason “female genital mutilation” is a preferential term used by the African activists who have joined forces in the “Inter-African Committee on Traditional Practices Affecting the Health of Women and Children (IAC)”<sup>1</sup> and many of their fellow campaigners worldwide. The WHO also uses this term.

### “Female genital cutting (FGC)”

However, on a practical level, while working with communities where FGM is prevalent, the use of the term “mutilation” has turned out to be perceived as stigmatising and can therefore have a dissuasive and counter-productive effect (WHO 2008: 22). To circumvent this effect and to preserve the dignity of those affected, the term “female genital cutting (FGC)” has been used more and more frequently since the end of the 1990s. At times, however, the term “FGC” has also been heavily criticised. The IAC, for example, strongly condemns the term and sees it as a dangerous trivialisation of this traditional practice (IAC 2005).

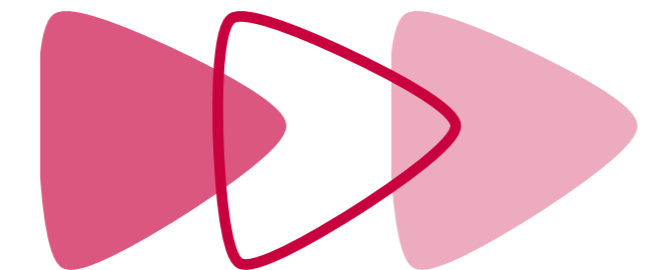
### “Female genital mutilation/cutting (FGM/C)”

The term “female genital mutilation/cutting (FGM/C)” is an attempt to unify both positions and can thus be used for political lobbying and when interacting with affected communities. Some UN organisations, including UNICEF, use this term. We, at TERRE DES FEMMES, also acknowledge that it is advantageous that the term “FGM/C” can be used for different target groups, which is why the abbreviation “FGM/C” is also used in this guide.<sup>2</sup>

## Rationale

Female genital mutilation is practised for many different reasons.<sup>3</sup> Justifications for FGM/C may differ widely depending on the region, social order and system of values. Moreover, within an affected group, both the justification for FGM/C and the type of procedure may change over time.

Despite these differences, it is possible to identify justifications that occur more frequently than others. These include:



1 Please visit the IAC's official website for more information about the organisation: [www.iac-ciaf.net](http://www.iac-ciaf.net)

2 TERRE DES FEMMES, Weibliche Genitalverstümmelung: Informationsbroschüre. Aufklärung, Prävention und Umgang mit Betroffenen. [educational leaflet on female genital mutilation; education, prevention and interaction with affected individuals] Auflage 2021 [3rd edition 2021] p.10ff

3 WHO (2020)

### Social norm:

In most affected groups, FGM/C is considered a social norm that must be respected. Breaking with such a norm would be akin to questioning the way of life of all previous generations.

### Virginity and purity ideals:

Often, FGM/C is also considered an adequate means of preserving the virginity of unmarried girls and guaranteeing that they will remain faithful once they are married.

### Marriage opportunities and economic considerations:

This argument is closely related to the previous one. Where FGM/C is a social norm, “circumcised” girls are more likely to find a husband. In most affected communities only “circumcised” girls can get married and thus be fully recognised in the community. In affected communities that also traditionally pay a bride price upon marriage the bride price for “circumcised” girls is higher – parents may thus have their daughters “circumcised” for financial reasons.

### Medical myths and hygiene:

In some groups where FGM/C is common, the dominant assumption is that a “circumcised” vulva is more hygienic or that touching a clitoris is deadly or makes a man impotent. Others believe that the female genitalia must be “circumcised” because they are impure or male in their natural state, or would otherwise continue to grow incessantly.

### Rites of passage:

In some communities, FGM/C also marks the transition from girl to woman, which is why it is considered a rite of passage.

### Religious beliefs:

Although no religious scripture calls for female genital mutilation, many members of faith believe that FGM/C is a religious obligation.

It must be noted, however, that controlling the female body and suppressing female sexuality is one major reason that people advocate for FGM/C.

## Consequences<sup>1</sup>

The general consequences of female genital mutilation are exclusively negative. The effects vary greatly depending on the form of the procedure, but especially depending on the woman, which is why it is not particularly useful to describe some forms as “milder” or “particularly severe.” In principle, it should be noted that not all individuals subjected to FGM/C suffer from all the symptoms described in the following section. These are merely the symptoms that occur most frequently as consequences of FGM/C.

### Acute and chronic somatic complications:

Such as bleeding, severe pain, chronic infections, painful menstrual cycles and problems urinating, scarring, ulcers/abscesses on the vulva, fistula formation, increased risk of HIV infection, infertility, complications during pregnancy and childbirth, shock, death

### Psychological consequences:

Such as trauma, depression, sleep and eating disorders

### Social consequences:

Such as pain during sexual intercourse, divorce owing to sexual dissatisfaction of the husband, lack of libido, decline in grades or dropping out of school (this may result in poorer future prospects/economic dependence on the husband)

## Prevalence

Female genital mutilation is a global phenomenon. According to UNICEF, a minimum of 200 million girls and women are affected worldwide.<sup>2</sup> FGM/C is not only widespread on the African continent but also in some regions of the Middle East, Asia and South America. Owing to global migration, girls and women worldwide are now at risk of being subjected to and affected by female genital mutilation.

1 Detailed information on the physical, psychological and social consequences of FGM/C for those affected can be found in the WHO publication (2020), which was compiled and amended as part of the TERRE DES FEMMES brochure (2021) in collaboration with Dr. Christoph Zerm.

2 UNICEF (2021)

More than **500,000** girls and women **affected by** and **180,000** girls and women at risk of being subjected to FGM/C are currently living in the EU.<sup>1</sup> FGM/C is also prevalent in Germany; migration has led to an increase in the number of at-risk and affected girls

and women. According to an estimate made by TERRE DES FEMMES in 2020, approximately **75,000 people affected** by FGM/C and roughly **20,000 people at risk of being subjected** to FGM/C live in Germany.

## 1.2 Introduction: Early and forced marriage

The term “early and forced marriage” includes the harmful practice of early marriage (a term often used interchangeably with “child marriage”) and forced marriage. The terms early marriage and child marriage refer to the age of the spouses at the time that a formal marriage or informal union takes place. As established by international treaties, the internationally recognised legal minimum age for marriage is 18 years. Any union involving at least one partner under the age of 18 is considered an early marriage, and therefore, a harmful practice, since it has serious repercussions on the life and health of the minors involved.<sup>2</sup> Forced marriage, on the other hand, can occur regardless of age and is defined as a marriage in which “at least one of the spouses is forced to enter into a formal or informal [...] marriage by the use of force or by threat of serious harm and their refusal is not taken into account or they do not dare to resist.”<sup>3</sup>

TERRE DES FEMMES regards early marriage as a form of forced marriage. Even if the minor has agreed to the marriage, children and adolescents cannot assess the consequences and magnitude of a premature marriage. Consequently, they have no means to defend themselves against it and are denied the right to self-determination and to freely choose a partner.

The term informal marriage refers to religious or social ceremonies that have no legal effect.

Nonetheless, this type of marriage is regarded by those affected/at risk and their family environment as a sufficient basis for “conjugal” cohabitation.<sup>4</sup> In connection with the term forced marriage, it is important to point out that it is distinct from the term arranged marriage, even if it may often be difficult to identify a clear difference between these two terms. In an arranged marriage, the marriage is initiated by family members or matrimonial agencies but is only entered into with the full consent of the spouses. A forced marriage occurs when the spouses are not allowed to separate in the course of their marriage owing to family pressure or possible sanctions from their social environment, regardless of whether it is originally a forced marriage or whether the marriage was originally entered into voluntarily.<sup>5</sup> If it is difficult from the outside to weigh up whether a marriage is arranged or forced, as only the subjective feelings of those affected are relevant.

Men and boys may also be forced to enter into a forced marriage. A man/boy may be forced to enter into a marriage at different stages of his life. Boys may be affected from the moment they start puberty, men may be affected even at a later stage in life. In many cases the repercussions (oppression, restrictions and domestic violence) are less drastic than they are for girls and women.<sup>6</sup>

1 EIGE (2013)

2 Since 2017, the age of consent to marriage in Germany has been set at 18 years of age without exception (Section 1303 Sentence 1 German Civil Code [BGB]). Please refer to page 14 for further information on the legal background of early marriage.

3 BMFSFJ [Bundesministerium für Familie, Senioren, Frauen und Jugend: German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth] (2011)

4 BMFSFJ [Bundesministerium für Familie, Senioren, Frauen und Jugend: German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth] (2018), p. 8

5 BIG (2018); BMFSFJ [Bundesministerium für Familie, Senioren, Frauen und Jugend: German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth] (2018)

6 Further information can be found in: Im Namen der Ehre. Misshandelt, zwangsverheiratet, ermordet: Hilfsleitfaden für die Arbeit von Zwangsheirat/Gewalt im Namen der Ehre bedrohten und betroffenen Mädchen und Frauen [Support Guide for Working with Girls and Women Threatened or Affected by Forced marriage/Violence in the Name of Honour]. 2nd edition: 2011. p.7f



### Rationale

Similar to female genital mutilation, early and forced marriage originates from deeply rooted inequality between women and men, unequal power relations and traditional views of gender roles.

#### Socio-economic reasons:

There is a close connection between the level of education and early marriages. Indeed, lower educational levels correspond to a higher likelihood of marrying off a daughter before the age of 18. Moreover, girls from socially disadvantaged regions are often considered a financial burden to their families. In some countries, families receive a high compensation when daughters are given in marriage as young virgins.<sup>1</sup>

#### Insufficient respect for girls and women as well as traditions and patriarchal ideals:

Girls and women must be virgins at the time of marriage, otherwise they harm their family's honour. In order to mitigate any risks, girls are forced into marriage at an early age. Socio-cultural norms and expectations that developed as part of traditions, religions and cultures fuel the fear of exclusion or loss of family honour in the event of non-compliance. Similar to the rationale behind FGM/C, another reason for early and forced marriage is to control female sexuality and family planning.

#### Family reunification in Germany:

Parents living in Germany may feel obligated to their family of origin to bring relatives to Germany through marriage and, in this context, do not respect their children's objection to getting married.<sup>2</sup>

#### Instability and insecurity:

Especially during crisis caused by conflict, young girls are subjected to forced marriage at an early age in order to give them a sort of alleged protection from sexual abuse and violence, which is often used as a weapon of war or occurs as people flee from war; the bride price is used to finance travel for the rest of the family.<sup>3</sup>

For example in Syria: before the war in Syria, 13 percent of all marriages involved one minor or both spouses were younger than 18 years old. This figure more than tripled during the war (51 percent). The number of forced marriage has increased in particular in refugee camps in Jordan, Lebanon, Iraq and Turkey.<sup>4</sup>

1 UNICEF (2021)

2 BIG (2018), p.7

3 Save the Children (2014)

4 SOS Kinderdörfer Weltweit (2016)

## Consequences

### Controlling female sexuality and family planning:

Women and girls affected by EFM are deprived of their right to self-determined sexuality and choice of partner. In most cases, contraception and family planning are then subject to the decisions and control of husbands and families. Not conforming with this practice may not only put the girls and women affected at risk but may also leave their families socially isolated.

### Health implications:

Early and forced marriage may have serious health consequences for the affected individual, often in relation to early pregnancies. Complications arising during pregnancy and childbirth are the second leading cause of death among girls and women aged 15 to 19 worldwide.

### Increased risk of domestic and sexual violence

Underage married girls and women are more likely to experience domestic and/or sexual violence.<sup>1</sup>

### Occurrence of early and forced marriage worldwide

The occurrence of early marriage is commonly measured as the percentage of women aged 20 to 24 who were forcibly married before the age of 18 or 15.

**On a global scale** the prevalence rate of early marriage is **21%**.<sup>2</sup>

Girls are more likely to be affected than boys. According to UNICEF, approximately 650 million girls and women were subjected to forced marriage when they were children. Every year, approximately 12 million underage girls are forcibly married.

According to UNICEF, 10 million additional early marriages are expected in the upcoming decade owing to the COVID-19 pandemic.<sup>3</sup>

### Occurrence of early marriages in Germany

A 2020 evaluation by the federal government in Germany indicates that from 2017-2020 1,232 marriages involving minors aged 16–17 were registered in Germany (as of August 2020).<sup>4</sup>

### Occurrence of forced marriages in Germany

For the 2011 study “Zwangsheirat in Deutschland” [“Forced marriage in Germany”] by the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth [BMFSFJ]<sup>5</sup>, counselling facilities throughout Germany were surveyed regarding their experiences with forced marriage cases. In 2008, the counselling facilities had counted 3,443 cases in which a person was at risk of being subjected to or was affected by forced marriage. 93% of those affected were girls and women. Moreover, it was noticeable that the affected individuals were very young: nearly one-third of those affected were minors, 40% were 18-21 years old. Many of the minors were forcibly married in the context of a religious or social ceremony.

Experts believe that the number of unreported cases of forced marriage in Germany is quite high, because many affected persons, minors in particular, remain silent for fear of the consequences.<sup>6</sup>

1 UNFPA and DSW (2021)

2 Forced marriage, however, is very difficult to measure and date because there is no global consensus on common indicators.

3 UNICEF (2021)

4 BMJ (2020)

5 BMFSFJ [Bundesministerium für Familie, Senioren, Frauen und Jugend: German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth] (2011)

6 Please visit the TDF website for further information: <https://frauenrechte.de/unsere-arbeit/themen/gewalt-im-namen-der-ehre/schwerpunkt-fruehehen>, last visited on 07/01/2022

## Interconnectedness between female genital mutilation and early and forced marriage

### In general:

- ▶ Both early and forced marriage and female genital mutilation are global phenomena and are practised worldwide (early and forced marriage: 650 million girls and women affected; female genital mutilation: 200 million girls and women affected<sup>1</sup>).
- ▶ Female genital mutilation is considered a rite of passage to adulthood and a prerequisite for marriage in some communities. In such cases, FGM/C and EFM may be closely intertwined. However, both phenomena can also occur independently.

### Similar target group

- ▶ Mostly underage girls (0–15 years)<sup>2</sup>

### Similar reasons for both practices

- ▶ Patriarchal views of sexuality and chastity (need to preserve virginity until marriage)
- ▶ Gender inequalities
- ▶ Female genital mutilation and early and forced marriage are considered a “guarantee for a safe and secure future” for daughters
- ▶ Authoritarian family structures; dominant concept of “family honour”
- ▶ Socio-economic factors (poverty, limited access to higher education, strong economic dependence on family or husband)

### Similar norms

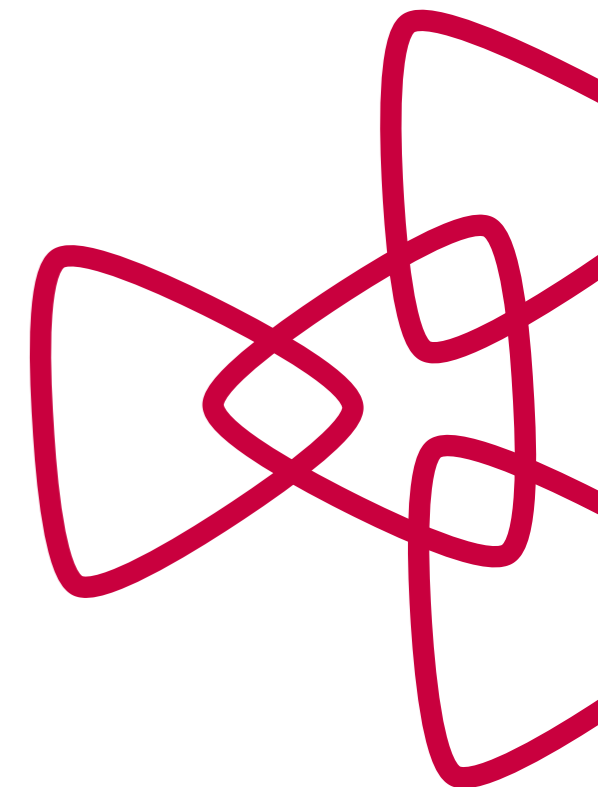
- ▶ Deeply internalised social norms (preservation of family honour as a status symbol within society
  - ▶▶ acceptance of and inclusion in society)

### Similar consequences

- ▶ Harmful to physical, mental and sexual health
- ▶ Social isolation
- ▶ Increased risk of domestic or sexual violence inflicted by spouse
- ▶ Fewer educational and economic opportunities (caused, for example, by dropping out of school at an early age)
- ▶▶ Two forms of **gender-based violence**, both global phenomena (independent of culture or religion)

1 UNICEF (2021)

2 Evidence to End FGM/C (2017)



## Important facts in a nutshell

### Basic knowledge on female genital mutilation (also referred to as female genital mutilation/cutting; FGM/C)

#### Definition according to WHO:

Female genital mutilation includes all procedures for which there is no medical indication and by which the external female genitals are partially or completely removed or otherwise injured.

#### The WHO classification differentiates between four different types of FGM/C:

##### Type I Clitoridectomy:

Partial or complete removal of the externally visible part of the clitoris and/or clitoral hood

##### Type II Excision:

Type I and additional removal of the labia minora, with or without removal of the labia majora

##### Type III Infibulation:

Narrowing of the vaginal opening in cutting and suturing the labia minora and/or labia majora, so that most of the area is sealed. ("Defibulation" refers to the process of opening the sutured vaginal opening, e.g., for sexual intercourse; "Reinfibulation" refers to the process of suturing the vagina once again, for example after childbirth)

##### Type IV Other:

This category includes all other practices that injure the female genitals, such as piercing, scraping or cauterizing.

#### Occurrence in Germany:

Approximately **75,000** girls and women affected

Approximately **20,000** girls and women at risk<sup>1</sup>

### Basic knowledge on early and forced marriage (EFM)

#### Early marriage:

Marriage in which at least one of the spouses is still under 18 years of age.

#### Forced marriage:

Marriage in which at least one of the spouses is coerced into marriage through the use of violence or threats. Marriages may be formal (legally recognised) or informal (religious or social ceremonies).

#### Difference between forced marriage and arranged marriage:

In an arranged marriage, the consent of the two spouses is crucial for the formation of the marriage. The boundaries between an arranged marriage and a forced marriage are fluid and may therefore not be easily recognisable. Even a marriage that begins as an arranged marriage can become a forced marriage if the spouses are not allowed to separate owing to familial/social pressure.

#### Occurrence in Germany:

Early marriages: Between 2017–2020, there were **1,232 marriages involving minors**. The number of unreported cases is likely to be high.<sup>2</sup>

Forced marriage: In 2008, there were **3,443 reported cases** in which a person was affected by or at risk of being subjected to a forced marriage.<sup>3</sup>



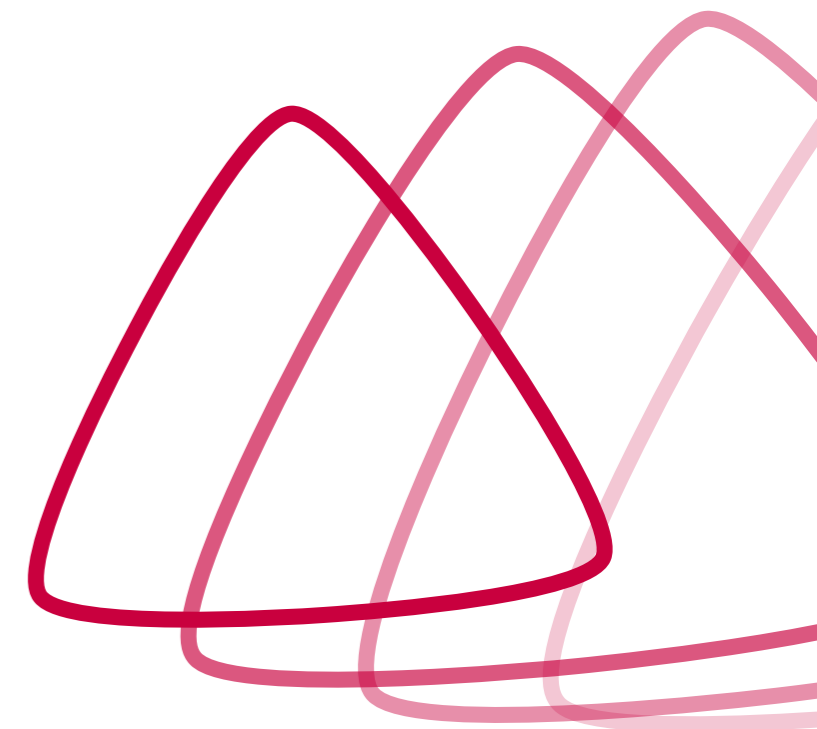
## 2. Female genital mutilation and early and forced marriage: Legal framework

### Female genital mutilation and early and forced marriage as human rights violations

FGM<sup>1</sup> and EFM are harmful practices recognised globally as human rights violations. Since these violations often occur during childhood, they also constitute a violation of the Rights of the Child. Both practices violate **international human rights conventions**, including, among others, the United Nations Universal Declaration of Human Rights (1948), the United Nations Convention on the Elimination of All Forms of Discrimination against Women (1979), and the United Nations Convention on the Rights of the Child (1989).

At a **regional level**, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence – also known as the Istanbul Convention (2011) – is the first European treaty to recognise and highlight the occurrence of FGM in Europe, making it impossible for the issue to be ignored by any government. It is also currently the most comprehensive legally binding instrument that directly addresses EFM as a criminal offence.

At **EU level**, among others, Directive 2012/29/EU of the European Parliament and of the Council – better known as the Victims' Rights Directive (2012) – also establishes minimum standards on the rights, support and protection of victims of crime.



1 TERRE DES FEMMES (2020)

2 BMJ (2020)

3 BMFSFJ [Bundesministerium für Familie, Senioren, Frauen und Jugend: German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth] (2011)

1 Since the term "mutilation" is used in the legal context, the abbreviation "FGM" is used in this chapter.



# German Law

## FEMALE GENITAL MUTILATION according to German Criminal Law:

- ▶ Female genital mutilation has been a specific criminal offence in Germany since 2013. According to the German Criminal Code [StGB] it is a severe form of bodily harm (Section 226a German Criminal Code [StGB]) and is punishable with imprisonment of up to 15 years.<sup>1</sup>
- ▶ Since 2015, FGM has also been a punishable offence even when it is committed abroad (Section 5 (9a) to (9b) German Criminal Code [StGB]) provided that girls and women who are circumcised abroad are residents of Germany or have a “habitual residence” in Germany, or if the perpetrators have German citizenship.
- ▶ Any participation in and help with the crime is a criminal act. Participants can be prosecuted as accomplices according to Section 25 (2) German Criminal Code [StGB] or for incitement Section 26 German Criminal Code [StGB] or for aiding and abetting according to Section 27 German Criminal Code [StGB].
- ▶ In the event that the crime has additional consequences, e.g., the victim dies, further criminal offences may be considered with sentences of imprisonment up to 10 years (Sections 224 to 227 German Criminal Code [StGB]).
- ▶ FGM is a violation of the duty of care and of the welfare of the child. Violation of the parental duty of care (Section 171 German Criminal Code [StGB]) is punishable with imprisonment of up to three years.
- ▶ The 10 year statute of limitations for criminal prosecution of FGM under Section 226a German Criminal Code [StGB] does not begin until the affected person reaches the age of 30 (Section 78b) (1) No. 1 German Criminal Code [StGB]).
- ▶ Consent by girls and women to FGM is excluded under Section 228 German Criminal Code [StGB], which means FGM is punishable even if the girl or woman consents to the procedure, indeed even if she requests it.

## Passport Act [Passgesetz, PaßG]:

The passport authority may revoke the passport of German parents if certain facts give reason to be-

lieve that they are planning to travel to have the circumcision performed (Section 8 Passport Act [PaßG] in conjunction with Section 7 (1) no. 11 Passport Act [PaßG]).

## Protecting a girl at risk of endangerment of the child's well-being

- ▶▶ FGM is a form of endangerment of the child's well-being. If there are any indications that FGM is planned or imminent, any youth welfare professionals and schools must take measures to ensure that the girl is protected. As a general rule, the youth welfare office must be contacted as well. The youth welfare offices (Section 8a German Social Insurance Code Volume VIII [SGB VIII<sup>2</sup>]) and family courts<sup>3</sup> (Section 1666 German Civil Code [BGB]) must take any and all measures required to avert the risk to the child's well-being. These measures range from mandatory examinations of the child up to and including withdrawal of the parents' custody rights as ordered by the family court (Section 1666 German Civil Code [BGB]).<sup>4</sup>

## Letter of protection against female genital mutilation

The German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth [BMFSFJ] has developed a letter of protection in close cooperation with non-governmental organisations, the German federal states and the relevant departments of the federal governments.

Many girls in Germany are also at risk of being subjected to the harmful practice of female genital mutilation abroad. This is due to the fact that many families prefer to travel to their country of origin during the summer months and have their daughters “circumcised” there. The letter of protection is an important instrument to counteract such acts. This letter states that female genital mutilation is a criminal offence in Germany and is punishable with imprisonment up to 15 years even if the harmful practice is carried out abroad.<sup>4</sup>



1 Please visit the following website for more detailed information: <https://www.bundestag.de/resource/blob/546718/cac43661680abd6db c19b8d7b33ebbf71/WD-7-020-18-pdf-%20data.pdf>

2 German Social Insurance Code Volume VIII [Sozialgesetzbuch, SGB, Aches Buch]

3 German Family Law [Familiengesetz, FamG]

4 The letter of protection is available in the following languages: German, simple language (German), English, French, Portuguese, Arabic, Amharic, Dari, Farsi, Indonesian, Kurdish, Mandingo, Somali, Sorani, Swahili, Tigrinya and Urdu. Please visit the website of the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth for further information: <https://www.bmfsfj.de/resource/blob/165678j8b9fe30f5248dd30f08d909d315 be324/2021-0204-schutzbrief-genitalverstuemmung-data.pdf>

## EARLY MARRIAGE according to German Civil Law:

- ▶ Since 2017, the age of consent to marriage in Germany has been set at 18 years old without any exceptions (Section 1303 Sentence 1 German Civil Code [BGB<sup>1</sup>]). This applies to all people irrespective of their nationality<sup>2</sup>.
- ▶ Religious betrothal ceremonies for minors and any traditional acts aimed at establishing a permanent union resembling marriage between two persons are prohibited and subject to a fine. All parties and witnesses involved may be fined with up to 5,000 EUR (Section 11 (2) and Section 70 (2) and (3)). German Personal Status Code [Personenstandsgesetz]<sup>3</sup>. Marriages in which at least one spouse was under 16 years of age at the time of the marriage ceremony are invalid in Germany (Section 1303 (1) Sentence 2 German Civil Code [BGB]).

### Exception:

- ▶ At the time of the marriage ceremony one spouse was under 16 years of age but both spouses were of the age of majority (18 years old) when the law came into force (22 July 2017).

### OR

- ▶ At the time of the marriage ceremony one spouse was under 16 years of age but both spouses were of the age of majority (18 years old) when they entered Germany.<sup>4</sup>
- ▶ Marriages which were entered into when one spouse was 16 or 17 years of age may be annulled in Germany (Section 1314 (1) No. 1 German Civil Code [BGB]). Annulment proceedings are initiated with the family courts on request of the minor or on mandatory request of the authority deemed competent (Section 1316 (2) and (3) German Civil Code [BGB]).

### Exception:

- ▶ Both spouses are now of the age of majority and declare that they wish to continue the marriage (Section 1315 (1) Sentence 1 No. 1a) German Civil Code [BGB])

### OR

- ▶ The annulment of the marriage constitutes such a severe hardship for the underage spouse that maintaining the marriage may be considered as an exception (Section 1315 (1) Sentence 1 No. 1 b) German Civil Code) (e.g. in the case of suicide risk or serious and life-threatening illness of the minor or owing to the impairment of the right to freedom of movement of EU nationals).
- ▶ Important: Marriages that are null and void in Germany or annulled in Germany owing to the minor's age at the formation of marriage remain legally valid abroad.

## Legal rights of married underage foreigners accompanied by their spouses entering Germany:

- ▶ Married foreign minors are considered unaccompanied (unless they enter with their custodial parents) even if they are accompanied by their adult “spouse”. They have no legal capacity.
- ▶ The minors must first be taken into custody and legal guardianship applied for (Section 42a (1) Sentence 1 German Social Insurance Code Volume VIII [SGB VIII]). Representation of the individual minor by their spouse who has reached the age of majority is usually inappropriate since they are in a latent conflict of interest.
- ▶ The youth welfare office examines whether there is a risk to the child's well-being and whether the minor should be separated from their spouse.
- ▶ If a risk to the child's well-being can be ruled out and both spouses want to stay together, the minor could be housed together with their husband in close consultation with the primary carer/legal guardian and the youth welfare office. A marriage under German law could then be formed when the child reaches the age of majority.

1 German Civil Code [Bürgerliches Gesetzbuch, BGB]

2 Please visit the website of the German Federal Ministry of Justice for more information on the German Child Marriage Prevention Act [Gesetz zur Bekämpfung von Kinderehen]: [https://www.bmjv.de/SharedDocs/Gesetzgebungsverfahren/DE/Bekaempfung\\_Kinderehe.html](https://www.bmjv.de/SharedDocs/Gesetzgebungsverfahren/DE/Bekaempfung_Kinderehe.html)

3 German Personal Status Code [Personenstandsgesetz, PStG]

4 The law aims to protect minors. Adult women may seek help from a women's shelter or separate from or divorce their spouse. Legal consequence: the marriage is legally invalid and is therefore regarded as a non-marital partnership. If there are children, they are considered illegitimate.

## FORCED MARRIAGE according to

### Criminal Law:

- ▶ Since 2011, forced marriage has been a specific criminal offence (Section 237 of the German Criminal Code [StGB]) and is punishable with imprisonment of six months to five years<sup>1</sup>.
- ▶ Similarly, abduction to another country for the purposes of forced marriage is punishable even if it does not result in forced marriage (Section 237 (2) German Criminal Law [StGB]).
- ▶ In both cases even the attempt is punishable by law (Section 237 (3) German Criminal Law [StGB]).
- ▶ A forced marriage initiated in a foreign country is punishable (Section 5 (6c) German Criminal Law [StGB]) if the perpetrator(s) had German citizenship at the time of the act or if the girl's/woman's residence or habitual residence was in Germany.
- ▶ According to Section 237 German Criminal Law [StGB], only marriages formed before a public registrar are punishable by law. Religious marriage ceremonies and traditional acts intended to establish a permanent union resembling marriage between two individuals performed under duress may fall under the criminal offence of coercion (Section 240 German Criminal Code [StGB]); in particularly serious cases, the sentence is six months to five years.

### Forced marriage with regard to endangerment of the child's well-being:

- ▶ A forced marriage constitutes endangerment of the child's well-being in accordance with Section 8a Social Insurance Code Volume VIII [SGB VIII] and Section 1666 German Civil Code [BGB]. All child and youth welfare professionals and school staff must take measures to ensure the protection of children/adolescents. In most cases, the youth welfare office must also be contacted. Protective measures may include legal restraints, bans on crossing the border ordered by the Family Court or assuming custody of the child.

### Immigration Law:

- ▶ Girls and women who are not German citizens whose habitual residence was in the territory of the Federal Republic of Germany and who were forced into marriage by threat or violence and prevented from returning to Germany may re-enter

the country within three months of the cessation of coercion. Existing residence and unlimited settlement permits do not expire for up to ten years (Section 51 (4) Sentence 2 German Residence Act [Aufenthaltsgesetz, AufenthG<sup>2</sup>]).

- ▶ Moreover, girls and women who have been subjected to forced marriage and detained abroad can claim a right to return if their residence permit has expired, the prerequisite being that it is guaranteed that they will be able to reintegrate into life in Germany on the basis of their previous education and way of life (Section 37 (2a) German Residence Act [AufenthG]).

However, it is paramount to consider that in reality the options to return are limited for girls who were abducted and taken abroad for the purpose of a forced marriage (due to: extensive monitoring, enormous pressure and violence inflicted by the family, no means of contacting third parties, personal documents taken away, lack of safe houses, no means of leaving the country, etc.).

- ▶ Girls/young women who were brought to Germany and subjected to forced marriage lose their residence permit upon separation from the husband if they have lived with their husband in Germany for less than three years while being married and holding a residence permit. Exceptions to the three-year period may apply in cases of hardship. A forced marriage usually constitutes such a case of hardship. This was explicitly added to the administrative regulations for the German Residence Act (31.2.2.2.1AufenthGVwV).
- ▶ Similarly, girls and women who have entered Germany for the purposes of family reunification whose marriage has not been recognised or has been annulled are granted an independent right of residence without any further conditions (Section 31 (2) Sentence 2 German Residence Act [AufenthG]).

### German Asylum Law

- ▶ Even if the marriage is not recognised or is annulled, the minor spouse may be granted family asylum (Section 26 (1) German Asylum Law [Asylgesetz, AsylG<sup>3</sup>]).

## Female genital mutilation and early and forced marriage as grounds for asylum<sup>1</sup>

- ▶ In Germany, gender-specific persecution can lead to refugee status being granted in accordance with the Geneva Refugee Convention. FGM and EFM are serious violations of fundamental human rights and acts of persecution linked to gender (Section 3a (1) No. 1 German Asylum Law [AsylG] in conjunction with Section 3a (2) No. 6 German Asylum Law [AsylG]).

- ▶ According to Section 3c No. 2 and 3 German Asylum Law [AsylG], persecution by non-governmental parties is also recognised if the state, parties or organisations controlling the state or substantial parts of the territory of the state as well as international organisations are proven to be unable or unwilling to provide protection from persecution. This may be the case when no law exists or when states are unwilling or unable to implement the law.

- ▶ However, the following conditions must be fulfilled: the act of persecution must be carried out due to membership in a "social group" (Sections 3 (1) No. 1 German Asylum Law [AsylG] in conjunction with Section 3b (1) No. 4 German Asylum Law [AsylG]). A social group is defined as a vulnerable group of individuals who have as innate characteristics hereditary, unchangeable or fundamental identities (Section 3b (1) no. 4a) German Asylum Law [AsylG]) and who are perceived by society as having a distinct identity (Section 3b (1) no. 4 b) German Asylum Law [AsylG]). In the case of EFM, in many cases administrative courts do not consider girls and women affected by violence to be a social group because they are not perceived as having a distinct identity by the society surrounding them, since violence is a normal aspect of the general situation of girls and women.

Furthermore, there cannot be any internal protection measures in place (Section 3e) German Asylum Law [AsylG]). This means that there is a well-founded fear of persecution in any part of the country of origin and that there is no place in the country of origin where girls and women could survive without

Assistance in the asylum process: Please visit the following website to find addresses for counselling centres: [www.asyl.net](http://www.asyl.net)

For more information on abduction to foreign countries, please refer to the brochure published by the Coordination Office against Abduction and forced marriage [Koordinierungsstelle gegen Verschleppung und Zwangsverheiratung] (2018)<sup>2</sup> [http://www.papatya.org/pdf/papatya\\_informationsbrochure-verschleppung.pdf](http://www.papatya.org/pdf/papatya_informationsbrochure-verschleppung.pdf)

an existential threat. FGM and EFM are often initiated by the individual's family/community, leading administrative courts to assume that the threat is regional and that there is an alternative safe place within the country of origin.

For this reason refugee status under the Geneva Refugee Convention is not granted in many cases and instead only a ban on deportation is enacted (Section 60 (7) Sentence 1 German Residence Act [AufenthG]).

### Legal implications

If refugee status is granted, an international travel document with a residence permit is issued, equal status with Germans in terms of social and welfare law is granted, and there is easier access to the process of family reunification (in many cases the woman still has children in the country of origin) without proof of livelihood and housing.

If deportation bans are imposed, the woman/girl needs a national passport and receives a residence permit and benefits according to German Social Insurance Code Volume II [SGB II]. But: Family reunification for children is only possible in a case of humanitarian hardship (Section 29 (3) Sentence 1 German Residence Act [AufenthG]) and requires a means of securing their livelihood and sufficient living space (Sections 5 (1) No. 1 and 29 (1) No. 2 German Residence Act [AufenthG]).

<sup>1</sup> Forced marriage Prevention Act [Zwangsheirat-Bekämpfungsgesetz] from 1 July 2011

<sup>2</sup> German Residence Act [Aufenthaltsgesetz, AufenthG]

<sup>3</sup> German Asylum Law [Asylgesetz, AsylG]

<sup>1</sup> BFSFJ (2021); Cf. general information on assistance in the asylum procedure: Informationsverbund ASYL & MIGRATION (2016) [www.asyl.net](http://www.asyl.net), last viewed on 7 January 2022

<sup>2</sup> Papatya - Koordinierungsstelle gegen Verschleppung und Zwangsverheiratung (2018) [Coordination Office against Trafficking and Forced Marriage]

## Facts in a nutshell

- ▶ As of 2013: Female genital mutilation is a specific criminal offence in Germany and is punishable with imprisonment of up to 15 years (Section 226a German Criminal Code [StGB]).
  - ▶ In the event that the crime has additional consequences, for example the victim dies, further criminal offences may be considered with sentences of **imprisonment up to 10 years** (Sections 224 to 227 German Criminal Code [StGB]).
  - ▶ As of 2015, FGM performed abroad is punishable under German Criminal Law if the perpetrators are German nationals or the girls' and women's residence or "habitual residence" is in Germany (Section 5 (9a) (b) German Criminal Code [StGB]).
  - ▶ FGM and planning to perform FGM constitute **endangerment of the child's well-being**. The youth welfare offices (Section 8a) German Social Insurance Code Volume VIII [SGB VIII]) and family courts (Section 1666 German Civil Code [BGB]) must take any measures required to avert the risk to the child's well-being.
  - ▶ **Granting refugee status** (Section 3 German Asylum Act [AsylG]) requires that there is a well-founded fear of persecution in any part of the country of origin and that there is no place in the country of origin where the girls and women can survive without any existential threat to their lives. The acts of persecution and threat of FGM (and EFM) are often initiated by the individual's family/community, so that administrative courts assume that the threat is regional and that there are internal protection measures in place (Section 3e) German Asylum Law [AsylG]). Therefore, in many cases only a ban on deportation is imposed (Section 60 (5) or (7) Sentence 1 German Residence Act [AufenthG]).
  - ▶ As of 2011: **Forced marriage is a specific criminal offence** and may be punishable by imprisonment of **six months to five years** (Section 237 (1) German Criminal Code [StGB]).
  - ▶ Likewise, **abduction for the purposes of forcing someone into marriage abroad** is punishable even if the abduction does not result in a forced marriage (Section 237 (2) German Criminal Code [StGB]).
  - ▶ **Religious marriages and traditional acts** that are performed under duress may fall under the offence of coercion (Section 240 German Criminal Code [StGB]).
  - ▶ Girls and women with foreign nationalities who have been subjected to forced marriage and prevented from returning to Germany may re-enter the country within three months of the cessation of coercion (Section 51 (4) Sentence 2 German Residence Act [AufenthG]). If their residence permits have expired during this period, they can **assert their right to return** (Section 37 (2a) German Residence Act [AufenthG]).
  - ▶ **As of 2017: the German Child Marriage Prevention Act** [Gesetz zur Bekämpfung von Kinderehen] is in effect.
  - ▶ **Those wishing to marry must be at least 18 years old**, with no exceptions permitted (Section 1303 Sentence 1 German Civil Code [BGB]).
  - ▶ **Religious betrothal ceremonies** and traditional acts involving minors are prohibited (fine of up to 5,000 EUR (Sections 11 (2) and 70 (2) and (3) of the German Personal Status Act [Personenstandsgesetz]).
- Early and forced marriage abroad:**
- ▶ A marriage is invalid if one spouse was younger than 16 years of age when the marriage took place (Section 1303 (1) Sentence 2 German Civil Code [BGB]).
  - ▶ A marriage can be annulled if one spouse was 16 or 17 years of age when the marriage took place (Section 1314 (1) No. 1 German Civil Code [BGB]). Annulment proceedings are initiated with the family courts on request of the minor or on mandatory request of the authority deemed competent (Section 1316 (2) and (3) German Civil Code [BGB]).
- BUT: Such marriages are still valid in the country of origin.**
- ▶ Married girls/young women who were brought to Germany and subjected to forced marriage and those who have entered Germany for the purposes of family reunification whose marriage has not been recognised or has been annulled are granted an independent right of residence without any further conditions (Section 31 (2) Sentence 2 German Residence Act [AufenthG]).
  - ▶ Minor "spouses" whose marriage is not recognised or annulled are granted family asylum (Section 26 (1) German Asylum Law [AsylG]).

## 3. Guidance for engaging in culturally sensitive interactions with at-risk or affected individuals

As both FGM/C and Early and Forced Marriage are global phenomena and thus girls and women in Germany are also at risk of being subjected to or affected by these two forms of gender-based violence, it is very important to strive for a culturally sensitive approach to these vulnerable group within the limits of our criminal and protection laws. In Germany there are approximately 75,000 individuals affected by FGM/C and 20,000 individuals at risk of being subjected to FGM/C. Between 2017 and 2020, 1,232 marriages with minors aged 16-17 were registered in Germany and in 2008 approximately 3,443 cases of forced marriage were found to have taken place. Unfortunately, very few cases resulted in criminal charges. For the year 2019, police criminal statistics [Polizeiliche Kriminalstatistik, PKS] show only one offence (attempted offence involving two victims under the age of six) regarding female genital mutilation. In regard to forced marriages, in 2020, a criminal report was filed in only 82 cases.<sup>1,2</sup> In contrast to the low number of criminal reports filed, the number of unreported cases is likely to be high. The number of unreported cases of forced marriage is estimated to be much higher than the number of filed reports.

### Why do individuals at risk of being subjected to or affected by forced marriage rarely turn to the authorities to seek help in an emergency situation?

There are two crucial factors to consider in this instance: Access and trust. In many cases information about prevention and assistance offered by authorities and social agencies does not reach the diaspora communities or does not reach them in its full extent. The result is that affected individuals are unable to take advantage of said offers. Another very important aspect is the lack of trust many community members feel towards the police, youth welfare offices and other institutions. In the case of people who have fled their country of origin or who do not

have a permanent residence permit, there is often a great fear that any contact with the aforementioned contact points might have a negative impact on their residential status. At the same time, many community members who were born or raised in Germany may also have a large trust deficit owing to negative experiences with authorities, which may prevent them from seeking help from the police or similar points of contact in the event that they are at risk.<sup>3</sup>

This is where cultural mediators can play an important role. They can both improve access to information and strengthen trust in the aforementioned institutions. In this context we consider cultural mediators to be active members of the respective diasporacommunities who have the access to and enjoy the trust of their community. In this context, cultural mediators are, on the one hand, able to circumvent cultural and language barriers. On the other hand, trust in authorities on the part of community members can be increased if an active member from their own or from a similar cultural background acts as a link between the police, youth welfare office etc. and the community.

At this point the issue of language cannot be stressed enough. Excellent communication is essential in order for an authority to adequately assess a risk situation. In many cases a cultural mediator can also provide realistic expertise and assessments on how best to address specific topics. These aspects should not be ignored when interacting with at-risk or affected individuals. That is why it is best, provided the affected girl or woman's consent, to ask a cultural mediator to help with the process. Since both FGM/C and EFM are sensitive issues, it may be helpful for many girls and women at risk of being subjected to or affected by these issues if the cultural mediator is female, since this might facilitate the trust-building process.

1 German Criminal Police Office [Bundeskriminalamt] (2020, 2021)

2 There are no reliable figures on the number of reports related to child endangerment in the area of child and youth welfare or health care for the area of FGM/C since at-risk cases are not statistically recorded in a specified manner.

3 This information was derived from experience gathered in the previous EU projects (CHANGE 2013-2020) and experiences gathered by activists from diaspora communities.

### Important information regarding Interpreters:

*"In a conversation between a professional and an at-risk/affected person, it is always better to involve someone from the community who not only acts as interpreter, but who is also able to act in their role as cultural mediator! The idea is to lower the threshold preventing the affected person from confiding in someone.<sup>1</sup> In contrast to an interpreter, who may come from the same community as the at-risk/affected person, cultural mediators can gain the trust of the person sitting opposite them because they are trained in the subject matter of FGM/C and EFM and know how to address it in a conversation. Moreover, in many cases at-risk or affected individuals may be more reluctant to talk about FGM/C or EFM if the interpreter is from the same community, since they fear they may be judged by their own community or experience negative reactions." – Excerpt from a conversation with Fatou Mandiang Diatta (Community Trainer in the CHAIN project)*



In Berlin, there are now three contact points that work with multipliers who in turn can act as cultural mediators. The first is the Berlin Coordination Office against FGM/C [Berliner Koordinierungsstelle gegen FGM/C], which is funded by the Senate Administration for Science, Health, Nursing and Equality in Berlin and provides advice and support on all questions related to female genital mutilation. The Berlin Coordination Office against FGM/C is an association of experts from various disciplines and advocates for the right to physical safety through prevention, counselling and healthcare. Partner organisations in this project are the Desert Flower Center (Waldfriede Klinikum) and TERRE DES FEMMES. As part of this project, the Berlin Coordination Office against FGM\_C works with multipliers and interpreters from diaspora communities in Berlin who possess a high degree of cultural sensitivity and have a lot of experience in community work or affected individuals. That is why it is best, provided the affected girl or woman's consent, to ask a cultural mediator to help

with the process. Since both FGM/C and EFM are sensitive issues, it may be helpful for many girls and women at risk of being subjected to or affected by these issues if the cultural mediator is female, since this might facilitate the trust-building process.

The non-profit German-African association "Mama Afrika e.V." is another suitable point of contact. The association aims to promote the various cultures of Africa through a number of different projects in Germany in order to contribute to integration. The association is also committed to tackling female genital mutilation in Guinea and to helping affected women in Germany.

In addition, TERRE DES FEMMES works with representatives of diaspora communities in various projects, such as the CHAIN project, and trains them as multipliers by providing training on FGM/C and EFM. The following table lists the contact points you can turn to if necessary.

Point of contact	E-mail address	Website
Berlin Coordination Office against FGM/C [Berliner Koordinierungsstelle gegen FGM_C]	info@koordinierungsstelle-fgmc.de	www.koordinierungsstelle-fgmc.de
MamaAfrika e.V.	info@mama-afrika.org	www.mama-afrika.org
TERRE DES FEMMES e.V.	info@frauenrechte.de	www.frauenrechte.de

## Guidance for a culturally sensitive approach in a nutshell

- ▶ Be mindful of your language and, for example, use the term "circumcision" rather than "female genital mutilation" when you are talking to someone who is (potentially) affected or at risk. Or even better, adopt the wording of the person you are talking to.
- ▶ Avoid stigmatisation and generalised statements (e.g., "All women in Africa are circumcised" or "All girls in India are subjected to forced marriage"). Adjectives such as "brutal" or "barbaric" can devalue affected communities and their cultures and – rightfully so – be perceived as offensive.
- ▶ If possible, take your time during a conversation and organise cultural mediators (if the girl/woman agrees).
- ▶ Most likely, the girl/woman will not open up completely during the initial conversation; they are unlikely to begin by telling you about the (potential) act of violence. Nevertheless, make sure that you are clear that the girl/woman can ask for and receive help at any time (including at a later time).
- ▶ People who have experienced violence and/or oppression over a (longer) period of time often behave ambivalently and are suspicious of third parties at first. A decision to leave a violent family, for example, is often reversed in the short term.
- ▶ In addition, tradition-based violence is often inflicted by family members, which makes getting help all the more difficult (the girls/women do not want to "betray" their family, are afraid that they will be expelled from the family etc.). Try to show understanding for their difficult situation and continue to offer your help if it is possible for you to do so.
- ▶ Before engaging in a second conversation with people who have been affected or at risk, find out as much as possible about the situation and ask questions cautiously. This is another point at which it is useful to consult with cultural mediators.
- ▶ Wait and see how much the person wants to tell you and do not ask for too many details about traumatic experiences, as this could lead to re-traumatisation.<sup>1</sup>
- ▶ When talking to the parents, try to build trust by not immediately bringing up the subject of FGM/C or EFM. Try to circumspectly make them aware of the laws in Germany regarding FGM/C or EFM and inform them that even crimes committed abroad are punishable by law in Germany.

*"Don't jump into the subject!"*

*Quote by Fatou Mandiang Diatta.  
(Community Trainer in the CHAIN Project)*

### Practical guidance:

If you are confronted with FGM/C and/or EFM in your work environment and want to learn more about these topics and how to deal with at-risk/affected girls and women dealing with these issues in a professional and culturally sensitive manner, TERRE DES FEMMES offers further training on the issues as part of the CHAIN project and the Berlin Coordination Office against FGM/C, in addition to this guide. Please visit the TERRE DES FEMMES website for more information: <https://frauenrechte.de/unsere-arbeitsthemenweibliche-genitalverstuemmelung>

<sup>1</sup> Nonetheless, it is important to ensure that cultural mediators also have a certain degree of interpreting skills so that they can accurately reproduce the conversation in the target language.

<sup>1</sup> Retraumatisation: A person's response to traumatic stress that is exacerbated by previous traumatic experiences (CHAIN 2021).

- ▶ Make it clear that any and all actions will be discussed with the at-risk or affected individual if possible (unless there is an immediate risk requiring action).
- ▶ If possible, do not make promises that you cannot keep (this will reduce trust and may lead to disillusionment).
- ▶ Try not to treat the girl/woman (unconsciously) as a disenfranchised “victim”. For example, the term “survivor of...” as opposed to “victim of...” can signal more respect for the person in question.
- ▶ Nevertheless, make it clear that you are fully opposed to female genital mutilation and early and forced marriage.

## 4. Protecting girls and women at risk

### 4.1 How do I assess whether minors and adolescent girls are at risk?

#### Observe and identify

Professionals observe indications of imminent female genital mutilation or imminent or completed forced marriage. Indications may stem from direct observations and from reports by children or third parties.

#### Risk assessment based on the two-person rule

In order to assess whether a risk to the well-being of a child is present or cannot be ruled out<sup>1</sup>, specialists<sup>2</sup> meet to discuss the evidence, using the two-person rule. The child’s or adolescent’s data are pseudonymised during the risk assessment carried out using the two-person rule. Depending on the respective organisation’s child protection plan, the organisation may be required to involve a professional experienced in the matter (IseF: Insofern erfahrene Fachkraft) or an external specialist advice centre as well as the child protection coordinators of the (Berlin) youth welfare offices.

#### Important information in this context:

- ▶ Independent and municipal youth welfare organisations must consult an IseF or a child protection coordinator if they become aware of or suspect that a child/adolescent is at risk.

- ▶ Individuals with an obligation of secrecy<sup>3</sup> such as teachers and physicians are **advised** to consult an IseF or a child protection coordinator if they become aware of or suspect that a child/adolescent is at risk.

In all cases, involving a **cultural mediator** in addition to the other parties is highly recommended. As described in Chapter 3 (p.19), we consider cultural mediators in this context to be active members of the respective diaspora communities who have access to and enjoy the trust of their community. In light of their background, cultural mediators are able to circumvent cultural and linguistic barriers. The competence required to address certain topics in a culturally sensitive manner and the fact that cultural mediators often speak the native language of the at-risk or affected individual can help immensely in assessing risks. For this reason, a cultural mediator really must be involved in the risk-assessment process, provided the woman or girl in question consents.

<sup>1</sup> To view the definition of a risk to the well-being of a child, explanation of “important indications” and detailed explanation of the procedures in child protection: The guidelines for refugee facilities and schools can be applied in a similar way to other facilities and agencies: Please visit the following website: <https://www.berlin.de/sen/jugend/familie-und-kinder/kinderschutz/netzwerk-kinderschutz/> Last viewed 22 September 2021

<sup>2</sup> This approach is particularly useful for professionals in the socio-educational field.

<sup>3</sup> The data protection regulations on child and youth welfare result from the German Social Insurance Code VIII [SGB VIII] as well as from the law for cooperation and information in child protection (Gesetz zur Kooperation und Information im Kinderschutz, KKG) for many professional groups: Section 4 German law for cooperation and information in child protection [KKG] Advice and transmission of information by a person cleared for access to secret information in the event of a risk to the well-being of a child regulates this for the following professional groups: Teachers (also Berlin School Act), doctors, dentists, midwives or maternity nurses, professional psychologists, marriage counsellors, family counsellors, educational or youth counsellors, counsellors for addiction issues in a recognised counselling centre, members/officials of a recognised counselling centre according to Sections 3 and 8 of the Pregnancy Conflict Act [Schwangerschaftskonfliktgesetz], state-recognised social workers and social-education workers. Section 5 of the KKG, “Notification of youth welfare offices” [Mitteilung an die Jugendämter] (and other laws such as the “Order on Notification in Criminal Matters” [“Mitteilung in Strafsachen, MiStra”]), regulates the law enforcement authorities’ obligation to provide information to youth welfare offices and, if necessary, family courts in the event of a risk to the well-being of children.

**Berlin CHILD PROTECTION HOTLINE – available 24/7 in cooperation with LebensWelt gGmbH:**

**Telephone number: 610066**

Arabic (every Monday): 8 am to 8 pm  
 Turkish (every Wednesday): 8 am to 8 pm  
 Russian (every Friday): 8 am to 8 pm

**Berlin Emergency Service regarding Child Protection Counselling and taking children and adolescents into custody at any given time**

Children's emergency service	610061
Youth emergency service	610062
Girls' emergency service	610063
Contact and counselling centre (KuB), Sleep In	61006800

Contact information for the individual child protection coordinators at the youth welfare offices in Berlin can be found in Appendix 1 on page 46.<sup>1</sup>



## 4.2 Recognising early warning signs of female genital mutilation and early and forced marriage

**Important:** Try to avoid placing certain individuals or groups of individuals under general suspicion because of their origin or other characteristics!

The warning signs and behavioural anomalies listed below can be but do not necessarily have to be indications that a person is in fact at-risk or affected. It is nonetheless important to talk to the individual in private and clarify what might explain a particular behaviour in each individual case.<sup>2</sup>

**Possible warning signs related to individuals at risk of being subjected to FGM/C:**

A girl might be at risk of being subjected to female genital mutilation if:

- ▶ she or a parent belongs to a particular cultural community where FGM/C is highly prevalent and, for example, the parents therefore do not disapprove of FGM/C.
- ▶ there is a likelihood that female family members (mother, sisters) are already “circumcised”.
- ▶ the parents may be in favour of FGM/C are not opposed to it.
- ▶ she is to get married and belongs to a cultural community that practices FGM/C (in some cultures FGM/C is performed prior to marriage).
- ▶ the family members are very traditional and the community is of great importance to them.
- ▶ she talks about a party or ceremony (e.g., while discussing beads or clothing) that is organised especially for her.

**Possible warning signs related to individuals affected by FGM/C:**

A girl/woman could possibly be affected by FGM/C if:

- ▶ she feels pain in the genital area.
- ▶ she does not want to undergo a (gynaecological) examination.
- ▶ the parents do not want their daughter to access medical or psychological healthcare.
- ▶ a woman has an unusually strong fear about the birth of her child.

**Possible warning signs related to individuals at risk of being subjected to EFM:**

A woman/girl could possibly be at risk of being subjected to EFM if:

- ▶ the family may exhibit strict patriarchal family structures
- ▶ the girls are very strongly controlled and monitored, especially by male family members, and are not allowed to make their own decisions
- ▶ the sisters and/or the mother were married as minors or became mothers at an early age
- ▶ the girls themselves report that it is customary for their parents/family to choose their husbands and/or that they have to leave school at an early age and are not allowed to pursue an education
- ▶ the girls report that a party or celebration will soon be held in their honour (possibly linked to a trip to the country of origin of the parents/family members).

**Possible indications of impending female genital mutilation or early and forced marriage at school:**

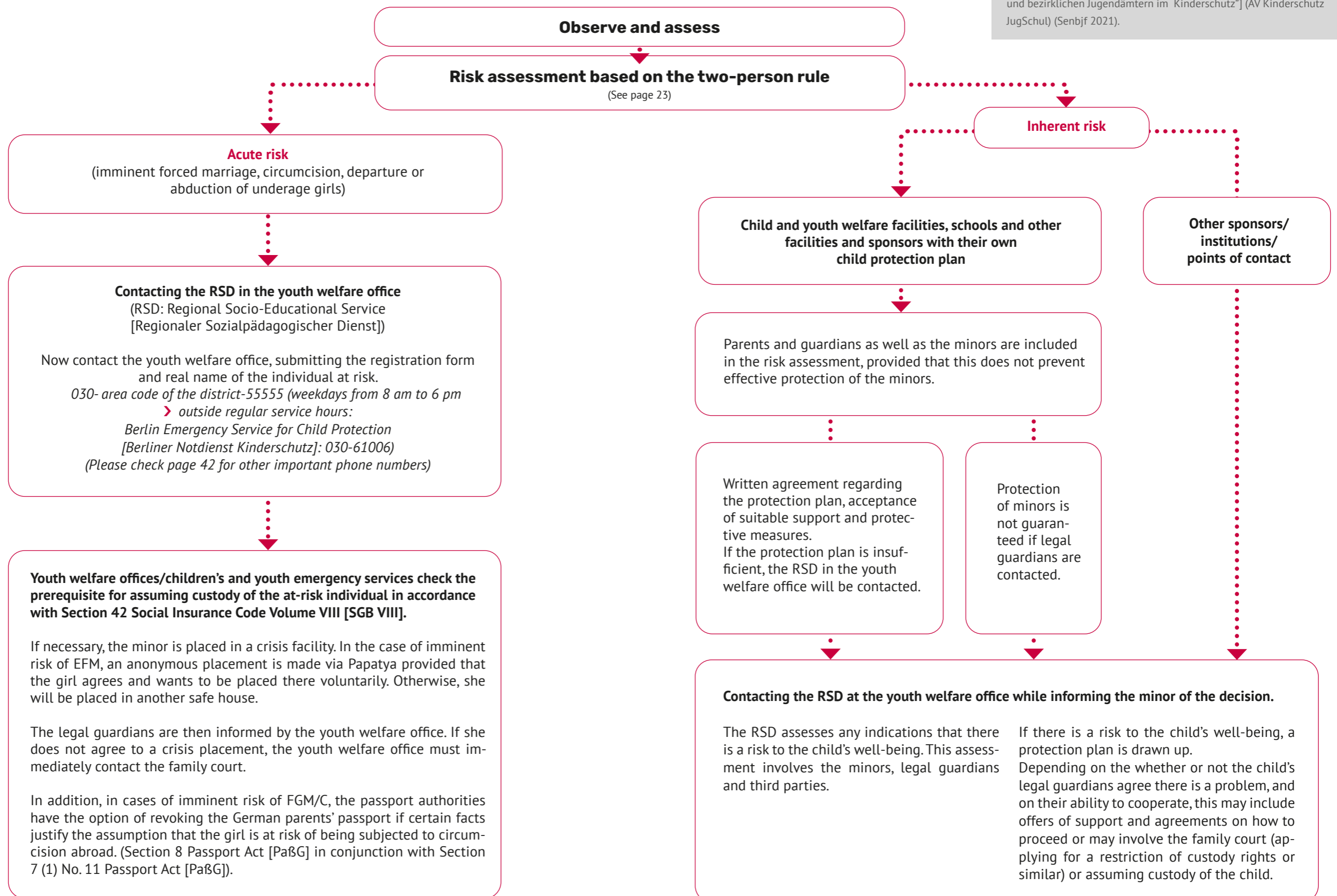
- ▶ A female student who previously followed class attentively and had good grades is suddenly introverted, seems depressed, and her grades worsen for no apparent reason.
- ▶ A girl in the class reacts unusually strongly to a topic that has to do with violence, or, alternatively, is conspicuously reserved.
- ▶ A female student who was previously well behaved begins acting very aggressively.
- ▶ A girl's parents show up unannounced at school to check whether the girl is actually attending class.
- ▶ The girl is not allowed to take part in school trips, sports or biology classes.
- ▶ The female student misses classes repeatedly, suddenly starts wearing traditional clothing and hints that she will have to leave school in the upcoming school year.
- ▶ The female student talks about an upcoming party or celebration.
- ▶ Certain phrases are used, such as “beautiful days are imminent”.
- ▶ A trip to the home country is planned, possibly in conjunction with a party or celebration.
- ▶ It is known that the girl's sister/mother is “circumcised” or was underage when she got married.

<sup>1</sup> <https://kinderschutzbund-berlin.de/beratungsstelle/fachkraefte/>, last accessed 10 December 21

<sup>2</sup> This list of warning signs are subject to deviation depending on the individual situation.

## 4.3 How can an underage girl be protected if she is at risk?

This guide is based on the Guidelines for Child Protection for implementing the Joint Implementation Regulations for the Cooperation of Schools and District youth welfare offices in Child Protection [Handlungsleitfaden Kinderschutz zur Umsetzung der "Gemeinsamen Ausführungsvorschriften zur Zusammenarbeit von Schulen und bezirklichen Jugendämtern im Kinderschutz"] (AV Kinderschutz JugSchul) (Senbjf 2021).



## Guidance for helping (young) adults in Berlin

Youth welfare in the form of help for young women can also be considered for young women up to the age of 21, if the individual woman is in need of education and care and shows deficits in her personal development and ability to live independently (Section 41 (1) Social Insurance Code Volume VIII [SGB VIII]). The wording “assistance shall be granted” means that, as a rule, there is a legal entitlement to assistance and assistance could only be refused in exceptional cases. In these cases, the public youth welfare office is obliged to provide evidence that no such assistance is needed. In addition, refusal of assistance can be appealed under Section 41 German Social Insurance Code Volume VIII [SGB VIII] and a claim can be brought before the administrative court.

Criteria for the assessment of personality development of the target group under Section 41 German Social Insurance Code Volume VIII [SGB VIII] are:

- ▶ degree of autonomy
- ▶ ability to persevere and deal with conflict
- ▶ status of school education/vocational training
- ▶ relationships with their social surroundings
- ▶ ability to cope with their daily life

On a practical level, it has been difficult to get permission to provide assistance for young adults in the past. A lot of young women who are at risk of being subjected to forced marriage, for example, meet the requirements and need precisely this assistance. Characteristics of special needs in cases of forced marriage are:

- ▶ abuse in the family lasting for years and traumatisation in connection with same
- ▶ the affected individual’s family represents a persistent danger and a threat
- ▶ autonomy was previously denied/forbidden, e.g. a lack of or insufficient school/vocational education
- ▶ severely restricted options for establishing connections outside of the family
- ▶ loss of social network
- ▶ conflict of ambivalence regarding distance towards parents and family
- ▶ risk to their own security<sup>1</sup>


### Anonymous safe houses for young adults

There are several anonymous safe houses throughout Germany (facilities in Berlin: see page 42 onward) that take in girls and young women between the ages of 12 and 21 (approximately). These facilities are suitable when at-risk or affected individuals have to live anonymously because the family represents a danger to them.

Anonymous safe houses are also very suitable for young adults, since they offer protection, safety and security and a community in the form of intensive individual care in small groups. In the case of individuals of the age of majority, the costs should be clarified with the youth welfare office. As a rule, assistance is only provided until the person reaches the age of 21. In legitimate individual cases, this period could be extended for a short period of time (Section 41 (1) Sentence 2 Social Insurance Code Volume VIII [SGB VIII]). It is important to note that in these cases, there must be evidence that further education and care is required.

### Safe houses for women

Women who have reached the age of majority have access to women’s shelters and anonymous safe houses throughout Germany. In many cases it may be necessary for women who have reached the age of majority to seek shelter in a facility in another federal state or at least a facility far away from their original place of residence. The women’s shelter will apply for the cost of their stay to be covered by the government. This is why it is important for the woman to be registered as living in the location of the shelter. If a woman is staying at the women’s shelter, a non-disclosure notice is set up at the administrative office [Ordnungsamt] and the residents’ registration office [Einwohnermeldeamt]. It is important to apply for this at both the registration office at the previous place of residence and the registration office at the new place of residence, since non-disclosure notices set up at the new place of residence are not always reported to other offices.



Please visit the following website for more information and contact information for counselling centres (especially for girls and women at risk of being subjected to forced marriage):  
[www.zwangsheirat.de](http://www.zwangsheirat.de)

<sup>1</sup> BMFSFJ [Bundesministerium für Familie, Senioren, Frauen und Jugend: German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth ] 2018



## 5. Guidance and practical example for social, educational, health and law enforcement professionals in Berlin

### 5.1 Guidance and practical example for child and youth welfare professionals working in childcare centres and youth recreational facilities, providing social work services at schools and independent carriers of educational assistance and youth welfare offices, among others

#### Practical example: Childcare centre<sup>1</sup>

Amala is three years old and attends preschool. She was born in Egypt and has lived in Germany with her parents since she was one year old. A few months before the summer break, the teacher at the childcare centre learns in a conversation with Amala's mother that the family would like to visit family members in Egypt in the subsequent weeks. Amala enthusiastically talks about the trip to see her grandparents and relatives. Increasingly, she mentions a big celebration that is to take place as soon as she arrives at her family's home in her country of origin.

The teacher becomes concerned. When asked what the family will be celebrating, Amala does not have an answer. The educator then cautiously asks the mother about the celebration as part of a broader conversation.

Amala is also present during the conversation. The mother is annoyed by the question and puts Amala in her place in her native language. The mother replies tersely and dismissively that the family is simply happy to be seeing little Amala again and that there is no other reason for the party.

After a few weeks, a mother of another child approaches the teacher and tells her that she has heard from friends of Amala's parents that Amala's older sister has already been "circumcised".


The teacher now feels even more uneasy. She is very concerned but does not know what to do.

After consulting on the matter with her supervisor, she contacts a specialist with experience in this field. In the presence of the teacher, the specialist presents a protection plan to Amala's parents. In agreement with the parents, the following is recorded in writing:

- ▶ parents' affirmation in lieu of an oath
- ▶ involvement of health specialists (e.g., paediatric clinic, out-patient specialists, child and adolescent health services) who will conduct a medical examination of the child before and after the trip to the country of origin.

In this case, the parents sign the protection plan and thus guarantee that Amala will not be at risk of being subjected to female genital mutilation during the trip to Egypt. In addition, they will be given the letter of protection (in Arabic), which they can show to their family upon arrival in order to make them aware of the legal consequences should someone from their family attempt to mutilate Amala's genitals.

In case of acute risk: Involvement of the family court according to Section 8a) Social Insurance Code Volume VIII [SGB VIII]. Various applications submitted to the family court in accordance with Section 1666 German Civil Code [BGB], e.g. a ban on leaving the country, taking the child into custody, application for withdrawal of the right of residence or custody.



Side note: Since all child protection procedures focus on protecting children's and adolescents' well-being from any potential future threats, a case of female genital mutilation that has already taken place cannot on its own be regarded as endangerment of the child's well-being. It may be necessary to determine whether younger siblings are at risk of being subjected to FGM/C or other risks in relation to their parents' role models and parenting measures.

<sup>1</sup> While this is a fictitious example, this protection plan could be applied in a practical context.



**Additional important information for youth welfare offices (in cases of forced marriage in particular):**

- ▶ Even if an at-risk or affected girl initially plays down a violent situation, the youth welfare office should take this scenario very seriously.
- ▶ If they are in immediate danger, the person at risk can contact the youth welfare office directly and request that they be taken into custody.
- ▶ Minors can make use of youth welfare counselling in a crisis situation without their legal custodian's or parents' knowledge if informing the parents would place the minor in further danger (Section 8 (3) Social Insurance Code Volume VIII [SGB VIII]).
- ▶ If a potential forced marriage is imminent, it is important not to contact the parents without consulting the girl, since the violent situation may escalate in such cases. It is better to talk to the parents only after the girl has been taken into custody.
- ▶ Since girls who decide to run away are often in grave danger, they need to be accommodated in a safe space at short notice. In the long term, it may be necessary to place them in a specialised facility in a more distant location, preferably in another federal state. In this context it is important that these specialised facilities serve the purpose of being an adequate form of "substitute family" (see p. 40 onwards). This is important because on the one hand, if they are not placed in such a facility, there may be a great risk of the girl returning to her family despite the dangers involved. On the other hand, it is important that the facility is familiar with issues such as anonymisation. Most facilities are financed by daily rates which are paid by the youth welfare office. Prior to admission, the youth welfare office at the girl's place of origin must provide proof in writing that the costs for the girl will be paid for by the office.

## 5.2 Guidance and practical example for educational professionals at schools

### Practical example: School

Anjeela is 16 years old, her parents are migrants, and she was born and raised in Germany. For several months her performance at school has been declining, she barely participates in class and seems very solemn. The guidance counsellor approaches her in private and asks if something is wrong and if she wishes to talk about it. Anjeela replies that she is not feeling well at the moment but that it is nothing serious and she does not want to talk about it any more. The guidance counsellor assures her that she can come to her at any time if she has problems. Two months later Anjeela says she does want to talk to her teacher. She says that she can no longer stand the violence at home. She and her sisters have been abused and oppressed for years, and their father and two brothers monitor them constantly. Two weeks earlier, her cousin from her parents' country of origin arrived with a visitor's visa and they celebrated Anjeela's engagement to him. She had only found out about it on the day of the party, and out of fear of her father she did not dare to oppose it. In six months' time, when she has graduated from the Realschule (GCSE equivalent), the wedding is to take place in her parents' country of origin. Anjeela is very worried, not least because she only met her cousin when they got engaged. When she talked to her parents after the engagement about not wanting to marry her cousin, her father threatened to kill her if she refused. When asked by the teacher, she emphasises that she still does not want to flee because she does not want to abandon her mother and sister.

Many discussions are now held between Anjeela, her sister and the guidance counsellor. One month later the two girls decide to undergo therapy. With the assistance of a specialised counselling centre, the teacher secures a therapist for both of them. They see the therapist when their parents assume they are still in school. After three months of therapy the two girls have decided to flee to an anonymous safe house, at least for a short while. Their teacher and the woman working at the counselling centre help them organise their escape.

### Important advice for educational professionals:

- ▶ It is imperative that schools engage in preventative measures with both girls and adolescents. (Group) discussions, for example, can help improve trust between students and teachers (an example of preventative measures in the classroom could be analysing films and books that focus on these issues<sup>1</sup>).
- ▶ If necessary, in a case of early and forced marriage, the teacher could look for facilities for the girl and contact counselling centres and safe houses (contact details can be found on p. 42 onwards).
- ▶ In an acute situation, the parents should only be informed once the girl is in a safe environment. Otherwise, the level of violence could escalate.

<sup>1</sup> Please visit the TEERE DES FEMMES website if you wish to order teaching materials: <https://frauenrechte.de/rss/422-gender-abc>, last accessed on 7 January 2022.

## 5.3 Guidance and practical example for health professionals

Doctors, especially gynaecologists, midwives and obstetricians play a central role in counselling, educating and treating both girls and women affected by FGM/C and at-risk girls and women.<sup>1</sup>

### Advice for girls and women affected by FGM/C:

Depending on the type of FGM/C they have undergone (especially Types II and III), affected girls and women can suffer varying degrees of health problems and are, in addition, often traumatised. For this reason, they need appropriate medical and psychological care. In many places, however, there is a lack of experience in dealing with patients affected by FGM/C, so that adequate medical treatment for the patients cannot always be guaranteed.

We would therefore like to encourage you to openly address the topic of FGM/C even if this may require some courage. If you are not familiar with FGM/C, it is advisable to consult a cultural mediator if possible. Experience has shown that it is easier for a patient to talk about female genital mutilation if she is made aware in advance that FGM/C is not a taboo subject in the doctor's office or the hospital she will go to, and if she can prepare for being asked questions about FGM/C. This can be achieved, for example, by displaying and distributing leaflets and informative literature or posters on the subject of FGM/C. You can order such materials in several languages from TERRE DES FEMMES and the Berlin Coordination Office against FGM/C.<sup>2</sup>

**Medical services** as well as **reconstructive surgery** can be accessed or performed throughout Germany at the following institutions, among others:

- ▶ Berliner Koordinierungsstelle gegen FGM/C [Berlin Coordination Office against FGM/C]
- ▶ Familienplanungszentrum BALANCE in Berlin [BALANCE Family Planning Centre in Berlin]
- ▶ Desert Flower Center/Waldfriede Klinikum [Desert Flower Center/Waldfriede Hospital]
- ▶ Luisenhospital Aachen, Klinik für Plastische, Rekonstruktive und Ästhetische Chirurgie, Handchirurgie; Zentrum für Rekonstruktive Chirurgie weiblicher Geschlechtsmerkmale (PD Dr. med. Dan mon O'Dey)<sup>3</sup>

### Further reading on the topic of reconstructive surgery:

- ▶ O'Dey, D.m. (2019) Vulvar Reconstruction Following Female Genital Mutilation/Cutting (FGM/C) and other Acquired Deformities. Springer Nature Switzerland AG, ISBN 978-3-030-02166-5.
- ▶ Von Fritschen, U. et al. (2020): Female Genital Mutilation. Medizinische Beratung und Therapie genitalverstümmelter Mädchen und Frauen, De Gruyter, ISBN: 978-3-11-047994-2.

<sup>1</sup> Since medical professionals focus on physical safety, prevention work related to FGM/C plays a vital role, which is why the harmful practice of early and forced marriage is not in focus in this section of the brochure.

<sup>2</sup> Familienplanungszentrum BALANCE; FPZ (2021)

<sup>3</sup> Please refer to page 42 for contact details for appropriate institutions.

### Guidance for individuals at risk of being subjected to FGM/C:

Creating a doctor-patient relationship based on trust is an essential component for taking preventative measures. In conversations with patients it is therefore important for the healthcare professional to act in a culturally sensitive and empathetic manner but also to clearly emphasise the dramatic medical psychological, social, and criminal consequences of female genital mutilation. Providing patients with a letter of protection against female genital mutilation can also help in this regard.<sup>1</sup> Every opportunity must be taken to provide preventive protection against female genital mutilation (or early and forced marriage). When guiding a woman during her pregnancy, hospitals and medical practices can do important educational work to protect a future newly born girl from being subjected to female genital mutilation (or early and forced marriage) at some point in her life.<sup>2</sup>

In order to be able to act preventively in the event of a risk situation, it is important in this context to address the regulation on the exemption from medical confidentiality.

According to Section 4 (3) of the Law on Cooperation and Information for Child Protection (KKG: Gesetz zur Kooperation und Information im Kinderschutz), healthcare professionals who are bound by patient-doctor privilege may initiate contact with the youth welfare office in the event of serious indications of a risk to a child's well-being even without being exempt from their patient-doctor privilege, provided it was not possible to discuss the situation with the primary care-giver; the affected individuals should be informed about such measures in advance, unless doing so may prevent the effective protection of the child or adolescent. Irrespective of this, involving third parties may be necessary and lawful<sup>3</sup> in case of a legitimate emergency in accordance with Section 34 German Criminal Code [StGB]<sup>4</sup>.

### Practical example: Psychological counselling in a case of FGM/C<sup>5</sup>

Sharon was "cut" in her country of origin when she was a child. She was granted asylum in Germany and has lived here ever since. Owing to female genital mutilation she has developed a severe trauma which is why, among other issues, she struggles to trust other people and suffers from anxiety. For this reason, a therapy place is arranged for her.

The psychologist had never interacted with a patient who is a survivor of FGM/C and had no previous knowledge of the practice. For this reason, she asked Sharon many specific and detailed questions, such as: "Did it hurt?", "What instruments did the women performing the procedure use?", "Was it done without anaesthesia?". In responding to Sharon's answers, the psychologist indicated to the patient how shocking she found what had happened to her. The roles of patient and counsellor were therefore reversed. All those questions led to Sharon suffering retraumatisation.<sup>6</sup> After the therapy session, Sharon was even more upset and depressed: "If a psychologist struggles to help me, how could I possibly get help at all?"

This practical example clearly shows how important it is to include cultural mediators in the process of counselling. It is also very important to acquire enough information about gender-specific forms of violence – in this case FGM/C – prior to counselling in order to protect the patient from retraumatisation.

Important: This practical example is an extreme example. Many psychologists know how to deal with these types of situations and behave in a culturally sensitive and professional manner.

<sup>1</sup> BMFSFJ [Bundesministerium für Familie, Senioren, Frauen und Jugend: German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth] (2021)

<sup>2</sup> Bundesärztekammer [German Medical Association](2016); Zerm (2018)

<sup>3</sup> Bundesärztekammer [German Medical Association] (2016)

<sup>4</sup> Section 34 German Criminal Code [StGB] Legitimate Emergency [Rechtfertigender Notstand] Whoever, when faced with a present danger to life, limb, liberty, honour, property or another legal interest which cannot otherwise be averted, commits an act to avert the danger from themselves or another is not deemed to act unlawfully if, upon weighing the conflicting interests, in particular the affected legal interests and the degree of the danger facing them, the protected interest substantially outweighs the one interfered with. However, this only applies to the extent that the act committed is an adequate means to avert the danger.

<sup>5</sup> This practical example was reported by one of the Community Trainers of the CHAIN project who acted as interpreter in that case (but not as a cultural mediator).

<sup>6</sup> Retraumatisation: A person's response to traumatic stress that is exacerbated by previous traumatic experiences (CHAIN 2021).

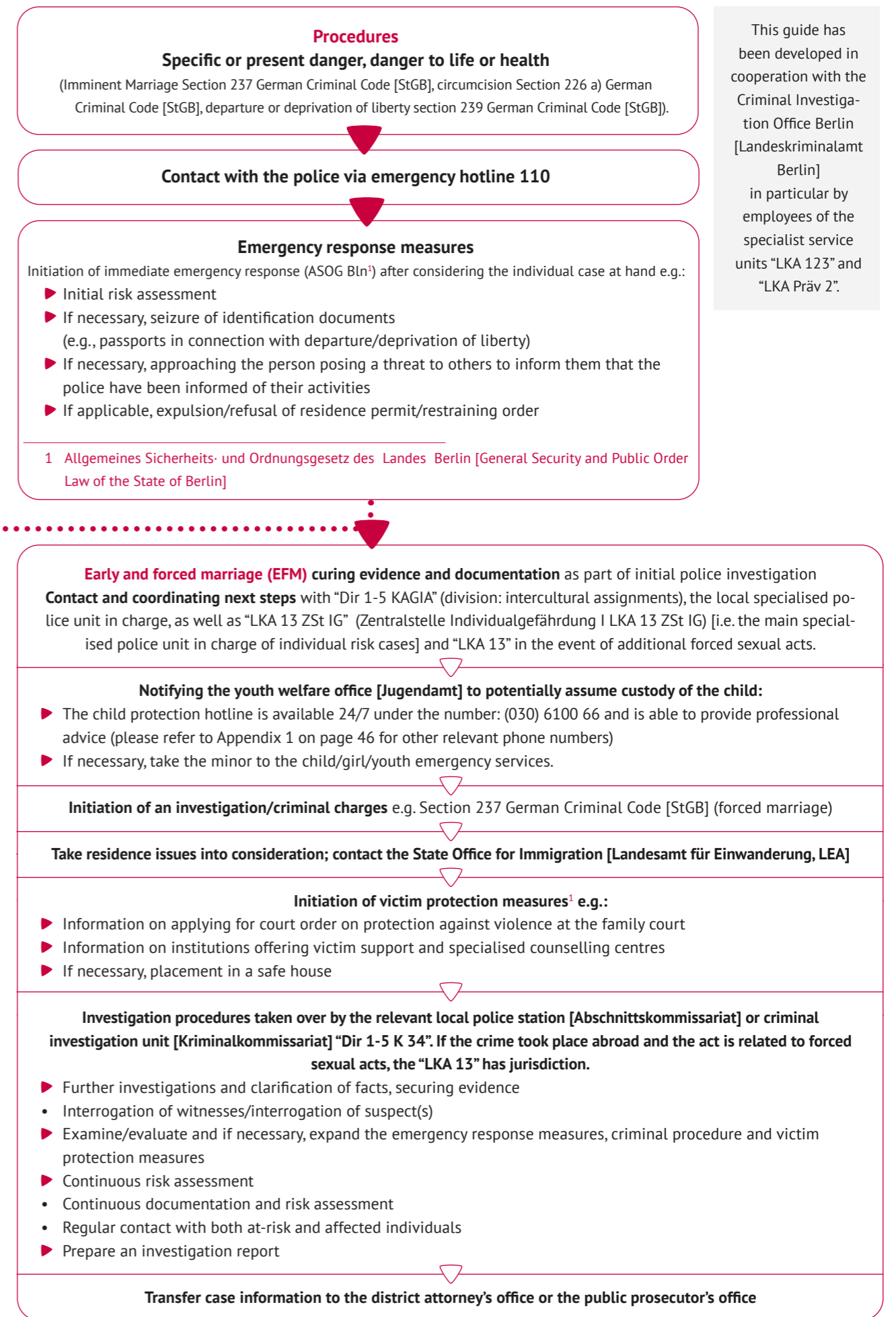
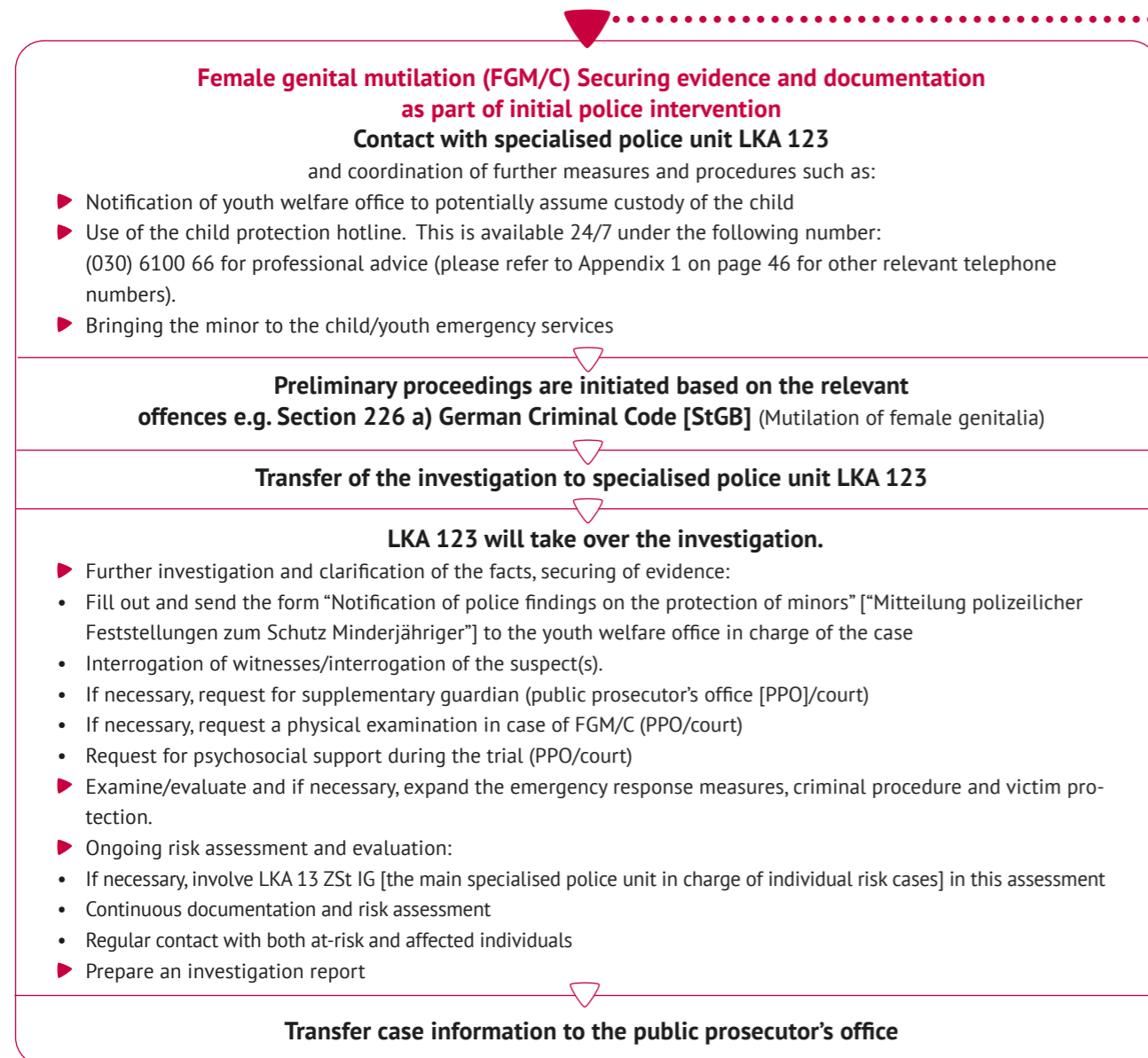
## 5.4 Guidance and procedures for law enforcement professionals

Cases of female genital mutilation and early and forced marriage are rarely brought to the attention of law enforcement authorities; affected individuals are more likely to seek help and support at specialised counselling centres instead. In 2020, the Berlin Coordination Office against FGM/C [Berliner Koordinierungsstelle gegen FGM/C], which takes an interdisciplinary approach, was founded to strengthen and streamline FGM/C services throughout Berlin, promote know-how, involve the communities in their work and raise awareness for this issue with the public.

The Berlin working group against forced marriage started its operations in 2002. Recognising crimes in this context requires extensive background knowledge and special sensitivity on the part of police officers, and their individual life experience also

plays a significant role. The following charts are intended to provide an overview of how the police can act and intervene in a professional manner that serves individual survivors of FGM/C and/or EFM. It is very important that all relevant regulations be strictly adhered to, in particular in regards to dealing with minors (in the context of child protection). In addition, we recommend contacting the relevant specialist departments as listed in the jurisdiction index [Zuständigkeitssachregister] to exchange information about the case, even in the event that these departments do not technically have jurisdiction over the case.

In this context, the possible existence of other relevant offences may lead to a conflict regarding the question which is the correct jurisdiction on the basis of the law.



This guide has been developed in cooperation with the Criminal Investigation Office Berlin [Landeskriminalamt Berlin] in particular by employees of the specialist service units "LKA 123" and "LKA PräV 2".

<sup>1</sup> The term "victim" will be used in this context, since this term is used by the police and in criminal law.

### Inherent danger

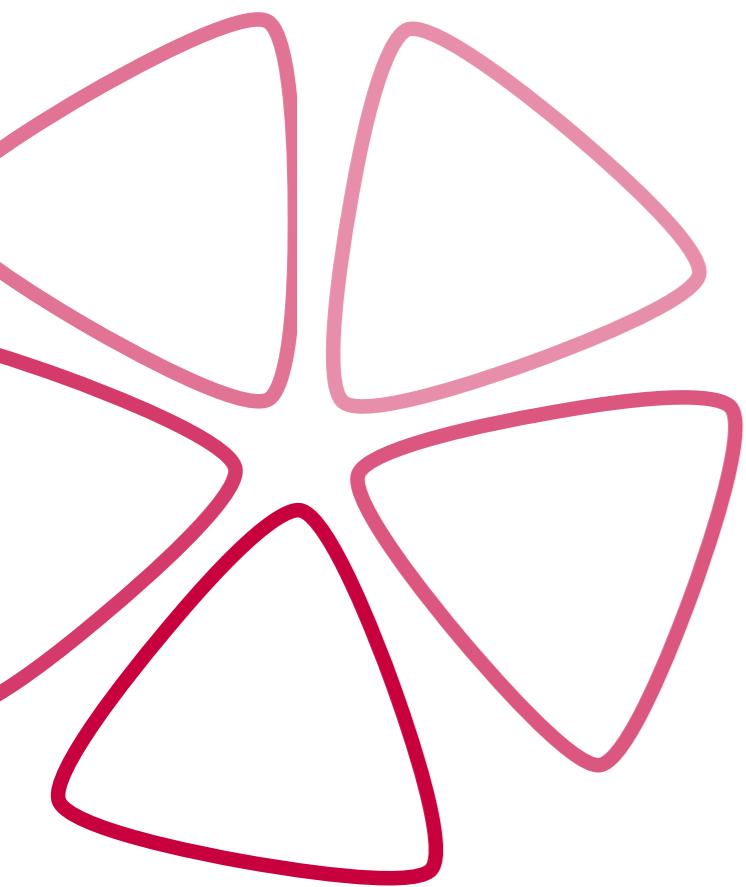
In the event of a potentially imminent case of FGM/C and/or EFM:

#### Minors

- ▶ Contact the youth welfare office in charge/ the child protection hotline is available 24/7 at the following telephone number: (030) 6100 66 and can provide professional advice (please refer to Appendix 1 on page 46 for other relevant telephone numbers)
- ▶ If necessary, support of the youth welfare office within the scope of administrative assistance, e.g. when assuming custody of at-risk minors.
- ▶ Victim protection interview

#### Adults

- ▶ Victim protection interview:
  - Discuss ways in which the police can intervene
  - Referral to shelters/safe houses and specialised counselling centres
  - Information on how to apply for a court order on protection against violence with the family court [Familiengericht]



### Best practices for police staff when interviewing at-risk or affected girls and women:

- ▶ The at-risk girl/woman must be interviewed separately from the family, if possible, by a female officer, and taken to the police station if necessary. If the questioning takes place within the home, the girls and women are often very afraid to tell the truth. In this case, they often downplay how at-risk they are, not least because family members make threats in their language of origin in the presence of the police.<sup>1</sup>
- ▶ Moreover, prudence is required in cases in which family members inquire about a “missing person”, as this is often used as a pretext to locate the daughter who has fled.<sup>2</sup>
- ▶ Even years after a girl or woman has escaped, there is a risk that the escapee will be tracked down by the family. Therefore, a variety of safeguards are necessary to ensure that the affected person can remain anonymous long-term:
  - Victim protection officers at the police department provide assistance with victim protection measures (contact information are listed below), including setting up non-disclosure notices
  - If necessary, relocation to another city or federal state
  - Non-disclosure of personal information, new bank account, communication precautions (phone and social media).
- ▶ Admission to witness protection program: Girls and women at risk of becoming victims of “honour” crimes generally have no chance of being included in a witness protection program (exception: murder/attempted murder). A criminal charge must be brought if there is to be any hope of inclusion in such a program.

! Please refer to page 47 for a list of the most important police telephone numbers in Berlin.

<sup>1</sup> TERRE DES FEMMES (2011)

<sup>2</sup> TERRE DES FEMMES (2011)

## 5.5 Guidance and practical example for other professionals, e.g. women's shelters, counselling centres, refugee shelters

### Important information on anonymous safe houses:

- ▶ In anonymous safe houses, special conditions and safety precautions apply that must be strictly adhered to.
- ▶ There are special residential groups for girls and young women who are in acute danger. Once they are no longer in acute danger, they can be moved to a normal residential care situation. The costs are covered by the youth welfare office or the social welfare office at their place of origin.
- ▶ In EFM cases, it is particularly important that the safe houses used for immediate short-term accommodation are specialised and anonymous facilities, since they are familiar with the risks and can therefore initiate appropriate anonymisation measures.
- ▶ Funding for minors at risk: the costs for minors are covered by the youth welfare office, as these facilities are financed by rates paid by the youth welfare office. The youth welfare office at the girl's place of origin must provide confirmation that they will be funding the placement in writing.

- ▶ Funding for young adults at risk: As a rule, assistance is only provided until the individual reaches the age of 21; in individual cases, it can be extended for a limited amount of time beyond this period if there is justification for doing so (Section 41 (1) Sentence 2 German Social Insurance Code Volume VIII [SGB VIII]). Funding must be arranged with the youth welfare office. It is important the office understands that the affected individual is in need of both education and care (for more information, see page 30 onward).
- ▶ Funding for adults at risk: The women's shelter applies for the costs of the stay to be covered (for more information, see page 30 onwards).<sup>1</sup>

### Practical example: FGM/C refugee shelter

Aminata, 21 years old, fled to Germany from Sudan with her husband and her 2-year-old daughter. They have applied for asylum together and are now living in a refugee shelter.

Jasmin works as a social worker in the refugee shelter and has known Aminata for several weeks. Aminata appears more and more depressed. Aminata hints to Jasmin that she is not feeling well and that she is afraid of something, but Jasmin senses that she is reluctant to talk about it.

### One way to approach this scenario:

Jasmin talks to Aminata in a quiet moment and tells her that she feels something is bothering her. She offers to talk to Aminata confidentially. Two weeks later, Aminata accepts the offer. Jasmin asks her if she can bring in an interpreter and Aminata agrees. During the conversation, Aminata mentions that she is pregnant. She says that she is afraid of giving birth because she suffered life-threatening complications during the birth of her first daughter.

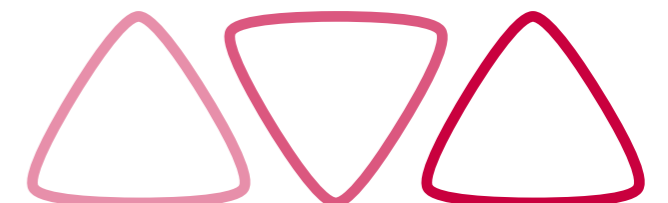
Jasmin has read up on the topic of FGM/C and gently brings it up with Aminata. After some hesitation, Aminata tells her that she was "circumcised" at the age of three and has had health problems ever since. Jasmin asks if her 2-year-old daughter was also "circumcised", to which Aminata replies no. She says that it is quite common in her community to "circumcise" girls so that they will become a "full" member of the community and later find a husband. She stresses that she only wants what is best for her daughter. Jasmin draws Aminata's attention to the fact that there are specialised doctors in Germany, many of them women, and counselling centres that can help her deal with the physical and psychological consequences of the circumcision. The costs for any medical treatment she might need, including the option of reconstructive surgery, are covered by German health insurance. Jasmin offers to establish contact with an appropriate doctor and to accompany Aminata to the appointment.

Together with a professional counsellor, Jasmin initiates a series of conversations with Aminata, in which they attempt to convince her that her daughters will be happier and healthier if they do not suffer the serious physical and mental consequences of circumcision. She also informs her of the consequences of circumcision under German criminal law.

Jasmin accompanies Aminata to a consultation in a hospital specialised in FGM/C, where she will also be giving birth. In addition, Aminata is assigned a therapist who will help her work through her trauma. Aminata is more and more convinced that she wants to prevent her daughter from being circumcised at all costs. In joint discussions with the youth welfare office, her husband can also be convinced not to have his daughter circumcised.<sup>1</sup>

<sup>1</sup> TERRE DES FEMMES (2011)

<sup>1</sup> TERRE DES FEMMES (2017)



## 6. Counselling services/Points of contact/ Important institutions in Berlin

### GENERAL

#### BIG Hotline

Postfach 304105, 10756 Berlin  
Telephone number: 030/6110300 (counselling), Telephone number: 030/61709100 (office)  
Available daily 8 am to 11 pm, counselling offered in various languages (if necessary, please refer to the Berlin women's shelters; for a list of the women's shelters in Berlin, please visit homepage) e-mail: mail@big-hotline.de website: www.big-hotline.de

#### Hotline for women affected by violence

Hotline: 08000/116016  
Nationwide, available 24/7 in 17 foreign languages  
website: www.hilfetelefon.de

#### Emergency services hotline for adolescents/girls/children

[Jugendnotdienst/Mädchennotdienst/Kindernotdienst]  
Telephone number: 030/610062 (emergency hotline for adolescents)  
Telephone number: 030/610063 (emergency hotline for girls)  
Telephone number: 030/610061 (emergency hotline for children) available 24/7  
e-mail: info@jugendnotdienst-berlin.de  
website: www.berliner-notdienst-kinderschutz.de

#### Mädchennotdienst Wildwasser e.V.

[emergency services for girls]  
Bornemannstraße 12, 13357 Berlin  
Telephone number: 030/21003990  
Telephone number: 030/48628222 and 030/2824427 (counselling)  
e-mail: maedchennotdienst@wildwasser-berlin.de  
website: www.wildwasser-berlin.de

### Female genital mutilation (FGM/C)

#### ADRA-Büro Berlin

Am Köllnischen Park 1,  
10179 Berlin  
Telephone: +49 6151 8115 15  
e-mail: anja.kromrei@adra.de  
website: www.adra.de

#### Berliner Koordinierungsstelle gegen FGM/C

[Berlin Coordination Office against FGM/C]  
Mauritius-Kirch-Str. 3,  
10365 Berlin  
Contact: Anna Grewe & Johanna Pohl, project coordinators  
Telephone: 030 236 236 846  
e-mail: info@koordinierungssstelle-fgmc.de  
website: www.koordinierungssstelle-fgmc.de

#### Familienplanungszentrum – BALANCE

[Centre for family planning]  
Dr. med. Constanze Hach (female gynaecologist), Swantje Lüthj (female midwife), Lea Ludwig (female certified psychologist) Mauritiuskirchstraße 3, 10365 Berlin  
Telephone: 030-236 236 80  
e-mail: balance@fpz-berlin.de  
website: www.fpz-berlin.de

#### Mama Afrika e.V. –

**Deutsch-Afrikanischer Frauenverein** [German-African Women's Association]  
Residenzstr. 156, 13409 Berlin  
Telephone: 0176-82 14 43 69  
e-Mail: info@mama-afrika.org  
website: www.mama-afrika.org

#### TERRE DES FEMMES e.V.

Menschenrechte für die Frau e.V.- Berlin  
Brunnenstr. 128, 13355 Berlin  
Telephone: 030-4050 4699 0  
Fax: 030-4050 4699 99  
e-mail: genitalverstuemmung@frauenrechte.de  
website: www.frauenrechte.de

**Hund-Tasan, Dr. med. Andrea**, gynaecologist, Skalitzer Str. 133-134, 10999 Berlin  
Telephone number: 030/6146014

#### Küntscher, Prof. Dr. med. Markus

Evangelische Elisabeth Klinik Abteilung für Plastische Chirurgie und Handchirurgie [Department for Plastic Surgery and Hand Surgery at Evangelical Elisabeth Hospital] Lützowstraße 26, 10785 Berlin  
Telephone number: 030/2506950

#### Waldfriede e.V., Desert Flower Center Krankenhaus

[Hospital] Dr. med. Cornelia Strunz; Dr. med. Uwe von Fritschen, Argentinische Allee 40, 14163 Berlin  
Telephone: 030 / 81810 8582  
e-mail: desertflower@waldfriede.de  
website: www.dfc-waldfriede.de

**Berlin police force** Please refer to page 47 for a list of relevant police service telephone numbers in Berlin.

An overview of **counselling centres in Berlin with a focus on displacement and asylum, as well as contact information for lawyers and refugee councils** etc. can be found in the Address Book for Refugee Counselling Berlin [“Adressbuch Flüchtlingsberatung Berlin”; pdf file], available at the Refugee Council Berlin [Flüchtlingsrat Berlin] (pdf file; last updated in September 2021, available for download at: <https://fluechtlingsrat-berlin.de/adressen/>).

Please visit the homepage of the Information Network on Asylum and Migration [Informationsverbund Asyl und Migration] for **nationwide counselling services regarding displacement and migration**: [www.asyl.net](http://www.asyl.net) (under the menu item “Adressen” [addresses])

**Medical services for reconstructive surgeries** in Berlin and beyond can be found at Luisenhospital Aachen Klinik für Plastische, Rekonstruktive und Ästhetische Chirurgie, Handchirurgie; Zentrum für Rekonstruktive Chirurgie weiblicher Geschlechtsmerkmale [Luisenhospital Aachen Clinic for Plastic, Reconstructive and Aesthetic Surgery, Hand Surgery; Center for Reconstructive Surgery of Female Sexual Characteristics] (Contact person: PD Dr. med. D. m. O'Dey)

#### Early and forced marriage (EFM)

**AL NADI Treffpunkt und Beratungsstelle für arabische Frauen [Meeting place and counselling centre for Arabic women]**  
Rheinstraße 53 – 54, 12161 Berlin  
Telephone number: 030/8520602  
e-mail: alnadi@nbhs.de  
website: www.nbhs.de

#### Beraberce e. V.

Wilhelmshavener Straße 61, 10551 Berlin  
Telephone number: 030/3967561  
e-mail: maedchenverein@beraberce.de  
website: www.beraberce.de

#### Leben Lernen e.V.

Beratungsstelle für Mädchen und junge Frauen [counselling centre for girls and young women]  
Ebersstr. 76, 10827 Berlin  
Telephone: 030 - 612 93 141  
e-mail: beratung@lebenlernen-berlin.de  
website: www.lebenlernenberlin.de

#### Elisi Evi e. V.

Skalitzer Straße 50, 10997 Berlin  
Telephone number: 030/6187383  
e-mail: info@elisi-evi.de  
website: www.elisi-evi.de

#### Frauenberatungsstelle Bora

[Counselling centre for women]  
Albertinenstraße 1, 13086 Berlin  
Telephone: 030/9253773 (office)  
Telephone: 030/9274707 (counselling)  
e-mail: beratung@frauenprojekte-bora.de  
website: www.frauenprojekte-bora.de

#### Klinik für Plastische, Rekonstruktive und Ästhetische Chirurgie,

Handchirurgie; Zentrum für Rekonstruktive Chirurgie weiblicher Geschlechtsmerkmale. (Ansprechperson: PD Dr. med. D. m. O'Dey)

#### Frauenberatung Tara

Ebersstraße 58, 10827 Berlin  
Telephone number: 030/78718340  
e-mail: frauenberatung.tara@gmx.de  
website: www.frauenberatung-tara.de

#### FrauenKrisenTelefon e. V.

Telephone: 030/6142242 (office)  
Telephone: 030/6154243 (crisis counselling)  
Telephone: 030/6157596 (counselling for immigrants)  
e-mail: emailberatung@frauenkrisentelefon.de  
website: www.frauenkrisentelefon.de

#### Interkulturelle Initiative e. V.

Potsdamer Straße 1, 14163 Berlin  
Telephone number: 030/80195980  
e-mail: info@interkulturelle-initiative.de (general enquiries) e-mail: beratung@interkulturelle-initiative.de (counselling)  
website: www.interkulturelle-initiative.de

#### Coordination Office against Abduction and forced marriage

organised by Papatya: [www.verschleppung.papatya.org](http://www.verschleppung.papatya.org) online counselling offered by Papatya: [www.beratung.papatya.org](http://www.beratung.papatya.org)

#### MaDonnaMädchenkult.Ur e. V.

Falkstraße 26, 12053 Berlin  
Telephone number: 030/6212043  
e-mail: madonnaedchenpower@web.de  
webseite: [www.madonnaedchenpower.de](http://www.madonnaedchenpower.de)

#### Papatya (Anonyme Krisenrichtung für Mädchen und junge Frauen mit Migrationsgeschichte) [anonymous crisis centre for girls and young women from a migrant background]

c/o Jugendnotdienst  
Mindener Straße 14, 10589 Berlin  
Telephone number: 030/610062  
e-mail: info@papatya.org, beratung@papatya.org  
website: [www.papatya.org](http://www.papatya.org)

**Coordination Office against Abduction and forced marriage organised by Papatya:** [www.verschleppung.papatya.org](http://www.verschleppung.papatya.org) online counselling offered by Papatya: [www.sibel-papatya.org](http://www.sibel-papatya.org)

#### SOLWODI e. V. Berlin

Kranoldstraße 24, 12051 Berlin  
Telephone number: 030/81001170  
e-mail: berlin@solwodi.de  
website: [www.solwodi-berlin.de](http://www.solwodi-berlin.de)

#### TIO e. V. – Beratungsstelle für Migrantinnen

[counselling centre for girls and women from a migrant background]  
Köpenickerstraße 9b, 10997 Berlin  
Telephone number: 030/6122050  
e-mail: beratungsstelle@tio-berlin.de  
website: [www.tio-berlin.de](http://www.tio-berlin.de)

#### Türkischer Frauenverein Berlin e. V.

Jahnstraße 3, 10967 Berlin  
Telephone number: 030/6923956

## 7. Literature

BFSFJ [Publisher] (2021):

**Letter of protection against female genital mutilation [Schutzbrief gegen weibliche Genitalverstümmelung]**

<https://www.bmfsfj.de/resource/blob/179278/c8325858459f7769c0fcb8bc2e4b960a/schutzbrief-gegen-weibliche-genitalverstuemmelung-deutsch-data.pdf>, last accessed on 07.01.22.

BIG e.V: Berliner Initiative gegen Gewalt an Frauen und Berliner Arbeitskreis gegen Zwangsverheiratung [Publisher] (2018):

**Zwangsverheiratung: Informationen des Berliner Arbeitskreises gegen Zwangsverheiratung.**

BFSFJ [Publisher] (2011):

**Zwangsverheiratung in Deutschland. Anzahl und Analyse von Beratungsfällen.**

BFSFJ [Publisher] (2018):

**Zwangsverheiratung Bekämpfen – Betroffene wirksam schützen: Eine Handreichung für Kinder- und Jugendhilfe.**

Bundesärztekammer (2016):

**Empfehlung zum Umgang mit Patientinnen nach weiblicher Genitalverstümmelung (female genital mutilation Abk.: FGM).**

[https://www.bundesaerztekammer.de/fileadmin/user\\_upload/downloads/pdf-Ordner/Empfehlungen/2016-04\\_Empfehlungen-zum-Umgang-mit-Patientinnen-nach-weiblicher-Genitalverstuemmelung.pdf](https://www.bundesaerztekammer.de/fileadmin/user_upload/downloads/pdf-Ordner/Empfehlungen/2016-04_Empfehlungen-zum-Umgang-mit-Patientinnen-nach-weiblicher-Genitalverstuemmelung.pdf), last accessed on 07.01.22.

Bundeskriminalamt (2020,2021): **Polizeiliche Kriminalstatistik.** [https://www.bka.de/DE/AktuelleInformationen/Statistik-kenLagebilder/PolizeilicheKriminalstatistik/PKS2020/pks2020\\_node.html;jsessionid=0B8D1EA246DDAB2DFE3D7ADOC1EE8022.live2302](https://www.bka.de/DE/AktuelleInformationen/Statistik-kenLagebilder/PolizeilicheKriminalstatistik/PKS2020/pks2020_node.html;jsessionid=0B8D1EA246DDAB2DFE3D7ADOC1EE8022.live2302), last accessed on 07.01.22.

CHAIN [Publisher] (2021):

**IMPLEMENTING CHANGE. A Community-Based Approaches to Tackling Early and Forced marriage. A Training Manual for Facilitators.**

EIGE [Publisher] (2013):

**Female genital mutilation in the European Union and Croatia. Report.**

Evidence to End FGM/C (2017):

**Exploring the Association between FGM/C and Early/Child Marriage: A review of the evidence.**

[https://www.popcouncil.org/uploads/pdfs/2017RH\\_FGMC-ChildMarriage.pdf](https://www.popcouncil.org/uploads/pdfs/2017RH_FGMC-ChildMarriage.pdf), zuletzt aufgerufen am 07.01.22.

Familienplanungszentrum BALANCE, FPZ [Publisher] (2021):

**Leitfaden für Hebammen im Umgang mit FGM\_C in Berlin-Brandenburg.** [https://www.fpz-berlin.de/Preview-Hebammenleitfaden\\_alt-981234.pdf](https://www.fpz-berlin.de/Preview-Hebammenleitfaden_alt-981234.pdf), last accessed on 07.01.22.

Informationsverbund ASYL & MIGRATION (2016):

**Die Anhörung im Asylverfahren. Hinweise für Asylsuchende in Deutschland.**

[www.asyl.net](http://www.asyl.net), last accessed on 07.01.22.

Papatya-Koordinierungsstelle gegen Verschleppung und Zwangsverheiratung [Publisher] (2018): **Verschleppt! Kein Mädchen darf einfach verschwinden. Informationsbroschüre der Koordinierungsstelle gegen Verschleppung und Zwangsverheiratung.**

Save The Children (2014): **Too young to wed. The growing problem of child marriage among Syrian girls in Jordan.** <https://www.savethechildren.org.uk/content/dam/global/reports/education-and-child-protection/too-young-to-wed.pdf>, last accessed on 07.01.22.

SBJF [Publisher] (2021):

**Handlungsleitfaden Kinderschutz. Zusammenarbeit zwischen Schulen und bezirklichen Jugendamt.**

<https://docplayer.org/208860275-Handlungsleitfaden-kinderschutz-zusammenarbeit-zwischen-schulen-und-Bezirklichem-jugendamt.html>, last accessed on 07.01.22.

SOS\_Kinderdörfer weltweit [Publisher] (2016):

**Junge Mädchen in großer Gefahr – Drastischer Anstieg von Kinderehen unter Flüchtlingen.**

<https://www.sos-kinderdoerfer.de/informieren/presse/pressemitteilungen/immer-mehr-zwangsheiraten-kinderehen-syrische-fluc>, last accessed on 07.01.22.

TERRE DES FEMMES [Publisher] (2011):

**Im Namen der Ehre. Misshandelt, zwangsverheiratet, ermordet: Hilfsleitfaden für die Arbeit von Zwangsheirat/Gewalt im Namen der Ehre bedrohten und betroffenen Mädchen und Frauen.**

TERRE DES FEMMES [Publisher] (2017):

**Stop harmful traditional practices: Patriarchale Gewalt verhindern. Eine Informations- und Präventionsbroschüre.**

TERRE DES FEMMES [Publisher] (2020):

**Dunkelzifferstatistik zu weiblicher Genitalverstümmelung in Deutschland.**

[https://frauenrechte.de/images/downloads/fgm/TDF\\_Dunkelzifferstatistik-2020-mit-Bundeslaender.pdf](https://frauenrechte.de/images/downloads/fgm/TDF_Dunkelzifferstatistik-2020-mit-Bundeslaender.pdf), last accessed on 07.01.22.

TERRE DES FEMMES [Publisher] (2021):

**Weibliche Genitalverstümmelung: Informationsbroschüre. Aufklärung, Prävention und Umgang mit Betroffenen.**

UNFPA und DSW (2021):

**Mein Körper gehört mir. Das Recht auf Autonomie und Selbstbestimmung einfordern: Weltbevölkerungsbericht 2021.**

[https://www.dsw.org/wp-content/uploads/2021/04/UNFPA-Weltbevoelkerungsbericht\\_2021\\_web.pdf](https://www.dsw.org/wp-content/uploads/2021/04/UNFPA-Weltbevoelkerungsbericht_2021_web.pdf), last accessed on 07.01.22.

UNICEF (2021):

**10 million additional girls at risk of child marriage owing to COVID-19.**

<https://www.unicef.org/press-releases/10-million-additional-girls-risk-child-marriage-due-covid-19>, last accessed on 07.01.22.

UNICEF (2021):

**Kinderehen weltweit Die wichtigsten Fragen und Antworten.**

<https://www.unicef.de/informieren/aktuelles/blog/kinderehen-weltweit-fragen-und-antworten/199066>, last accessed on 07.01.22.

UNICEF (2021):

**Female genital mutilation (FGM). At least 200 million girls and women alive today living in 30 countries have undergone FGM.**

<https://data.unicef.org/topic/child-protection/female-genital-mutilation/>, last accessed on 07.01.22.

UNICEF (2021):

**Towards Ending Child Marriage. Global trends and profiles of progress. 2021.**

<https://data.unicef.org/resources/towards-ending-child-marriage/>, last accessed on 07.01.22.

WHO (2020):

**Female Genital Mutilation. Key facts.**

<https://www.who.int/news-room/fact-sheets/detail/female-genital-mutilation>, last accessed on 07.01.22.

Zerm (2018):

**Female Genital Mutilation: Was müssen Kinder- und Jugendärzte über die genitale Beschneidung von Mädchen wissen? Update 2018.**



## 8. Appendix

### Appendix 1: List of the most important telephone numbers for child protection services in Berlin<sup>1</sup>

#### Crisis Services for Child Protection at the Berlin youth welfare offices [Krisendienste Kinderschutz der Berliner Jugendämter]

Daily from 8 am to 6 pm

District	Telephone number	Fax
Charlottenburg-Wilmersdorf	90291-5555	90291-8189
Friedrichshain-Kreuzberg	90298-5555	90298-1673
Lichtenberg	90296-5555	90296-5069
Marzahn-Hellersdorf	90293-5555	90293-2485
Mitte	90182-5555	90182-23488
Neukölln	90239-5555	90239-3047

#### Berlin CHILD PROTECTION HOTLINE

Available 24/7 in cooperation with LebensWelt gGmbH

**Telephone number: 610066**

Arabic (every Monday):	8 am to 8 pm
Turkish (every Wednesday):	8 am to 8 pm
Russian (every Friday):	8 am to 8 pm

#### Berlin Emergency Services

Can provide child protection, counselling and assume custody of children and adolescents at any time

Emergency service for children	610061
Emergency service for adolescents	610062
Emergency service for girls	610063
Counselling centre (KuB), Sleep Inn	61006800

<sup>1</sup> From the guide on child protection for the implementation of the Joint Implementation Regulations on Cooperation between Schools and District youth welfare offices for Child Protection [„Gemeinsame Ausführungsvorschriften zur Zusammenarbeit von Schulen und bezirklichen Jugendämtern im Kinderschutz“ (AV Kinderschutz JugSchul) (2021)]

### Appendix 2: List of the most important telephone numbers for police services in Berlin

**If you are in a life-threatening situation, please dial the police emergency number 110.**

A report can be filed at a police station of your choice or online at any time. Link to online reporting: [https://www.internetwache-polizei-berlin.de/index\\_start.html](https://www.internetwache-polizei-berlin.de/index_start.html)

The Berlin police services victim protection officers [Opferschutzbeauftragte, OSB] and domestic violence coordinators (Koordinatorinnen/Koordinatoren Häusliche Gewalt: “Koord. HG”) provide comprehensive information both on options for police intervention and on external help and support services offered by organisations specialising in both victim support and specialist counselling.

Point of contact	Availability
<b>LKA 123</b> in all cases of FGM_C 10787 Berlin, Keithstr. 30	Telephone number: (030) 4664-912 555 Telephone number: (030) 4664-912 300
<b>LKA 1</b> OSB in cases involving a sexual offence 10787 Berlin, Keithstr. 30	Telephone number: (030) 4664-910 104 (throughout Berlin)
<b>Direktion 1 (Nord)</b> OSB/ Koord. HG 13357 Berlin, Pankstr. 29 Districts: Pankow, Reinickendorf, OT Wedding (Mitte), Gesundbrunnen	Telephone number: (030) 4664-104 220
<b>Direktion 2 (West)</b> OSB/ Koord. HG 13597 Berlin, Charlottenburger Chaussee 67 Districts: Charlottenburg-Wilmersdorf, Spandau, OT Moabit (Mitte), OT Tiergarten (Mitte)	Telephone number: (030) 4664-204 210
<b>Direktion 3 (Ost)</b> OSB/ Koord. HG 12681 Berlin, Poelchastr. 1 Districts: Treptow-Köpenick, Lichtenberg, Marzahn-Hellersdorf, Hohenschönhausen	Telephone number: (030) 4664-304 220
<b>Direktion 4 (Süd)</b> OSB/ Koord. HG 12249 Berlin, Eiswaldtstr. 18 Districts: Tempelhof-Schöneberg, Steglitz-Zehlendorf, OT Rudow (Neukölln), OT Britz (Neukölln), OT Buckow (Neukölln), OT Gropiusstadt (Neukölln)	Telephone number: (030) 4664-404 210
<b>Direktion 5 (City)</b> OSB/ Koord. HG 10965 Berlin, Friesenstr. 16 Districts: Friedrichshain-Kreuzberg, Neukölln (Nord), Mitte	Telephone number: (030) 4664-504 220
<b>Landespolizeidirektion</b> [state police directorate] (LPD St 4) OSB/ Koord. HG inter-directorate	Telephone number: (030) 4664-604 230



### **Acknowledgements:**

This guide was developed by the “temporary working group on intervention in cases of female genital mutilation and early and forced marriage” established by TERRE DES FEMMES in January 2021, which included representatives from the socio-educational, medical and police professions as well as CHAIN project Community Trainers.

Without such a resolute, generous exchange of knowledge and skills on the part of all participants, this guide would not be nearly as extensive as it is. TERRE DES FEMMES would like to thank all participants for their contributions.

### **We would like to thank the following individuals and institutions in particular:**

#### **Community Trainers:**

Al Hinai, Habiba  
Barry, Isatou  
Diallo, Tiranke  
Diatta, Fatou Mandiang  
Drabo, Clément  
Jadama, Muhammed Lamin  
Kaba, Sekou  
Ledjou, Audrey  
Tchaptchet, Evariste Franz Kapnang  
Tchoumbou, Colette  
Turay, Lahai

#### **Other project participants:**

Berliner Koordinierungsstelle gegen FGM\_C  
Familienplanungszentrum BALANCE  
und Berliner Koordinierungsstelle gegen FGM\_C;  
Specialist in Gynaecology and Obstetrics, Hach, Constanze  
Landeskriminalamt Berlin  
(Zentralstelle für Prävention und Delikte an Schutzbefohlenen);  
Paukert, Susanne (LKA PräV 2) and Ehrlich, Angelika (LKA 123)  
Luisenhospital Aachen, Klinik für Plastische, Rekonstruktive und Ästhetische Chirurgie  
[Clinic for Plastic, Reconstructive and Aesthetic Surgery], Handchirurgie [Hand Surgery];  
Zentrum für Rekonstruktive Chirurgie weiblicher Geschlechtsmerkmale  
[Centre for Reconstructive Surgery of Female Sexual Characteristics (PD Dr. med. Dan mon O'Dey)  
Papatya  
School Psychological and Inclusion Pedagogical Counselling and Support Centres (SIBUZ);  
staff of the 13th SIBUZ  
Clinic for Gynaecology and Obstetrics at Vivantes Auguste-Viktoria-Klinikum and Clinic for  
Gynaecology at Vivantes Klinikum Neukölln, Chief Physician PD Dr. med. Mangler, Mandy

Within the CHAIN project, prevention, protection and support measures for women and girls at risk of being subjected to and affected by female genital mutilation and early and forced marriage are to be promoted, institutionalised and further expanded by empowering the communities affected by FGM and EFM, by offering training and capacity-building, and by raising awareness in cooperation with diaspora communities (from Berlin, Paris, Milan and Madrid).

One of the main goals of the CHAIN project is prevention, (precautionary) care and support at an institutional level for girls and women at risk of being subjected to and affected by FGM and/or EFM. When women and girls are at (acute) risk of female genital mutilation and early and forced marriage, it is paramount that all individuals and authorities involved act appropriately. This guide is designed to offer teachers, social workers, social-education workers, educators at daycare centres, staff at youth welfare offices and refugee shelters, medical personnel and police officers, among others, guidance, and ensure they can act with confidence. The overall aim is to present an interdisciplinary and coordinated case management policy that will effectively protect girls and women.

**TERRE DES FEMMES – Menschenrechte für die Frau e.V** is a non-profit human rights organisation that campaigns for a self-determined, equal and free life for girls and women worldwide. Through high-profile actions, publications, events, campaigns and lobbying, TERRE DES FEMMES raises public and political awareness of gender-based violence and discrimination. TERRE DES FEMMES supports girls and women through specific education programmes in schools and their communities. TERRE DES FEMMES is connected internationally with other women's rights organisations and supports projects, organisations and initiatives by women for women abroad. The association's work focuses on the issues of female genital mutilation, domestic and sexual violence, violence in the name of honour, trafficking of women and prostitution, equality and integration, reproductive rights and international cooperation. A new focus is the protection of international women's rights activists at risk (Elisabeth Selbert Initiative). TERRE DES FEMMES is financed by donations, membership fees and grants and is a women's rights organisation based in Berlin.





Co-funded by the  
Rights, Equality and Citizenship Programme  
of the European Union