

European Union Agency for Fundamental Rights, selection of relevant and recent passages from published reports related to Belgium

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Data Explorers and tools

Violence against women survey data explorer

<http://fra.europa.eu/DVS/DVT/vaw.php>

Jewish people's experiences and perceptions of hate crime, discrimination and anti-Semitism

<http://fra.europa.eu/DVS/DVT/as2013.php>

EU LGBT survey data explorer

<http://fra.europa.eu/DVS/DVT/lgbt.php>

Indicators on the right to political participation of people with disabilities

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/political-participation>

Mapping victims' rights and support in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/victims-support-services>

Mapping child protection systems in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/child-protection>

Fundamental rights: challenges and achievements in 2014 - Annual Report 2014, unpublished draft (May 2015)

(Specific link only available as of 25 June 2015, <http://fra.europa.eu/en>)

2. Racism, xenophobia and related intolerance

2.2.1 Experiences of racism and ethnic discrimination in social life

“Complaints filed with the national equality bodies in a number of Member States, including Austria, Belgium, Croatia, the Czech Republic, Greece, Italy, Luxembourg, Spain and Sweden, show that race, ethnicity and skin colour remain amongst the most common grounds of reported discrimination. However, complaints data are only the tip of the iceberg.” (p. 50)

4. Asylum, borders, immigration and integration

4.2 Fundamental rights remain central in return policy discussions

“[Effective return monitoring systems] One of the indicators of an effective monitoring system is the presence of monitors on return flights, particularly on charter flights, rather than just monitoring the preparation and pre-removal phase. In 2014, four more Member States (Belgium, Finland, France and Latvia) sent observers aboard return flights.” (p. 91)

4.6 EU Member State measures promoting inclusive societies

“However, in the last year, 12 Member States (Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Lithuania, Poland, Portugal, Romania, Sweden and the United Kingdom) have not implemented any concrete measure for migrant integration and inclusion targeting the general population.” (p. 96)

4.7 Transforming education, reflecting diversity in society

“In primary or secondary education, most EU Member States do teach about different cultures in society. [...] In most cases, such curricular programmes provide information, knowledge and skills enabling pupils to live in community in modern ethnically diverse societies. However, in eight Member States (Belgium, Cyprus, Estonia, France, Greece, Hungary, Portugal and Slovakia), there are no such elements in the national curriculum.” (p. 98)

4.8 Empowering migrants in their path to participation

“A majority of Member States (Belgium, Denmark, Estonia, Finland, Hungary, Ireland, Lithuania, Luxembourg, the Netherlands, Portugal, Slovakia, Slovenia, Sweden, Spain and the United Kingdom) have granted third-country nationals the right to vote in local elections, for all or some selected nationalities.” (p. 99)

5. Information society, privacy and data protection

5.1 Mass surveillance continues to spark global concern

“In Belgium, the Standing Intelligence Agencies Review Committee started four investigations linked to the Snowden revelations, two of which were discussed in 2014 in the competent senatorial commission; the other two are still pending.” (p. 109)

“In Belgium, France or Italy, for instance, when vested with exercising individuals’ right to access their own data, DPAs [Data Protection Authorities] are permitted to inform the individual only that the necessary checks have been made, but not which data have been processed if such information affects the security of the state. Others limitations are more substantive. Data-processing activities by NIS

(National Intelligence Services] may be wholly or partially excluded from the notification requirement to the DPAs (Belgium, France). [...] Some DPAs are not endowed with the power to handle complaints by individuals and issue binding decisions (Belgium, Poland).” (p. 112)

Severe labour exploitation: workers moving within or into the European Union (June 2015)

http://fra.europa.eu/sites/default/files/fra-2015-severe-labour-exploitation_en.pdf

“[1.2. Criminalisation of labour exploitation and trafficking at Member State level] At least four Member States (Belgium, Estonia, Germany and Poland) have adopted a broad definition of trafficking. In Belgium, for example, Article 433*quiquies* of the Criminal Code, which defines trafficking, includes trafficking for the purpose of work or services ‘in conditions contrary to human dignity.’ According to the preparatory works, Article 433*quiquies* has a broader scope than the minimum obligation imposed by international instruments, which refer to forced labour or services, slavery or practices similar to slavery, and servitude. It should be mentioned that Belgium is among the Member States with the highest numbers of prosecutions for labour trafficking¹. The larger numbers of trafficking cases would seem to reflect the wider scope of the criminal law definition.” (p. 37)

“The range of individuals protected by criminal law provisions against severe exploitation in employment relationships varies considerably among Member States: Laws or case-law in Belgium, France, Germany, the Netherlands and Poland protect – within certain limits – *anyone* against exploitative working conditions that violate human dignity.” (p. 38)

“Experts in Belgium, for example, found that monitoring and inspection activities are too often ‘offender-focused’ and insufficiently ‘victim-focused’. Therefore, where an institution monitors for illegal employment, it focuses on sanctioning an employer for employing a third-country national in an irregular situation. Thus, the rights of potential victims of crime are often neglected and the entitlements or support measures that the worker ought to receive are not triggered, leaving them in a more vulnerable position than before the intervention, at risk of becoming homeless, jobless and in debt.” (p. 65)

“The fear of arrest, detention and deportation or expulsion of migrant victims of crime is seen by experts – for example in Belgium, Croatia, Cyprus, Germany, Greece and Slovakia – as preventing migrants from reporting crime and accessing assistance and justice.” (p. 79)

“In two thirds of the EU Member States in which fieldwork was carried out (Austria, Belgium, Croatia, Cyprus, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Malta, Poland, Slovakia and Spain), experts view victim support services as lacking or ineffective in practice, with very few services dedicated to victims of labour exploitation specifically, and many services outright excluding them unless trafficking or violence is involved.” (p. 80)

“In a significant number of EU Member States – including Austria, Belgium, Bulgaria, Finland, France, Germany, Greece, Hungary and Poland – evidence supports the view that, for victims of labour exploitation, the conditions for accessing rights and justice are, at best, precarious. Workers who have

¹ According to Eurostat (2014), pp. 120 and 126, in Belgium a total of 653 persons were prosecuted for trafficking in 2012, 41 % of whom (some 268 persons) were prosecuted for labour trafficking. However, only a total of 48 persons were convicted of (any form of) trafficking in Belgium in 2012.

moved within or into the EU face conditional or no access to victim support, legal assistance, representation or interpretation.” (p. 84)

“Another weakness of investigations, highlighted by experts from Belgium, Germany and Italy in interviews, is that cases centre on the testimony of victims and witnesses. This presents risks, as victims and witnesses may withdraw their evidence or have to leave the country before the court case.” (p. 87)

“Even where proceedings succeed, interviewees consider that the penalties imposed on employers are sometimes inadequate. Fines for employers who exploit foreign workers are thought to be too low in, for example, Austria, Belgium, the Czech Republic, Lithuania and the United Kingdom.” (p. 89)

The fundamental rights situation of intersex people – Focus Paper (May 2015)

<http://fra.europa.eu/sites/default/files/fra-2015-focus-04-intersex.pdf>

“Sex (re)assignment or sex-related surgery seems to be performed on intersex children, and young people, in at least 21 EU Member States (Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Slovakia, Spain, Sweden and the United Kingdom). [...] In eight Member States (Austria, Belgium, Bulgaria, the Czech Republic, Estonia, Hungary, Poland and Sweden), the legislation or medical practice requires consent by the legal representative, independently of the child’s ability to decide. [...] Patient consent seems to be legally required in at least 18 Member States (Austria, Belgium, Bulgaria, Denmark, Finland, France, Germany, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Slovakia, Spain, Sweden and the United Kingdom). This is provided that the child is considered to possess adequate cognitive faculties and the ability to decide. In 14 Member States (Austria, Belgium, Bulgaria, Denmark, Germany, Ireland, Lithuania, Latvia, the Netherlands, Poland, Slovenia, Spain, Sweden and the United Kingdom), the child is presumed to have such abilities after a certain age. However, there is often flexibility in assessing these abilities, both in Member States where a certain reference age exists (for example, 12 years in Belgium).” (p. 7)

Implementing the United Nations Convention on the Rights of Persons with Disabilities (CRPD). An overview of legal reforms in EU Member States – Focus Paper (May 2015)

<http://fra.europa.eu/sites/default/files/fra-2015-focus-05-2015-crpd.pdf>

“Concerning the accessibility of the physical environment, FRA evidence shows that 15 Member States (Austria, Belgium, Czech Republic, Denmark, Finland, France, Hungary, Ireland, Italy, Lithuania, Luxembourg, Poland, Portugal, Spain and the United Kingdom) have mandatory accessibility standards for the construction, and alteration of national and local authority buildings, often in line with EU-level standards.” (p. 8)

“[Legal capacity] Reforms in Belgium replace previous measures limiting a person’s legal capacity with a unified status of protection in which a ‘provisional administrator’ can take decisions to protect the person and their assets.⁷² The revised law also affords a greater role to a ‘trustee’ chosen by the protected person who acts as an intermediary between them and the provisional administrator.” (p. 10)

Equal protection for all victims of hate crime. The case of people with disabilities – Focus Paper (March 2015)

http://fra.europa.eu/sites/default/files/fra-2015-focus-03-hate-crime-disability_en_0.pdf

“A number of EU Member States explicitly recognise a disability bias motivation in their criminal law, including Austria, Belgium, Croatia, Finland, France, Hungary, Lithuania, Netherlands, Romania, Slovenia, Spain, and the United Kingdom. [...] Belgium, Hungary and Slovenia currently use the ‘enhanced penalty’ approach with regard to disability hate crime. In Belgium, Article 398 of the Criminal Code allows for a prison sentence to be doubled in the case of intentional assault of a person with disability. The increased penalties for hate crimes based on disability are the same as those for hate crimes based on other grounds.” (p. 5)

Victims of crime in the EU: the extent and nature of support for victims (January 2015)

http://fra.europa.eu/sites/default/files/fra-2015-victims-crime-eu-support_en_0.pdf

“[Linking victim support work to police stations] In some EU Member States, victim support organisations operate either directly at police stations or in their immediate vicinity, which makes referral easier. One such example is the close cooperation between the police and Victim Support Sweden (Swedish Association for Victim Support, *Brottsofferjourernas Riksförbund*, BOJ). Belgium, Estonia, Finland, France and the Netherlands use similar models.” (p. 52)

“Not many Member States have a system where the state alone organises and provides generic victim support. Belgium, however, offers one such example. Almost all of the generic victim support services are state-led. The largest victim support service is the Victim’s Reception Service within the Houses of Justice (*Dienst Slachtofferonthaal/ Service d’accueil des victimes*), which acts under the authority of the Ministry of Justice and is thus state funded. Aside from that, there are some non-governmental support services which are also, at least in part, state funded. Belgium places considerable emphasis on support services to victims of human trafficking.” (p. 59)

“[Victims of crime funds] In addition to other funding sources, several EU Member States generate money for victim support services through a ‘Victims of Crime fund’ or the like, whereby persons convicted of an offence pay a fine to help the funding of services for victims of crime; for example, in Belgium, Denmark, Lithuania, Poland, Portugal, Sweden and the United Kingdom.” (p. 62)

“[Deploying special measures for migrant victims with an irregular status] In Belgium, the Centre for Equal Opportunities and Opposition to Racism can file a complaint before the criminal courts in the name of victims, while the NGOs Payoke, Pagasa and Sürya can issue requests for a residence permit on behalf of victims who are irregular migrants.” (p. 80)

“[Implementing special measures for victims of domestic violence] In Belgium, the Centres for General Welfare Work offer an internet platform to assist general practitioners in identifying cases of domestic violence.” (p. 81)

Being Trans in the EU – Comparative analysis of the EU LGBT survey data (December 2014)

http://fra.europa.eu/sites/default/files/fra-2014-being-trans-eu-comparative_en.pdf

In **Belgium**, 54% of respondents felt discriminated against or harassed because of being perceived as trans in the last 12 months. (Figure 3, p. 25)

“Research conducted in **Belgium** indicates that besides the problem of finding (and keeping) employment, many trans persons suffer a wide range of discriminatory practices and bullying at the work place.” (p. 22)

“The percentage of those respondents who were looking for a job in the 12 months preceding the survey and who felt personally discriminated against at work during this period ranges from 53 % in **Belgium** to 17 % in Sweden.” (p. 28, also see Figure 7, p. 29)

[Discrimination in education] In **Belgium**, 44% of respondents consider that there is a mixed school atmosphere towards LGBT persons, while 27% consider this atmosphere to be negative (Figure 21, p. 40)

“[Hate-motivated violence] Even in countries with a robust legal apparatus against hate-motivated crimes, such as **Belgium**, the United Kingdom, Sweden and the Netherlands, around one in 10 respondents say they experienced hate-motivated crime in the year preceding the survey. These numbers are much higher than what police statistics show.” (p. 55)

The prevalence of hate-motivated violence in **Belgium** is 12%, above EU average (8%) (Figure 35, p. 56). The prevalence of hate-motivated harassment is 27%, above EU average (22%) (Figure 43, p. 65)

Addressing forced marriage in the EU: legal provisions and promising practices (October 2014)

http://fra.europa.eu/sites/default/files/fra-2014-forced-marriage-eu_en.pdf.pdf

“[...] most EU Member States do not treat forced marriage as a specific criminal offence. Only in seven EU Member States, forcing a person to marry against his or her will is a separately defined criminal offence. These states are Austria, **Belgium**, Croatia, Cyprus, Denmark, Germany and the United Kingdom.” (p. 18)

EU LGBT survey - European Union lesbian, gay, bisexual and transgender survey - Main results (October 2014)

http://fra.europa.eu/sites/default/files/fra-eu-lgbt-survey-main-results_tk3113640enc_1.pdf

In **Belgium**, 35% of respondents felt discriminated against or harassed on the grounds of sexual orientation in the last 12 months, a percentage below the EU average, which is 47% (Figure 2, p. 26)

[Discrimination in employment] In **Belgium**, 15% of respondents felt discriminated against in the last 12 months when at work because of being LGBT, below EU average (19%) (Figure 7, p. 30)

[Discrimination in education] In **Belgium**, 11% of respondents felt discriminated against by school or university personnel in the last 12 months because of being LGBT, which is below EU average (18%) (Figure 11, p. 35)

“Respondents living in the Netherlands (12 %), Denmark and Sweden (both 13 %), the Czech Republic (14 %) and **Belgium** (15 %) are the least likely to say they have felt personally discriminated against when at a restaurant, bar, café or nightclub in the last year because of being LGBT.” (p. 41)

The prevalence of hate-motivated harassment in **Belgium** is 19% (Figure 47, p. 71)

“Looking at the overall results, respondents living in **Belgium**, the Czech Republic, Denmark, Finland, Luxembourg, the Netherlands, Spain and Sweden indicate that they generally experience and perceive a social environment that is comparatively favourable for LGBT people. They are less likely to be victims of violence, harassment or discrimination, to perceive widespread negative attitudes towards LGBT people, or to avoid certain locations or behaviours for fear of being assaulted, threatened or harassed.” (p. 99)

Antisemitism Summary overview of the situation in the European Union 2003-2013 (October 2014)

http://fra.europa.eu/sites/default/files/fra-2014_antisemitism-update-2003-2013_web.pdf

“The national equality body in **Belgium** [...] receives and handles complaints from members of the public pertaining to discrimination on many grounds. In 2013, it dealt with 85 cases relating to antisemitism, compared with 88 in 2012 and 62 in 2011 (Table 8, pp. 18-19).

“In 2013, the most common complaints related to antisemitic incidents received by the Interfederal Centre concerned Holocaust denial, followed by anti-Semitism on the internet and verbal aggression, as Table 9 shows.” (p. 19)

Fundamental rights: challenges and achievements in 2013 - Annual Report 2013 (June 2014)

http://fra.europa.eu/sites/default/files/fra-2014-annual-report-2013-0_en.pdf

2. Border control and visa policy

“Syrian nationals are subject to the short-stay visa requirement to enter the EU. In addition, 10 EU Member States (Austria, **Belgium**, the Czech Republic, France, Germany, Greece, Italy, Luxembourg, the Netherlands and Spain) require Syrian nationals to hold an airport transit visa when passing through the international transit areas of airports situated on their territory.” (p. 69)

4. Rights of the child and protection of children

“[Steps towards child-friendly justice] Reforms have also affected the way that children are treated in civil proceedings. In **Belgium**, for example, a new act establishes the Family and Youth Tribunal. It also introduces the principle of “one family, one case, one judge”, which means that all substantive decisions and decisions on interim measures of any familial nature (including marriage, divorce, child support, adoption, filiation, housing and liquidation of estates) will be grouped together and decided on by a single judge. [...] The law also means that children over 12 years of age must be informed of their right to be heard by the judge in family civil litigations. Children under 12 years of age will be heard only at their request or at the request of the parties, the Public Prosecutor or the judge.” (p. 106)

“A wider ratification of the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse, known as the Lanzarote Convention, represents another accomplishment. So far, 18 EU Member States have ratified it: Austria, Belgium, Bulgaria, Croatia, Denmark, Finland, France, Greece, Luxembourg, Malta, the Netherlands, Portugal, Romania and Spain before 2013, as well as Italy, Lithuania, Slovenia and Sweden during the year.” (p. 107)

“[Child poverty] other Member States have action plans or other policies to target child poverty directly. In June 2013, Belgium adopted a national action plan to fight child poverty. It aims to implement the European Commission Recommendation *Investing in children: Breaking the cycle of disadvantage*. The plan is a result of collaborative work between the federal government, the communities, the regions and other stakeholders, and includes a total of 140 actions across the three pillars.” (p. 114)

5. Equality and non-discrimination

“Despite low reporting levels, evidence from equality bodies and research institutes can give an idea of the prevalence of given types of discrimination. Evidence from Belgium, Bulgaria, Croatia, France, Germany, Greece, Italy, Ireland and Sweden shows that ethnic and/or racial discrimination was the most frequently reported type in 2012, particularly in the area of employment.” (p. 129)

“Relatively high levels of discrimination on the ground of age were identified in Belgium, Denmark and France.” (p. 129)

7. Roma integration

“Belgium uses multiple stakeholder cooperation to address Roma integration. One example is the regional integration centre Foyer in Brussels, which cooperates with social services, schools and local governments to better address Roma issues.” (p. 171)

“In Belgium, intercultural mediators began providing individualised support to facilitate dialogue between local Roma communities and public institutions, and to support integration into the workforce for vulnerable groups.” (p. 175)

9. Rights of victims of crime

“In Belgium, a bill has been introduced to give victims more rights in debates about the release of offenders. These rights include permission to attend and express their views at the special court sessions that decide on the execution of sentences that concern them. The Bill stops short, however, of granting victims the right to appeal against a sentence they consider too lenient, an omission which some have criticised.” (p. 213)

“[Sexual violence] Some EU Member States, such as Belgium, Croatia, Ireland and the United Kingdom, have introduced reforms to extend definitions of sexual violence to include all forms of non-consensual sexual acts.” (p. 216)

“[Hate crime] Belgium increased the maximum penalty for all crimes motivated by discriminatory attitudes through legislation that entered into force in February 2013.” (p. 221)

“Belgium amended its criminal code in 2013, significantly extending the definition of human trafficking.” (p. 222)

The right to political participation for persons with disabilities: human rights indicators (May 2014)

http://fra.europa.eu/sites/default/files/fra-2014-right-political-participation-persons-disabilities_en.pdf

“A further 15 EU Member States prohibit people with disabilities who have been deprived of their legal capacity from voting. The Member States are **Belgium**, Bulgaria, Cyprus, Denmark, Estonia, Germany, Greece, Ireland, Lithuania, Luxembourg, Malta, Poland, Portugal, Romania and Slovakia. This exclusion is either set out in the country’s constitution or in electoral legislation.” (p. 41)

“In **Belgium**, Cyprus, and Greece, the analysis indicated that there is no legislation setting out how people living long term in institutions can exercise the right to vote.” (p. 44)

“Sixteen EU Member States have no legal accessibility standards for providers of internet and web-based public information, the analysis shows. Only four Member States, Austria, **Belgium**, Malta and Spain, have statutory accessibility requirements for both public and private providers, set out in laws on electronic communication and/or equal treatment of persons with disabilities. In **Belgium**, for example, a regulatory and competition authority in the telecoms sector, the Institute for Postal Services and Telecommunications, can require that telecommunication providers ensure that end-users with disabilities have access to services adapted to their disability. **Belgium** also requires that those with disabilities have the same choice of telecommunication providers as other users” (p. 46)

“[Raising standards of television and radio accessibility] The Decree on radio and on television in 2012 introduced the principle of non-discrimination in commercial communication and public service announcements in the Flemish Community in **Belgium**. The decree includes the obligation for broadcasters to make a significant proportion of programmes accessible to people with visual and hearing impairments, while 100 % of both public and private broadcasters’ news programmes must be subtitled.” (p. 48)

“The FRA’s analysis indicates that 15 EU Member States, Austria, **Belgium**, the Czech Republic, Denmark, Finland, France, Hungary, Ireland, Italy, Lithuania, Luxembourg, Poland, Portugal, Spain and the United Kingdom have mandatory accessibility standards for the construction and alteration of national and local authority buildings.” (p. 48)

“[Legal accessibility standards for polling stations] In a second group of Member States legislation concerning the accessibility of polling stations applies only to a certain number or proportion of polling stations. In **Belgium**, one in five polling stations must be accessible [...]” (p. 50)

“[Training] In 15 EU Member States – **Belgium**, Bulgaria, Cyprus, the Czech Republic, Finland, France, Germany, Greece, Ireland, Italy, Lithuania, Poland, Slovenia, Spain and the United Kingdom – the research indicates that training material or specific instructions on how to ensure non-discrimination on the ground of disability and accessibility in voting procedures is provided.” (p. 52)

Violence against women: an EU-wide survey. Main results report (March 2014)

http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14_en.pdf

In **Belgium**, 36% of women have experienced physical and/or sexual violence by current and/or previous partners or non-partners since the age of 15, above EU average (33%). (Table 2.1, p. 28)

“For example, some EU Member States, such as **Belgium**, Croatia, Ireland and the United Kingdom, have introduced reforms aimed at extending definitions of sexual violence to include all forms of non-consensual sexual acts. This serves to emphasise that violence against women cannot be condoned under any circumstances.” (p. 51)

[Stalking] In **Belgium**, the prevalence of stalking since the age of 15 is 24%, above EU average (18%). (Table 5.1, p. 83)

[Harassment] In **Belgium**, the prevalence of sexual harassment since the age of 15 is 60%, above EU average (55%) (Figure 6.2, p. 99); while the prevalence of sexual harassment in the 12 months before the interview is 30%, above EU average (21%). (Figure 6.3, p. 100) The prevalence of cyberharassment since the age of 15 is 13%, above EU average (11%). (Figure 6.7, p. 104)

“There is considerable variation in the prevalence of different forms of violence by country. Belgium (14 %) and the Netherlands (16 %) show relatively low prevalences of physical violence in childhood but have an above average percentage of sexual violence [in childhood]. [...] In Belgium, 14 % of women say they experienced sexual violence in childhood.” (p. 122)

Access to data protection remedies in EU Member States (January 2014)

http://fra.europa.eu/sites/default/files/fra-2014-access-data-protection-remedies_en_0.pdf

“In serious enough cases, criminal proceedings can be initiated for violations of data protection legislation. [...] In addition, in all EU Member States the courts can impose fines, issue prison sentences or combine both. The size of the fine or length of the prison sentence is set out in national legislation and varies between Member States. [...] In Latvia, fines range from €25,000 to €50,000, with **Belgium** setting the limit at €100,000 and Luxembourg at €125,000. [...] The majority of EU Member States enforce a maximum determinate sentence, most of which fall between six months and five years. Within this range falls **Belgium** (two years).” (p. 22)

Discrimination and hate crime against Jews in EU Member States: experiences and perceptions of antisemitism (November 2013)

http://fra.europa.eu/sites/default/files/fra-2013-discrimination-hate-crime-against-jews-eu-member-states-0_en.pdf

“Respondents were most likely to consider antisemitism to be either ‘a very big’ or ‘a fairly big problem’ in Hungary, France and **Belgium** (90 %, 85 % and 77 %, respectively). [...] The percentage of respondents indicating that antisemitism has increased over the past five years was especially high (about 90 %) in **Belgium**, France and Hungary.” (pp. 15-16)

“The majority of the respondents in France (84 %), **Belgium** (74 %) and Hungary (72 %) consider expressions of hostility towards Jews in the street and other public spaces to be ‘a very big’ or ‘a fairly big problem’ in the country. [...] Respondents in France (78 %) are most likely to consider the vandalism of Jewish buildings or institutions as ‘a very big’ or ‘a fairly big problem’, while in **Belgium** and Hungary half of the respondents (54 % and 52 % respectively) see it similarly. [...] About two thirds of the respondents in France, Hungary and Italy (69 %, 69 %, and 61 %, respectively) and half in **Belgium** (52 %) consider antisemitic graffiti to be ‘a very big’ or ‘a fairly big’ problem.” (p. 19)

“[Experiences of antisemitic incidents] Hungary, **Belgium** and Sweden have the highest incident rates with, respectively, 30 %, 28 % and 22 % of respondents indicating that they have experienced an incident of verbal insult or harassment and/or a physical attack in the last 12 months (see Figure 8, p. 30). [...] Hungary, **Belgium** and France show the highest levels of antisemitic incidents that affect respondents indirectly, either as witnesses (43 %, 35 % and 30 %, respectively) or through their circle of family members and close friends (30 %, 32 % and 31 %, respectively).” (p. 29)

“Considerations of emigration due to security concerns varied by country (Figure 16). The majority of respondents in five of the eight countries have not considered emigrating, but in Hungary, France and **Belgium** between 40 % and 48 % of the respondents indicated that they have considered emigrating in the past five years because they did not feel safe there as Jews.” (p. 36)

“[Harassment] About one third of respondents in Hungary (35 %), **Belgium** (31 %) and Germany (29 %) experienced at least one type of antisemitic harassment in the 12 months before the survey. [...] Relatively more respondents in Hungary, **Belgium** and Germany than in the other EU Member States surveyed indicated that they have personally experienced offensive or threatening comments in the past 12 months because they are Jewish (27 %, 26 %, 21 %, respectively).” (pp. 43-44)

Legal capacity of persons with intellectual disabilities and persons with mental health problems (July 2013)

<http://fra.europa.eu/sites/default/files/legal-capacity-intellectual-disabilities-mental-health-problems.pdf>

“[Alternatives to plenary or partial guardianship] In **Belgium**, it is possible to appoint a ‘counsellor’ (*conseil judiciaire/ raadsman*), who is a person designated to assist the person with disability only in those actions specified by law. When the person placed under this protective measure acts without the assistance of the ‘counsellor’, his or her decisions have no legal effect.” (p. 30)

“The Council of Europe Committee of Ministers Recommendation CM/Rec(2009)11 introduces an anticipatory measure, or ‘advance directive.’ [...] An ‘advance directive’ enables adults to express their wishes about issues that could arise in the future, such as designating a future guardian. Austria, **Belgium**, the Czech Republic, France, Germany, Italy, Spain and the United Kingdom (England and Wales) have such provisions.” (p. 36)

Fundamental rights: challenges and achievements in 2012 (June 2013)

http://fra.europa.eu/sites/default/files/annual-report-2012_en.pdf

1. Asylum, immigration and integration

“[Forced return monitoring] In late 2011 and 2012, two EU Member States, **Belgium** and Cyprus, introduced an independent monitoring system by law. **Belgium** designated the General Police Inspection service, albeit without structural funding. [...] Of the 15 Member States where FRA considers that effective monitoring systems are in place, only seven (Austria, **Belgium**, Czech Republic, Denmark, Estonia, Luxembourg and the United Kingdom) monitored a return flight in 2012.” (pp. 55-56)

2. Border control and visa policy

“By 2012, approximately two thirds of EU Member States as well as Croatia had posted immigration liaison officers abroad: Austria, **Belgium**, the Czech Republic, Denmark, Finland, France, Germany,

Hungary, Italy, Latvia, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom. [...] Only a few EU Member States have instructed ILOs on how to handle requests for asylum.” (p. 87)

4. Equality and non-discrimination

“EU Member States also continued to sign and ratify existing international conventions with an equality dimension in 2012. Six additional Member States, namely **Belgium**, Italy, Malta, the Netherlands, Poland and the United Kingdom, signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).” (p. 139)

“The anti-discrimination legislation in place, for example, in **Belgium**, Bulgaria, the Czech Republic, Ireland, Malta, the Netherlands, Spain and the United Kingdom as well as Croatia, extends the duty to provide reasonable accommodation for persons with disabilities beyond the field of employment, such as to the provision of goods and services.” (p. 141)

“The EU’s average gender pay gap is estimated at 16.4 %, according to the most recently available data, which cover the year 2010. [...] In 2012, Austria and **Belgium** enacted legislative measures in this area.” (p. 160)

5. Racism, xenophobia and related intolerance

“Recorded racist crime was on the increase in **Belgium**” (from 927 incidents recorded in 2010 up to 995 in 2011, see Table 6.2, p. 183)

8. Access to efficient and independent justice

“As to violations among EU Member States, length of proceedings emerges as the one main pattern from the case law of the ECtHR. In response, **Belgium**, for example, endeavoured to speed up trials by having single judges rather than panels deal with some criminal case appeals, unless the defendant requested otherwise.” (p. 238)

“Several EU Member States, including Austria, **Belgium**, Bulgaria, Denmark, Italy, Poland and Slovakia created web portals and other web tools in 2012 to raise legal awareness and educate the public, providing easily accessible and barrier-free information on the functioning of court proceedings, downloadable forms and relevant case law.” (p. 245)

9. Rights of victims of crime

“[Rights of victims of domestic violence and violence against women] **Belgium** enacted a law on the temporary banning of a violent partner from the home in case of domestic violence. The public prosecutor can oblige the violent partner to immediately leave the residence for a maximum of 10 days.” (p. 265)

Access to justice in cases of discrimination in the EU – Steps to further equality (December 2012)

<http://fra.europa.eu/sites/default/files/fra-2012-access-to-justice-social.pdf>

“**Belgium** transposed the Employment Equality Directive at the federal level with the Anti-Discrimination Act of 2007, which covers, in addition to the six grounds recognised in the EU directives: civil status, birth, wealth, political conviction, trade union membership or affiliation, language, actual or future state of health, physical or genetic characteristics and social origin. [...] Legislation provides for protection in the areas of labour and goods and services as well as for economic, social, cultural or political activities.” (pp. 23-24)

Making hate crime visible in the European Union: acknowledging victims' rights (November 2012)

http://fra.europa.eu/sites/default/files/fra-2012_hate-crime.pdf

“The readiness of legislators in EU Member States to extend definitions of hate crimes to a wide range of categories is a clear trend observable in Austria, Belgium, Croatia, Finland, Latvia, Lithuania, Malta, the Netherlands, Romania and Spain.” (p. 25)

“In order to capture the broad range of other forms of hate crimes, Article 4 of the Framework Decision [on Racism and Xenophobia], as previously mentioned, allows for the adoption of one of two methods. The first is to create qualifications – enhanced penalties – either for all crimes or for those perceived to be most relevant or serious, such as murder, injury, insult or vandalism. A small group of EU Member States – Belgium, Bulgaria, Czech Republic, Lithuania, Portugal, Slovakia and the United Kingdom – have opted for this approach.” (p. 27)

Involuntary placement and involuntary treatment of persons with mental health problems (June 2012)

http://fra.europa.eu/sites/default/files/involuntary-placement-and-involuntary-treatment-of-persons-with-mental-health-problems_en.pdf

“In 12 Member States, the existence of a significant risk of serious harm to oneself or others and a confirmed mental health problem are the two main conditions justifying involuntary placement. The need for a therapeutic purpose is not explicitly stipulated. This is the case in Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Germany, Estonia, Hungary, Lithuania, Luxembourg, Malta and the Netherlands. In Austria, for instance, according to Section 3(1) of the Compulsory Admission Act (*Unterbringungsgesetz*), a person can be subjected to compulsory admission if he or she suffers from a mental health problem (*psychische Krankheit*) and therefore seriously and gravely endangers his or her health or the life of others.” (p. 31)

“Many EU Member States laws refer to the persons’ opinion at times with respect to involuntary placement and more often to treatment. This is the case, for example, in Belgium, Denmark, Finland, Germany, Ireland and Italy.” (p. 34)

“In nine EU Member States one expert opinion issued by a medical professional fulfils the legal requirement concerning the assessment of an individual’s psychiatric condition. This is the case in Belgium, Bulgaria, the Czech Republic, Germany, Denmark, Estonia, Luxembourg, Netherlands and Poland.” (p. 35)

“[Free legal support] In several Member States, comprehensive legal aid provisions require that a lawyer be automatically appointed (see for example Belgium, Bulgaria, Hungary, the Netherlands or Slovenia).” (p. 39)