

---

**Advance Unedited Version**

Distr.: General  
3 February 2020

Original: French

---

Committee on Economic, Social and Cultural Rights

**Fifth periodic report submitted by Belgium under  
articles 16 and 17 of the Covenant, due in 2019<sup>\*,\*\*</sup>**

[Date received: 9 December 2019]

---

\* The present document is being issued without formal editing.

\*\* The annex to the present report may be accessed from the web page of the Committee.



## Introduction

1. This report is submitted under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights ("the Covenant") - ratified by Belgium on 21/04/1983.
2. It refers to new policies and changes in legislation, regulations, case law and administrative practices relating to the substantive articles of the Covenant adopted since Belgium's 4th report in 2010 (E/C.12/BEL/4), and its responses in 2013 prior to its submission (E/C.12/BEL/Q/4/Add.1). The new measures adopted since then will be covered during the presentation. Finally, for a description of how Belgium functions, reference is made to the common core document.
3. In the context of the drafting of this report, a meeting was held on 26/11/2019 between representatives of the Belgian authorities, civil society (ACAT-Belgium, Amnesty International, Belgian Disability Forum, FIAN, Belgian Poverty Reduction Network and the Combat Poverty, Insecurity and Social Exclusion Service), Myria and UNIA (Interfederal centre for equal opportunities).

## Right to adequate housing

### Response to paragraph 1 of the list of points

4. With regard to the applicability of the Covenant in the domestic legal order, it is important to recall that in Belgium it is the courts and tribunals that decide, in complete independence, whether or not international provisions are directly applicable, by assessing whether the necessary conditions for doing so have been met. However, litigants and lawyers generally invoke national and/or regional provisions in courts, such as the ECHR (European Court of Human Rights) which enshrines rights which are identical or very similar to the Covenant. As such, even when provisions of the Covenant are invoked before Belgian courts/tribunals, they are usually invoked as a secondary/accessory matter and handled as such.
5. The various international provisions, including the Covenant, are referred to in lectures when law students and lawyers are in training, although there is no specific course on the subject.

### Response to paragraph 2 of the list of points

6. (Social) housing policy is the responsibility of the Regions. For this reason, the conditions vary depending on the region concerned.
7. The Flemish Housing Code contains the statutory basis for the (social) housing policy for the Flemish Region. The Code aims to give effect to the fundamental right of all to have access to housing. In the implementation of the instruments to this end, priority attention is given to "woonbehoeftigen" (people in precarious situations in need of housing).
8. The instruments that form the core of the social rental regime are: the expansion of the existing supply of social housing, financial support from social landlords and the allocation of social rental housing within a strict regulatory framework.<sup>1</sup>
9. Since 1/01/2019, tenants with limited income can borrow the amount of the rental guarantee from the Flemish Housing Fund and repay the loan without interest in 24 months.
10. Access to housing for homeless people is further facilitated by the issuing of a rent subsidy for people who rent compliant housing in the private rental market.
11. Since 2012, the Walloon Housing Code has allowed households in difficulty to benefit from personalised assistance via the support of a social adviser. The Code also allows local companies, as an exception to the usual rule, to rent housing to households in social hardship and in situations where social cohesion is jeopardised.
12. In the Walloon Region, the Housing First scheme (see question 2b) was incorporated into the Walloon regulatory code for Social Action and Health of 1/03/2019.

13. The Brussels Housing Code is one of the instruments put in place to improve the living conditions of all Brussels tenants. Its aim is to concretise the right to decent housing, enshrined in Article 23 of the Belgian Constitution. It is based on a range of formalities that must be met to verify the condition of a rented dwelling, with regard to safety, health or the level of facilities. The aim is also to encourage the renovation of poor quality housing.

14. The Ordinance of 21/12/2018, (Belgian Official Gazette of 6/02/2019), aimed at introducing a housing allowance in the Brussels-Capital Region, targets the most deprived members of the public and introduces a simplified process to foster administrative simplification, speed up processing times and facilitate operational implementation. The rent allowance for candidate tenants registered on the social housing lists is a regional financial aid which aims to cover part of the rent some of them have to pay.

#### **Response to paragraph 2 a) of the list of points**

15. Despite the growing number of social rental housing units in the Flemish Region, there are still waiting lists (135,500 single-candidate tenants for social housing companies (SLS in French) and 46,449 single-candidate-tenants for social housing agencies (AIS in French) - also including social tenants who have applied for other social rental housing). The average waiting time for social rental housing unit for an SLS was 40 months in 2017. This average conceals various disparities. For example, 15.71% of candidate tenants have a dwelling within the year. For AIS, the average waiting time in 2017 was 21 months. 64.16% of AIS tenants were allocated a dwelling within the year (detailed figures in Annex 1).

16. The data of the Brussels-Capital Region on Social Housing Agencies (AIS), Public Housing Operators (OIP in French) and Public Service Housing Companies (SISP in French) are shown in the notes.<sup>ii</sup> 43,170 households are on the waiting list for social housing, the share of social housing has risen to 44% of the total number of properties to be built. For many applicants, they will have to wait 10 years before they are offered social housing.

#### **Response to paragraph 2 b) of the list of points**

17. Eviction from a property used as a domicile or residence can only be ordered by a judge and enforced by a court bailiff, in order to ensure compliance with Belgian law, which prohibits discrimination on the basis of "racial" or economic criteria. In addition, articles 1344ter to quinquies of the Judicial Code provide for several guarantees aimed at regulating these evictions in order to make them more compassionate, in particular preventive information from the public social welfare centre (CPAS in French) responsible and a period of one month before the tenants are evicted. In addition to this one-month period, the court bailiff responsible for the eviction is obliged to inform of the precise date of the eviction, no later than five working days before that date (1344quater, paragraph 2).

18. The CPAS is informed preventively from the start of the procedure, so that they can offer to provide assistance, in the most appropriate manner, within the framework of its legal mission. Nonetheless, the person subject to eviction proceedings may object to this communication within two days.

19. The judge may extend or curtail this period at the request of the tenant or landlord in the light of particularly serious circumstances. In particular, he or she will take account of the possibilities of rehousing the tenant in sufficient conditions respecting the unity, financial resources and needs of the family, especially during the winter.

20. Since 2017, the Flemish Region has been collecting figures on the number of evictions by the SLS. In 2017, there were 430 evictions for tenant default or fraud (the majority were for rent arrears). In 2018, there were 429 evictions. Regulations and case law determine that the SLS can only proceed with an eviction after supporting the defaulting tenant and examining the alternatives.

21. In 2014, social representatives issued an opinion on 129 eviction requests and 28 physical evictions were carried out within the SISPs. Given the existing winter moratorium in the sector, there were no evictions during the winter period. The number of notices requested is significantly higher than the number of actual evictions.

22. As regards discrimination by private landlords, horizontal anti-discrimination legislation applies in the first instance<sup>1</sup>. In addition, the Minister of Housing has drawn up an action plan for a Flemish anti-discrimination policy on the private rental market. The plan aims at self-regulation through an awareness-raising approach and support, and to strengthen existing monitoring instruments. Tenants who are treated illegally can have the conduct of the landlord assessed by the Justice of the Peace. They can also turn to tenants' unions for information and legal advice. The tenants' unions receive subsidies from the Flemish Region for this role.

23. The Brussels-Capital Region and the University of Ghent carried out a study<sup>2</sup> in June 2017 on discrimination in housing. It was revealed that the discrimination factors used by a large number of estate agencies to refuse rental candidates were primarily income (30%), gender (26%), ethnic origin (23%), age (21%) and disability (16%). It was found that very few estate agencies clearly refused to discriminate.

24. The Brussels-Capital Region has adopted an ordinance<sup>3</sup> designed to strengthen the fight against discrimination in accessing housing by authorising the Brussels Housing Inspectorate to use discrimination tests to identify discriminatory practices and thereby effectively tackle discrimination in access to housing.

25. The IPI (Professional Institute of Estate Agents) and Unia, in collaboration with the Brussels-Capital Region, have organised anti-discrimination training for estate agents active in Brussels. A conference, two brochures and an anti-discrimination campaign targeting estate agents have been organised and published.

26. In parallel with these actions, certain anti-discrimination measures have been incorporated into the regionalisation of rental contracts: a chapter is devoted to equal treatment, which includes, in particular, the protected criteria (such as disability, ethnic origin, social origin, etc.), the different types of discrimination and the protection mechanisms.

27. "Emergency housing" is housing that the CPAS makes available for a short period of time to people in need.<sup>iii</sup>

28. An occupancy agreement is concluded for a maximum of 6 months and can be extended once. This makes it possible to stabilise the situation of users in need. The persons in question may have temporary access to accommodation made available to them in accordance with contractual rules to be agreed upon, in particular concerning the cost of the rent and appropriate social support. By taking this approach, everything is done to find a lasting solution for access to quality housing and prevent the people in question from being pulled into a negative spiral towards insecurity.

29. In order to help the homeless to find decent housing, the CPAS grant a settling-in bonus: a sum of money that must be used to furnish and equip the dwelling. In concrete terms, this can be used to cover expenses for purchasing furniture or connection costs (gas, electricity, etc.).

30. The reference address allows persons who have no residence in Belgium to have an address where mail and administrative documents can be sent, to be forwarded to the person. The address also makes it possible to have or retain social benefits such as unemployment benefit, family allowance, health insurance, etc. Homeless people can obtain a reference address from the CPAS.

31. In addition, Belgium contributes to the *Housing First* programme. In this programme, housing is the first step and can be accessed without conditions. In order to stay in the dwelling, a team supports the tenant in all areas of their life.

**Response to paragraph 2 c) of the list of points**

32. At the federal level, the social tariff is a measure designed to help people/households belonging to certain categories of entitled persons who depend on social benefits to pay their electricity and/or gas bills. It is the same tariff throughout Belgium, regardless of the energy supplier or network operator.

33. The CPAS can intervene in the context of the Gas and Electricity Fund to pay bills or to take preventive measures in the area of energy.

34. In the Flemish Region, the cutting off of water in a household is subject to strict procedures laid down in a legal framework.<sup>iv</sup> The number of households where water was cut off fell from 4,888 in 2011 to 1,962 in 2017, out of a total of 2,650,109 households in 2017. The Flemish Region plans to further reduce the number of households with water cut-offs by introducing a limitation of the water supply into the existing policy framework. This provision will make it possible to limit the supply of water instead of cutting it off, in order to protect the right of access to water.

35. The Flemish Region continuously updates the policy framework. It does this by structurally consulting a number of stakeholders, including organisations which represent vulnerable people. It also organises regular sessions to inform the stakeholders.

36. The cut-off of electricity and natural gas is regulated in the Flemish Region on the basis of social public service obligations that are imposed on the distribution system operators<sup>f</sup>. These obligations include protection measures in the event of payment default and in the event of prior notice of a commercial supply contract, the installation of budget meters with advance payment possibility, a minimum supply of electricity and natural gas and the possible cut-off of energy supplies following the opinion of a local commission made up of local welfare actors, the system operator and the customer in question.

37. Since 2011, the package of measures has been optimised, meaning that the number of cut-offs has since been kept to a minimum. In particular, the number of payment defaults for natural gas has fallen sharply. As regards electricity, the number of cut-offs has increased slightly since 2013, in line with a significant increase in electricity prices. The number of cut-offs has been fairly stable in recent years. In 2018, 1,642 households were subject to an electricity cut-off, compared to 1,298 in 2017 and 1,184 in 2016. The number of cut-offs of natural gas fell to 1,504 in 2018, compared to 1,508 in 2017 and 1,567 in 2016.

38. Digital meters will be introduced from mid-2019, and these will offer additional possibilities to prevent customers from incurring debts with energy suppliers, which will further reduce the risk of cut-offs.<sup>v</sup>

39. Cut-offs of water and electricity in the Brussels-Capital Region:<sup>5 and 6</sup>

	2010	2011	2012	2013	2014	2015	2016	2017	2018
<i>Eau</i> <sup>5</sup>	467	420	497	494	617	591	862	1.005	1.014
<i>Électricité</i> <sup>6</sup>	409	201	354	231	842	1.432	1.126	1.166	970

40. The increase in the figures for cut-offs for water is explained, in addition to difficulties in paying bills, by the abolition of a solidarity mechanism for payments between owners and tenants (since 2014), and by the installation of 6,000 new individual meters per year which can therefore be cut off, unlike collective meters (since 2013).

41. Cut-offs of electricity are regulated by provisions in the Ordinance of 19 July 2001 on the organisation of the electricity market (last amended in 2018). In the event of payment default, the procedure aims to maintain access to energy at a reduced power level, the drafting of a debt clearance plan and support from a social worker. The cut-off is only possible with the authorisation of a judge. During the winter period (from 1 October to 30 March), no interruptions are allowed and supply is guaranteed upon intervention by the social services<sup>7</sup>. Some households that meet criteria of vulnerability (financial, social, medical situation, etc.) are recognised as "protected customers" and benefit from enhanced protection, which is provided at a social tariff. The Region also offers the public a free service offering information, advice and support (including legal advice) on electricity and gas called "Infor Gaz Elec"<sup>8</sup>, as well as an extra-judicial energy dispute resolution service.

42. Cut-offs of water are regulated by the ordinance of 20/10/2006 laying down a framework for water policy, the ordinance of 08/09/1994 regulating the supply of drinking water distributed by network in the Brussels Region (last amended in 2019). In the event of

payment default, the cut-off is only possible through a procedure (duration >9 months from invoice) which requires the authorisation of a judge, as well as the intervention of the mayor and the social services in order to find an amicable solution. No cut-offs are authorised during the annual holiday period (from 1 July to 31 August) or during the winter period (between 1 November and 31 March). The cut-off may not have the effect of depriving water from a new tenant in a single-family dwelling or a user residing in a multi-apartment dwelling equipped with one shared meter that provides proof of payment of their consumption to the owner.

43. Finally, with regard to cut-offs of both water and electricity, the Brussels-Capital Region runs a support centre to train and advise social workers on energy and water.<sup>9</sup>

#### **Response to paragraph 2 d) of the list of points**

44. In the Flemish Region, the instruments of social housing policy are open to all long-term residents of the territory.<sup>10</sup> The Region subsidises sites for caravans. Over the period 2016-2018, €3,243,073.87 was invested in the construction of two transit areas for people living in caravans. In addition, investments have been made in sites for residential caravans. The resources allocated for this purpose by the Flemish Region have increased since 2016 from €2,250,000 to €4,309,000 per year. There are currently 415 places (for 545 families) on residential plots and 74 places on transit plots. Various projects to enlarge existing sites and build new ones are currently being implemented.

45. There is a specific policy for the reception of Travellers in the Walloon Region. On 2 May 2019, the Walloon Parliament adopted a new decree on assistance for Travellers with the following objectives: concerted and high-quality reception of Travellers within the Walloon territory, including during the winter period. Financial support will be given to municipalities which already have a reception area set up to cover operating costs; the increase in the number of areas accessible to Travellers, through grants for the purchase, development and extension of reception areas, will be encouraged over a ten-year period. To this end, a call for projects intended for municipalities was launched in June 2019.

#### **Response to paragraph 2 e) of the list of points**

46. On 23/03/2018, the Flemish Government approved the "Woonbeleidsplan Vlaanderen" (housing plan for the Flemish Region). This plan consists of an informative component, a component containing the long-term vision and objectives for the Flemish housing policy (up to 2050), the broad outlines of the operationalisation and a component on monitoring. As stated in the Flemish Housing Code, the Flemish Minister responsible for housing will draw up a programme of action to implement the plan at the start of each legislative period. At that time, the information component will also be updated and a report on the monitoring will be drawn up. The plan will be reviewed every 15 years.<sup>11</sup>

47. Article 191 of the Housing Code of the Brussels-Capital Region enshrines the right to decent housing for itinerant housing. It was amended by an ordinance of 6/03/2019 in order to grant the Government the necessary authorisations to set standards in terms of safety, health and facilities requirements specific to itinerant housing, including with regard to the sites made available to Travellers.

48. An ordinance of the Brussels-Capital Region aimed at regionalising the residential lease of 27/07/2017, came into force on 1/01/2018 and amended the Housing Code.<sup>12</sup>

### **Business and Human Rights**

#### **Response to paragraph 3 of the list of points**

49. On 20/07/2017, the Council of Ministers recognised the first National Action Plan "Business and Human Rights" (NAP).

50. The Belgian NAP<sup>12</sup> sets out 33 actions by the federal and federated authorities. Most of the actions pertain to the first pillar, which falls under "the State duty to protect against human rights abuses by third parties, including business enterprises".

51. The NAP is accompanied by an annex which provides an overview of the actions, with a range of information related to the implementation of the action and its follow-up.<sup>13</sup> The information specified for each of the 33 planned measures is as follows:

- The founding principle and the operational principle(s) of the UN Guiding Principles on B&HR in which the action takes place;
- The Sustainable Development Goals (SDGs) to which the implementation contributes;
- The public service(s) responsible for implementation;
- The deadline for implementation;
- An estimate of the means necessary for implementation.

52. As also stipulated in the follow-up process, an evaluation of the implementation of the actions, together with the stakeholders, took place on 23/05/2019. On this occasion, the Belgian stakeholders (business, trade unions, civil society, experts) shared their views on the work accomplished and on the best follow-up and prospects to be envisaged, in order to continue Belgium's commitment to the promotion and protection of human rights.<sup>14</sup> The aim of this meeting was to take stock of the implementation of the 1<sup>st</sup> NAP B&HR and to draft the outlines of the 2<sup>nd</sup> NAP.

53. The efforts made over the last two years by the working group for social responsibility of the Interdepartmental Commission for Sustainable Development in implementing the actions stand out in particular<sup>vii</sup>.

54. To address the issue of ILUC (Indirect Land Use Change) in the "Clean Energy for All Europeans" package, the revised EU Directive on Renewable Energy introduces a new approach. It sets limits for biofuels, bioliquids and high-risk ILUC biomass fuels, with significant expansion into land with high carbon stock. These limits will affect the quantity of these fuels that Member States can take into account to meet their national targets when calculating the overall national share of renewable energy and the share of renewable energy in transport. Member States will be able to use (and import) fuels covered by these limits, but they will not be able to include these volumes in the calculation of the extent to which they have met their renewable energy targets. These limits consist of a freeze at 2019 levels for the period 2021-2023, which will gradually decrease from the end of 2023 to zero in 2030.

55. The Directive also introduces a derogation from these limits for biofuels, bioliquids and low-risk certified ILUC biomass fuels.

56. To implement this approach, as required by the Directive, the European Commission adopted the delegated (EU) Regulation 2019/807, following the two-month review period for the European Parliament and the Council. This delegated regulation sets specific criteria for both areas: identifying high ILUC-risk feedstocks for which a significant expansion of the production area into land with high carbon stock is observed; and certification of low ILUC risk biofuels, bioliquids and biomass fuels.

57. The European Commission also adopted a companion report on the status of production expansion of relevant food and feed crops worldwide, based on the best available scientific data. The present report<sup>15</sup> provides information that Member States and certification schemes can use in conjunction with the criteria set out in the delegated regulation to identify high risk ILUC fuels and to certify low risk ILUC fuels.

58. The Belgian legislation on biofuels (until 2020) creates the framework for achieving the targets set at European level. It obliges economic actors to incorporate biofuels into the fuel mix and to reduce the greenhouse gas intensity of fuels. In so doing, it contributes to climate policy, while limiting the potential negative impact on the environment and society, in particular by applying strict sustainability criteria and limiting the maximum share of biofuels from food to 7%.

59. The biofuel policy for the period 2020-2030 is being drafted on the basis of the European Directive REDII. The restrictions, incentives and sustainability conditions imposed in this Directive will be fully integrated into the legislation.

## National Human Rights Institution

### Response to paragraph 4 of the list of points

60. In the context of the 2011 and 2016 universal periodic reviews, Belgium committed to establishing a national human rights institution in accordance with the Paris Principles. This commitment was also included in the Federal Government Agreement in October 2014.

61. Since 2014, the approach developed has consisted in setting up a National Human Rights Institution in several stages. The first stage consists in creating a Federal Human Rights Institution with general and residual powers to cover all matters falling within federal jurisdiction without affecting the powers already assigned to other bodies, and powers of consultation and general promotion to provide a comprehensive vision of human rights, while respecting the respective powers of each level of government.

62. The planned approach would enable the Institution to possibly be the subject of an inter-federalisation through the conclusion of a cooperation agreement between the federal State and the federated entities, in order to also ensure full coverage of human rights at the level of the federated entities and thereby complete the Belgian landscape for the protection and promotion of fundamental rights. Such an approach would also meet the requirements of the Paris Principles.

63. The law of 12/05/2019 establishing a Federal Institution for the Protection and Promotion of Human Rights entered into force on 01/07/2019. The call for candidates for membership of the governing board of this institution was launched at the end of July, with the actual appointment expected to take place shortly. The governing board will then have six months to recruit the staff necessary for the effective functioning of the Institution.

## Obligation to optimise the available resources

### Response to paragraph 5 a) of the list of points

64. The level of poverty (% of people at risk of poverty - AROP) and the level of inequality (S90/S40) remain stable. Fluctuations are not significant.<sup>viii</sup>

65. The amounts of the living wage by category are below the EU poverty threshold. However, since September 2015, these amounts have been indexed six times. They will be indexed again in January 2020. All statistics can be found at <https://stat.mi-is.be>.

66. In each legislature, a Poverty Reduction Plan, involving all federal administrations, is adopted and followed up.

### Response to paragraph 5 b) of the list of points

67. The National Accounts Institute (NAI) classifies government revenue into three categories: tax revenue, revenue from social (or "parafiscal") contributions and other government revenue. The latter includes, in particular, the so-called "non-tax" revenues in the federal government's budget. Table 1 in the notes shows the evolution of total government revenue, tax and social contribution revenue and tax revenue considered separately.<sup>ix</sup>

68. Overall, general government revenue in Belgium represented 51.27% of GDP (gross domestic product) in 2017. Since 2010, it has increased by 2 percentage points. Tax revenue was estimated at 30.7% of GDP in 2017, versus 28.7% in 2010. This is therefore also an increase of two percentage points. If social contributions are also taken into account, the corresponding revenues represented 44.3% of GDP in 2017 versus 42.6% in 2010, i.e. an increase of 1.7 percentage points.

69. Table 2 shows the evolution of tax and social security revenues as a percentage of total government revenue.<sup>x</sup>

70. In 2017, tax and social security revenues accounted for 86% of general government revenues and this percentage has remained stable since 2010. However, there is a change in the structure of revenues: the share of tax revenues has increased by two points and the share of social contribution revenues has decreased by two points.

Met opmerkingen [TJ-P1]: Nom officiel?



**Response to paragraph 5 c) of the list of points**

71. Between 2010 and 2018, value-added tax rates did not change. The standard rate remained at 21%. Products considered to be basic necessities are taxed at the reduced rate of 6%. The rate of 12% is used the least, it includes restaurant expenses.<sup>xi</sup>

72. The corporate income tax rate did not change between 2010 and 2019: it remained at 33%, plus the additional crisis contribution of 3%, i.e. 33.99%. The corporate tax reform adopted last year organises a reduction of this tax: it was set at 29.6% in 2018 and 2019, including the additional crisis contribution. In 2020, it will be 25%, which includes the abolition of the additional crisis contribution.

73. Personal income tax is a progressive tax. Taxable income is taxed at a rate that increases with income. The top tax rate in 2017 for federal tax was 50%. The tranches of the scale are indexed annually on the basis of the inflation of the previous year. Apart from this principle which is applicable to all nominal amounts, the only change was the enlargement of the tranche to 25% in 2016.

74. These rates include the federal share and the regional share but do not include local taxes. Municipalities are authorised to levy additional charges, and they are free to set the rate.

75. The tax rate for the highest bracket of personal income tax fell from 53.7% in 2010 to 52.9% in 2017.

76. These rates are calculated from statistics on the decile distribution of taxable income and tax. The most recent data are for the year 2016.<sup>xii</sup>

77. Between 2010 and 2016, the average personal income tax rate remained stable at around 23%. The average tax rate for taxpayers in the 10<sup>th</sup> decile increased by 1.79% between 2010 and 2013 and then decreased by 1.17% between 2013 and 2016.

78. The share of revenue collected from taxpayers belonging to the 10<sup>th</sup> decile rose from 45.08% of total personal income tax revenue in 2010 to 47.4% in 2016, i.e. an increase of 3.49%.

**Response to paragraph 5 d) of the list of points**

79. Public expenditure on social protection by category in million euro (current):

Totale	109.573	113.134	115.902	119.136	119.298	100
--------	---------	---------	---------	---------	---------	-----

Source: Sespros, eurostat.

**Response to paragraph 5 e) of the list of points**

80. Absolute levels of public expenditure on social protection (benefits + management costs) in millions of euros at constant 2010 prices to adjust for inflation:

	2012	2013	2014	2015	2016
En millions d'euros ajustés	108797	110914	113108	115671	115131
En % du PIB	29,60%	30,10%	30,20%	30,30%	29,60%

Source: Sespros, eurostat.

**Response to paragraph 6 of the list of points**

81. As the budgetary situation remains difficult, Belgium has not been able to increase budgets for development cooperation in recent years. However, they have not shrunk either.

82. Consequently, Belgium has focused on making better use of these budgets by implementing various measures to increase the effectiveness of aid. These include the extension of monitoring and evaluation systems, reforms of internal processes, increased transparency, and the mobilisation of private funds through innovative financing.

## Right of refugees and asylum-seekers to an adequate standard of living

### Response to paragraph 7 of the list of points

83. As a principle enshrined in Belgian law, the right to reception conferred on applicants for international protection, within reception facilities, is expressly intended to enable them to lead a life in keeping with human dignity, which implies the guarantee of adequate and quality housing and food.

84. In order to meet this objective, Belgium has an extensive reception network dedicated to applicants for international protection coordinated by the Federal Agency for the reception of asylum seekers (FEDASIL). This network, which currently has 25,237 places, is made up of a wide variety of reception structures, both collective and individual, offering accommodation and support adapted to the needs of applicants for international protection. During the decade 2010, the evolution of applications for international protection experienced significant fluctuations, with a high level of applications, especially in 2011 (32,271 applications) and 2015 (44,760 applications).

85. Between 2010 (and already since 2008) and the beginning of 2012, the number of applications led to saturation of the Belgian reception network and difficulties in guaranteeing accommodation and support for all entitled applicants for protection. In order to address these difficulties, various measures have been taken to enable the persons in question to be accommodated (increase in regular reception capacity, use of hotels, social assistance outside accommodation facilities, etc.).

86. A new European crisis in 2015 and 2016 prompted the Federal Government to increase the number of reception places for applicants for international protection to unprecedented levels, with capacity more than doubling in a few months (from 16,000 to 35,000 places). Despite the successive crises, Belgium has therefore been able to guarantee the right of applicants to an adequate standard of living.

87. On a more qualitative level, other important measures have been implemented:<sup>xiii</sup>

- A new reception model (effective from 2016) in which reception in collective centres is the norm and reception in individual accommodation with intensive support in the search for sustainable housing outside the reception network is reserved for applicants with a high chance of being recognised as refugees and those who have been granted international protection status;
- Collaboration agreements with the regional services for professional integration;
- Financial support for the projects of associations aimed at increasing participation in society and further preparing them for integration in the country;
- The organisation of 'neighbourhood initiatives' to integrate reception centres into their immediate environment, including projects of the municipality or local associations in which applicants can become involved.

88. Persons who have been recognised as refugees enjoy the same rights and social benefits as Belgian nationals. For applicants for international protection, the right to an adequate standard of living is guaranteed by their right to material assistance, including accommodation, meals, clothing, medical, social and psychological support, a daily allowance as well as legal aid, and services such as interpretation and training.

89. In the Flemish Community,<sup>xiii</sup> the right to an adequate standard of living is guaranteed in the first place by access to employment, and consequently to an income. Applicants for protection have access to the services of the VDAB (Flemish employment service) after 4 months. Various actions and projects have been launched by the VDAB and its partners in order to facilitate refugees' access to employment. The right to an adequate standard of living for persons who have been granted international protection status is also guaranteed by the granting of social allowances (family benefits, Flemish social protection, higher education allowances, services for students in higher education and assistance interventions for persons with disabilities). With regard to access to housing, there are no specific measures for persons who have acquired international protection status. The instruments of social housing policy

are open to all long-term residents of the territory (see question 2). Persons who have acquired international protection status can receive housing and psychosocial support from general social welfare centres. Specific measures have also been taken for the reception of unaccompanied foreign minors (UFM).

90. The Brussels Ordinance on integration was approved by Parliament in 2017. Given that the Flemish and French-speaking communities are also competent to organise integration programmes in Brussels, a cooperation agreement between the Joint Community Commission (COCOM) on the one hand and the Flemish Community and the French Community Commission (COCOF) on the other was necessary. This cooperation agreement was approved in April 2019. It means that compulsory integration in Brussels can start on 01/01/2020.

91. This new system means that newcomers who are adults, under 65, who have been legally resident in Belgium for less than three years and who are registered for the first time with a residence permit for more than three months in the national register of a municipality in the bilingual territory of Brussels-Capital, must start an integration programme. The integration process includes a language component (Dutch or French) and a citizenship course. This process is mandatory only for non-EU nationals.

## Climate change

### Response to paragraph 8 of the list of points

92. The inclusion of climate policy in a broad context of sustainable development and human rights is one of the cornerstones of the Belgian position in international climate negotiations. During the negotiations on the Paris Agreement, Belgium, together with other countries, successfully lobbied to have the link between human rights and climate change and climate policy included in the agreement.

93. In the framework of the United Nations Framework Convention on Climate Change (UNFCCC), Belgium has actively participated in processes related to a rights-based approach, such as the Gender Action Plan<sup>16</sup>, the Local Communities and Indigenous Peoples Platform<sup>17</sup> and the Action for Climate Empowerment. In Katowice, Belgium was a signatory to the Solidarity and Just Transition Silesia Declaration<sup>18</sup>. Within the FOR ALL Coalition, Belgium actively supports the movement to keep the link between human rights, gender, environment and climate on the agenda.

94. Like other EU Member States, Belgium does not have its own NDC (Nationally Determined Contribution), but makes climate efforts within the framework of the European NDC, enshrined in European legislation, which aims to reduce greenhouse gas emissions through internal climate measures by at least 40% by 2030 compared to 1990. The sectors covered by the EU Emissions Trading Scheme must reduce their overall greenhouse gas emissions by 43% by 2030 compared to 2005. For the sectors not covered by the European emission trading scheme, Belgium has been given the objective of reducing greenhouse gas emissions by 35% compared to the 2005 level, under the Effort Sharing Regulation.

95. Belgium advocates for a climate policy based on sound science and welcomes the special report of the Intergovernmental Panel on Climate Change on warming of 1.5°C. This report provides the scientific basis for the ongoing political discussion on the long-term European strategy, which in turn will form the framework for the Belgian long-term strategy.

96. In the context of the Benelux Talanoa Declaration,<sup>19</sup> Belgium, together with the other Benelux countries, has requested the European Commission to examine options for raising the European NDC in a balanced, transparent and equitable manner in order to ensure consistency with a long-term path towards carbon neutrality, and at the same time invites all countries to do the same.

97. The policy measures to achieve Belgium's greenhouse gas emission reduction targets are set out in the draft National Energy & Climate Plan (PNEC in French) which, after public consultation and the response of the EC, will be approved in its final form by the end of 2019. The PNEC addresses the need for a just transition and highlights fuel poverty.

98. In the context of the programme for the purchase of emission credits for the first commitment period (2008-2012) of the Kyoto Protocol and in the context of reducing the greenhouse gas intensity of transport fuels (European Fuel Quality Directive), Belgium has laid down additional sustainability criteria which are applied to projects generating emission credits and which aim to avoid a negative impact on the socio-economic and cultural rights of local communities by consulting these communities as much as possible from the start of these projects and by taking their possible concerns into account.

99. In addition to reducing emissions, Belgium also needs to adapt to climate change. To this end, a National Adaptation Plan has been developed to complement regional and federal adaptation plans. In different sectors, actions are being taken to preserve the socio-economic and cultural rights of the Belgian population in the face of the negative impact of unavoidable climate change.<sup>20</sup>

100. In allocating its climate financing, Belgium takes into account the fact that the most vulnerable countries and communities are hardest hit by climate change. Belgium gives high priority in its multilateral climate financing to the Least Developed Country Fund (contribution of €82.7 million over the period 2009-2017) and the Adaptation Fund (contribution of €37.7 million over the period 2013-2017). Belgium also devotes special attention to the specific adaptation needs of its partner countries in the context of development cooperation. Over the period 2013-2017, €207.99 million was allocated for adaptation measures, €140.83 million for cross-sectoral activities and €78.21 million for mitigation activities in partner countries.

## Sustainable Development Goals

### Response to paragraph 9 of the list of points

101. Belgium has a robust institutional framework and mechanisms in place to ensure the implementation of the SDGs, as well as the necessary coherence and coordination - both vertical and horizontal - between the different federal and federated entities. The link with economic, social and cultural rights is primarily ensured by these instruments, for example:

- Article 7 bis of the Constitution, which provides (translation): "In the exercise of their respective powers, the federal State, the communities and the regions shall pursue the sustainable development goals, in their social, economic and environmental dimensions, taking into account solidarity between generations";
- The adoption of sustainable development strategies at every level of power.<sup>xiv</sup> Various objectives have been set out, whether in the form of access to human rights or through the achievement of these;
- Multilateral and EU coordination mechanisms.

102. With regard to instruments and/or concrete examples, we can cite, inter alia:

- The federal long-term strategic vision of sustainable development, adopted by the Royal Decree of 13/07/2013, sets 55 objectives for 2050. Various objectives have been set out in the form of access to or achievement of human rights;
- The next Federal Sustainable Development Plan (2020-2024) is currently being drafted, which aims to contribute to the achievement of the SDGs, particularly those for which additional efforts have been identified through a gap analysis (2017);
- The Regulatory Impact Analysis (2014), which assesses the potential impacts of draft regulations submitted to the Council of Ministers on 21 themes structured around a sustainable development approach and which allows for the assessment of the impact on the achievement of economic, social and cultural rights;
- The opinions of the Federal Council for Sustainable Development, which is made up of representative civil society organisations, frequently emphasise the importance of ensuring the exercise of rights in such a way that the needs of present and future generations can be met;

- The Belgian report on the implementation of the SDGs in the context of the High Level Political Forum (first edition in 2017);
- Various other specific projects initiated by the Federal Institute for Sustainable Development (IFDD in French).<sup>xv</sup>

## Non-discrimination

### Response to paragraph 10 of the list of points

103. In 2016, at the federal level, a commission of experts was tasked with evaluating the three anti-discrimination laws. Its mandate covers the period 2016-2021. The Commission of Experts finalised an [interim report](#) in February 2017 with 33 recommendations to improve the effectiveness and enforcement of the legislation. Legislation incorporating some of these recommendations is currently being drafted. Since September 2019, with a view to preparing its final report, the Commission of Experts has continued the interviews with stakeholders on the ground, on the application of anti-discrimination laws in their daily work.

104. Chapter 9 of the Law of 15/01/2018, which contains various provisions on employment, introduced into the Social Penal Code the possibility for social inspectors to carry out 'mystery shopping' in the context of discrimination in the workplace.

105. Through their collective labour agreements (CLAs), the social partners also aim to combat discrimination and promote the integration of foreign nationals into the labour market. In effect, a CLA concluded within the National Labour Council (CNT in French), CLA No. 95 of 10/10/2008 concerning equal treatment in all phases of the employment relationship, aims to eliminate, in employment relations, any discrimination based on a range of criteria including race, colour, descent or national or ethnic origin. Various joint committees have also concluded CLAs to combat discrimination and promote diversity. At the same time, a code of conduct concerning equal treatment in the recruitment and selection of workers has been adopted and CLA No. 38 on the recruitment and selection of workers was amended to bring it into line with these developments.

106. Some sectors have introduced veritable codes of conduct to be respected by employers, particularly during recruitment. This is, for example, the case of the joint committee on temporary agency work and authorised companies providing local works or services. Other sectors have introduced a general clause in their CLAs recommending that employers do not discriminate and promote diversity within companies. This is, for example, the case of the joint committee for steelworkers and the joint committee for cleaning.

107. Additional elements concerning employment can be found in the response to question 11.a.

108. The financial resources of the AMIF (Asylum, Migration and Integration Fund) are divided between the communities and the federal public service. The latter promotes, through the AMIF, the effective integration of non-EU nationals. Two types of projects are funded: projects enabling the social activation of people from third countries (2015-2016) and projects facilitating the training of social workers (2016-2018).<sup>xvii</sup> These training courses enable the social workers of the CPAS to provide adapted social assistance to people suffering from psychological disorders linked to the migration process (2018-2019).

109. The development of a Flemish equal opportunities policy is the responsibility of the entire Flemish government. In addition to the functional policy of the Minister for Equal Opportunities, the Flemish government is required to define a framework of horizontal objectives nine months after it takes office.

110. For the period 2014-2019, the French Community adopted and implemented an anti-discrimination action plan focusing on three objectives: equality and diversity among young people; diversity in the media, culture and new media; and coherence of public action.

111. The Walloon Civil Service Code currently sets the employment quota for persons with disabilities at 2.5% of the envisaged workforce. As long as this percentage is not reached, 5% of new hires are reserved for people with disabilities. This measure applies to Walloon

Government departments and public-interest bodies whose staff are subject to the status of civil servants of the Region.

**Response to paragraph 11 of the list of points**

112. In addition to the measures detailed in point 10, at the federal level, the Royal Decree of 11 February 2019 concerns the positive action that an employer may take with regard to risk groups (young people, people with low levels of education, workers aged 55 and over, people from ethnic minorities or migrants). This decree is intended to provide legal certainty for employers who would like to initiate such measures and is aimed at the private sector.<sup>xviii</sup>

113. As regards the figures, these are essentially provided by Unia, which is also competent to receive reports of alleged discrimination. The end notes contain the figures for 2013-2018.<sup>xix</sup>

114. The Ordinance of 16/11/2017 to combat discrimination in employment in the Brussels-Capital Region now allows regional employment inspectors to carry out tests for discrimination in employment, in the exercise of their duties. In the Flemish Region, "mystery calls" have been organised as part of the action plan concluded with the service cheques sector.

115. When a mediation solution with the employer cannot be found, complaints are forwarded to the Regional Employment Inspectorate for possible criminal action. This new regulatory framework gives inspectors the power to carry out discrimination tests through situation testing (sending similar curriculum vitae except for a plausibly discriminatory criterion) and/or mystery calls. These tests must be carried out without any provocation and only after a complaint has been lodged and backed up by serious evidence. If a PV (official report) shows irregularities, it is forwarded to the Labour Inspectorate. In the event of conviction by the courts, the offender will also have to repay the regional aid received.

116. Such a dissuasive and enforcement mechanism is intended to limit discriminatory acts during recruitment procedures. It is intended to ensure that the prohibition of all forms of discrimination is firmly entrenched in people's mentalities.

117. Following proposals made by civil society in May 2017, the Brussels-Capital Region launched an Action Plan<sup>21</sup> against racism and discrimination specific to the Brussels-Capital Region. This was adopted by the government of the Brussels-Capital Region in February 2019. The plan consists of 23 actions to be undertaken over the period 2019-2020. In the Belgian federal context, the Region acts in its areas of competence, in particular employment and housing. In this spirit, the public employment service for the Brussels-Capital Region, Actiris, manages the Anti-Discrimination Office, which specifically aims to inform its customers about all forms of discrimination in recruitment and to receive any jobseeker who feels they have been discriminated against, for analysis and an appropriate response. A new action plan to strengthen this office will be put in place by 2022.

**Response to paragraph 11 a) of the list of points**

118. The Interfederal Action Plan against discrimination and violence against LGBTI Persons 2018-2019<sup>22</sup> contains actions that fall within the competence of both the federal authorities and the federated entities, including in the area of access to employment and access to health care. It has now been finalised and evaluated after consultation with civil society (see question 28 for additional information).

119. At the federal level, focus groups on intersex people were held in 2018 and 2019 to examine whether consensus can be reached on the terminology and conceptual delineation to be used when talking about intersex people. An educational video and an information brochure accessible to all are being finalised to provide reliable and practical support.<sup>xx</sup>

120. Ten years after the first study, the Institute for the Equality of Women and Men (IEFH in French), in collaboration with the Transgender Information Point (UZ (university hospital)-Gent) published its study "Being a transgender person in Belgium, ten years later", based on a broad survey of trans people. It was published in December 2018 and widely disseminated at a study day.<sup>23</sup> The study takes stock of the legal and social situation of transgender people in Belgium and their experiences of discrimination.

121. In the area of employment the Minister of Employment sent a letter to all joint committees and sub-committees on 13/12/2018 asking them to adhere to a charter setting out the strategy to combat discrimination and violence against LGBTI people. By the end of April 2019, 17 joint committees or subcommittees had already responded positively. Additional elements concerning employment can be found in the response to question 10.

122. As regards the Flemish Region and the Flemish Community, the Transgender Information Point (TIP)<sup>24</sup> was set up in March 2013 with a Flemish subsidy to UZ Gent. Unique in Europe, the TIP provides transgender people and their environment with transparent, up-to-date and scientifically correct information, whether or not they are following a medical pathway. In 2017, the TIP was integrated into the organisations which are structurally financed by the Flemish equal opportunities policy. The TIP provides comprehensive information on its website, and offers reception 4 days a week. Their digital report clearly indicates the need for an organisation of their kind: since 2015, the number of calls made to them has increased by 20% per year.

123. An information tool for the medical sector has also been launched<sup>25</sup> based on various research recommendations from 2015, according to which people working in non-transgender-specific care facilities should have the knowledge and skills to assist not only transgender people, but also their relatives and children. The website<sup>xxi</sup> is intended for "non-transgender" medical assistance professionals (general practitioners, psychosocial staff, etc.) and people working in a medical environment, without being health care providers.

124. The Flemish Community has carried out a study on the life situation of intersex people and an information website on intersex issues, [www.ideminfo.be](http://www.ideminfo.be), has been launched.

125. The Walloon Region has amended its decree of 6/11/2008 combating certain forms of discrimination, so that it provides greater protection to more Walloon citizens, emphasising gender expression and gender identity, among other things (Walloon Decree of 2/05/2019).<sup>26</sup> The Arc-en-ciel (rainbow) Federation, as well as 7 Rainbow houses, were accredited between 2016 and 2019 to provide local support to both individuals and operators active in the fight against discrimination, the promotion of rights and assistance to LGBTI people.

126. The Brussels-Capital Region has anti-discrimination ordinances in four areas, in the civil service, employment and housing, and a fourth ordinance to combat certain forms of discrimination and promote equal treatment. These include sexual orientation and gender identity as grounds for discrimination.

127. The Brussels-Capital Region has a legislative arsenal to combat discrimination in employment, including discrimination based on sexual orientation, gender and/or gender reassignment.<sup>27</sup> The work is carried out in close cooperation with the equal opportunities bodies Unia and the IEFH.

128. In the Brussels-Capital Region, information and awareness-raising sessions on transgender persons were organised in 2018-2019 for local authorities following amendments to the Law on Transgender Persons of 2007.<sup>xxii</sup>

#### **Response to paragraph 11 b) of the list of points**

129. In general, as regards the Roma community, there is little or no statistical data available, given the legal prohibition of taking census on the basis of national or ethnic origin. However, it is important to bear in mind that Belgium, in its integrated packages of policy measures, recognises that the Roma are a disadvantaged group who are extremely vulnerable to social exclusion and poverty. Due to its multidimensional nature, the fight against poverty and social exclusion therefore requires an integrated approach at multiple policy levels. The integrated package of policy measures incorporates this necessarily integrated approach, and should be seen as a thematic sub-plan with a targeted approach as part of the broader strategy to combat poverty and social exclusion. The federal poverty reduction plan should be mentioned at this point.

130. The Belgian National Contact Point for Roma (PCNR in French) - an administrative working group in which the relevant administrations of the federal government and the regions and communities have been represented since 2016 - contributes to the intersectoral coordination of the implementation and monitoring of the integrated packages of policy

measures. Moreover, the PCNR facilitates the participation and involvement of civil society (Roma) in the implementation of an integrated package through the National Platform for Roma created in 2016 (see question 28). Dialogue and cooperation takes place on a regular basis between the equality body and the PCNR through a structural dialogue. The equality body is a member of the core team of the National Platform for Roma.

*Access to education*

131. See the response to question 26b.

*Access to vocational training and the labour market*

132. In the Flemish Region, actions specific to the Roma target group are not structurally integrated in the VDAB's offering. The service provided by the VDAB consists of an individual inclusive service. Depending on individual needs, career plans are tailor-made, in line with the job search.

133. Within the VDAB, there are accompanying measures for the most vulnerable groups, which the VDAB implements itself or through its partners. This may relate to language, civic integration, skills and abilities, childcare, social, medical and psychological problems, mobility issues, career guidance, etc.<sup>xxiii</sup>

134. With the support of the Flemish ESF, the VDAB offers support and training to Roma jobseekers.

135. Since the decree of 27/03/2014, the Walloon Region has set up an integration programme for foreign nationals and people of foreign origin, such as the Roma. One of the axes of the integration process consists of a socio-professional orientation towards the appropriate mechanisms, by supporting certain projects that aim to remove obstacles to accessing existing employment mechanisms for foreign nationals. The socio-professional aspect is therefore taken into account in the integration process. In effect, a socio-professional assessment is proposed in the agreement if deemed necessary at the start of the process.<sup>xxiv</sup>

*Access to health care*

136. Belgium does not have any (health care) data based on ethnicity, so it is impossible to make any assertions on the access of Roma to health care, based on figures. A significant number of Belgian hospitals offer intercultural mediation services with the aim of minimising the effects of language and cultural barriers on the accessibility and quality of care for migrants and ethnic minorities, including Roma.<sup>xxv</sup>

137. In addition to the intercultural mediators funded by the Federal Public Service (FPS) Public Health, there are mediation services in certain cities (e.g. Brussels and Namur) that focus specifically on Roma, some of which are also active in health care.

138. Since 01/04/2015, the "mobiel vaccinatieteam Vlaanderen" (mobile vaccination team) has been travelling throughout the Flemish Community in order to make hard-to-reach target groups aware of the importance of vaccination and to vaccinate them free of charge. The focus is on immunising children, but other groups can also use the mobile immunisation team.<sup>xxvi</sup>

139. In the Walloon Region, the social services and the integration process also deal with health issues.<sup>xxvii</sup>

*Access to housing*

140. Like other people in need of housing, Roma can use the instruments of the Flemish social housing policy if they stay in Belgium on a long-term basis: the social rental system, the offer to sell housing at social conditions, the offer of loans at social rates, rent subsidies and rent grants.<sup>xxviii</sup>

141. The Brussels-Capital Region has amended article 191 of the Housing Code, which enshrines the right to decent housing for itinerant housing, by an ordinance of 6 March 2019, in order to grant the Government the necessary authorisations to set standards in terms of



safety, health and facilities requirements specific to itinerant housing, including with regard to the sites made available to Travellers.

*Measures against negative stereotyping of Roma*

142. In Brussels, Antwerp, Ghent and Sint-Niklaas, neighbourhood stewards have been appointed in areas where many Roma live. These neighbourhood stewards are the bridge between the Roma population, municipal services and social services.<sup>xxx</sup>

143. In the Walloon Region, as foreign nationals or persons of foreign origin, the Roma benefit from the measures taken as part of the Walloon policy for the integration of foreign nationals and persons of foreign origin (including the integration pathway). The Walloon Region has also granted the Mediation Centre for Travellers and Roma on Walloon territory a subsidy for the Integroms project, which consists in helping and accompanying homeless Roma families. These people encounter increasing obstacles in their social, professional, cultural, educational or civic integration, which are the cause and result of widespread discrimination and stigma that disorient the associations and services responsible for supporting them socially, administratively and professionally.

144. The COCOM subsidises the non-profit association Foyer, which acts as a mediator between Travellers and public authorities, municipal services, schools and other social partners.<sup>xxx</sup>

## Right to work

### Response to paragraph 12 of the list of points

145. Employment is a regional competence. For this reason the conditions differ depending on the region concerned. Given the large amount of statistical data can they be found in Annex 2.

146. In the Flemish Region the Flemish target group policy came into force on 1/07/2016, got adapted in 2018 and has been further strengthened since 1/01/2019. Through this policy the employment of low-skilled young people, people under 58 years of age and disabled people is encouraged through reductions in wage costs.<sup>xxxi</sup>

147. In 2018 a series of reforms were implemented to strengthen the labour market and ensure a better integration of people with disabilities at work. The "Vlaamse Ondersteuningspremie" (VOP) - a bonus that is granted to employers who employ someone with a disability and compensates for possible additional costs or lower productivity - has been extended to the self-employed as a complementary measure. A temporary VOP has also been created to support people still in treatment or rehabilitation.

148. The "Collectief Maatwerk" (collective adapted work) was launched in the social economy on 1/01/2019. It erases the distinction between sheltered workshops and social workshops. The reform simplifies the conditions for social economy enterprises to obtain subsidies and support measures and aims to harmonise them more effectively. Not only do the new regulations make it possible to have companies with adapted work (at least 65% of the staff is far removed from the labour market), but also departments of adapted work (at least 5 FTEs) within companies of the normal economic landscape.

149. For jobseekers with medical, mental, psychological, psychiatric or social problems (MMPP) work and care pathways were introduced in 2018. These are preliminary pathways that prepare for the regular activation pathways, established by the jobseeker in consultation with a 'Work' case manager and a 'Care' case manager. These pathways can last 3 to 18 months. In 2019, 1,100 people will be able to start such a pathway.

150. By providing service cheques the Flemish government offers households a simple and affordable tool to pay for the services of a household helper, enabling them to continue to work full-time if household chores are an obstacle. Persons who work part-time (in order to care for their children or other family members) can apply for a supplementary allowance from the Flemish authorities in addition to the federal allowance for this purpose.

151. The Walloon Region has been offering a range of services for young people since many years. This offering has been expanded in the context of the European recommendation Youth Guarantee Scheme, particularly for young people registered as jobseekers after their studies. The aim of the Youth Guarantee Scheme is to offer any young person under the age of 25 a quality job, training, apprenticeship or internship within 4 months of registering or re-registering as a jobseeker.

152. The measures taken for young people are centred around five areas: information, individualised support, training and work-linked training, and work experience placements.

153. The Walloon Region supports the development of new training courses for workers paid with service cheques. Most of these are women working in the cleaning sector. The aim is to train these women to ensure they can find better quality jobs.<sup>xxxii</sup>

154. The Region has also introduced a specific financial incentive to promote the recruitment of jobseekers and workers aged 55 or older: "Impulsion 55+". Employers (in the market sector) who hire persons of 55+ years old benefit from reductions in employer social security contributions granted until the age of retirement of the hired person.

155. The Agency for Quality Living grants financial aid to disabled workers and/or the companies that employ them. Three bonuses can be highlighted: the mentoring bonus, which is a financial contribution granted to a company that appoints a mentor to accompany and guide a newly recruited disabled worker; the integration bonus, which is a financial contribution to encourage the recruitment of a disabled worker; and the compensation bonus, which is based on a contribution to the wage cost granted to the company to offset any additional cost of the measures it takes to enable the worker to carry out his/her duties, if this additional cost is linked to the disability.

156. The Occupational Experience Fund is a service that aims to improve the working conditions of workers aged 45 and older and thereby encourage them to remain in employment. A grant can be obtained for the purchase of equipment or participation in training that targets this improvement.<sup>28</sup>

157. In the Brussels-Capital Region young people under 25 years of age, particularly those without higher secondary education qualifications, are an important target group in the context of the objectives set by the Brussels Youth Guarantee Scheme,<sup>29</sup> a scheme coordinated by the government and whose projects and services have been financed via the European Social Fund, the Youth Employment Initiative and the Region.

158. In this context offers Actiris, together with Bruxelles Formation and the VDAB Brussels, every jobseeker under 25 years old registered after their studies an offer of internship, training or employment within 6 months after registration. To this end, Actiris has completely reorganised the support for young people exclusively setting aside the afternoon time-slots for all advisers in the branches so they can provide individual guidance. This allows for an introductory information session in the first week of registration and a first interview with their adviser in the branch within a month of registration. New approaches have been introduced such as the compulsory language test, the individual action plan, agreed between the young person and their counsellor, and the referral to the partners Active Job Search Workshops (ARAE in French) and Local Missions/Lokale werkwinkels. Finally, Actiris has created a new service, the Youth Guarantee Service, with 40 job coaches who match young people with employers offering internship places or employment contracts. The new internship scheme created within this framework, Stage First, has given 5,300 young people their first work experience since 2013 and has been recognised as best practice in Europe.

159. Finally, Actiris, the VDAB Brussels and the Flemish ESF (European Social Fund) agency, created a first Brussels offering for young NEETs (Not in Education Employment or Training) in 2015. In 2019 this pilot experiment resulted in the launch of a call for projects leading to 11 partners carrying out projects to reach out to NEETs, gain their trust and bring them closer to the labour market.

160. As regards training for French-speaking jobseekers in the Brussels-Capital Region, Bruxelles Formation has undertaken to guarantee 3,000 training places per year for Brussels

job seekers younger than 25. The orientation of these young people towards training made it possible to increase the number of participants by 13.9% between 2014 and 2018.<sup>30</sup>

161. Secondly, Bruxelles Formation, in partnership with Actiris, has the task of guaranteeing 2,000 training places in companies every year for people younger than 25. This objective was achieved as early as 2014 with a significant increase in participation between 2014 and 2018 (a 49.6% increase in young people in internships and in-company training). As such, in 2018 2,143 training places were provided and 1,500 individual trainees benefited.

162. Actions have been taken to strengthen the upstream and downstream aspects of training, in particular the training of advisers. Tailored advice has also been prioritised without neglecting the collective aspect of information, thanks to the organisation of some fifty information sessions for young people in 2018.<sup>xxxiii</sup>

163. As part of the Training Plan 2020 (Plan Formation 2020)<sup>31</sup> which is intended to improve the participation of Brussels residents in employment, a measure was launched in 2016 aimed at doubling the number of people with disabilities in vocational training. Bruxelles Formation therefore actively participated in the "Handistreaming" working group<sup>32</sup> which led to the creation of an Action Plan. This Plan is structured around 5 priorities.<sup>xxxiv</sup> In addition, in 2019 Bruxelles Formation launched a call for projects among operators<sup>33</sup> of training for people with disabilities which gave them the opportunity to propose new actions or to reinforce existing actions.

164. In order to promote diversity within companies and organisations in Brussels, Actiris together with the social partners, offers diversity plans (with subsidy and coaching) and a diversity label for employers who invest in recruiting and/or retaining diversity target groups (young people, seniors, foreign origin, under-qualified, disabled).

165. For jobseekers with a disability or serious health problem Actiris internally works with a specialised service and with specific partners. For people suffering from psychological/medical or social problems a preliminary pathway exists offered by Actiris' partners, which should allow them to evaluate the possibilities of (re)integration into the labour market and, if this is successful, prepare them for a job search or training pathway.

166. For jobseekers aged 50 and over Actiris has launched a call for projects and tailor-made support, which includes an aspect of awareness-raising and working with employers.

167. The Brussels-Capital Region has created a regulatory initiative to enable these workers, thanks to training courses partially reimbursed via the Training Fund for service cheques, to reorient themselves outside the sector, and thereby access less physically demanding or better-paid jobs. In addition, numerous training courses incorporating the principles of ergonomics, back protection, hazard prevention, efficient work organisation, etc. are regularly subsidised by the Training Fund for service cheques enabling people to exercise their profession in the best possible conditions.

#### **Response to paragraph 13 of the list of points**

168. In the Flemish Region the project "Integratie door Werk" (Integration through Work), a collaboration of the VDAB with the "Agentschap Integratie en Inburgering" (Agency for Integration and Civic Inclusion) and Fedasil, which helps refugees to find work as quickly as possible through a short integrated pathway, has been so successful<sup>34</sup> that it has been identified as best practice by the EU. This approach has been further refined and integrated into the regular work of the VDAB. Language barriers to attend training courses are to the utmost eliminated. To the extent possible, integrated training is offered, combining language and technical skills. Through partnerships with education, the social economy and local authorities, language coaching in the workplace is provided to training participants, also in IBOs ('FPI' (Individual Vocational Training)). Services and mentoring for highly skilled newcomers have also been enhanced inter alia on the basis of the experiences of the "@level2work" project.

169. The Action Plan to combat discrimination in the workplace (Actieplan ter Bestrijding van Arbeidsgerelateerde Discriminatie-ABAD) has been extended to include actions in the field of monitoring and sanctioning. An agreement has been reached with the service cheque industry regarding mystery calls. The main aim of these calls is to raise awareness, but they

will lead to intervention by the Flemish inspection services in the event of repeated infringements. In the new generation of sectoral agreements for 2018-2019, financial assistance from public authorities has been made conditional on acceptance of a sectoral code of conduct on non-discrimination.

170. In the context of an inclusive and horizontal integration policy, measures are taken in all Flemish policy areas for the integration of persons of foreign origin.<sup>xxxv</sup> The "Vlaams Horizontaal Integratiebeleidsplan" 2015-2019 (Horizontal Integration Policy Plan) was updated for this purpose in 2018 and includes measures for education and employment among others.

171. The measures taken by the Flemish Region to facilitate access to employment for the Roma community are described in question 11b.

172. The measures taken for vocational education are favourable to all students and take account of vulnerable target groups. Since 2011 various reforms have been implemented in secondary education, which are also beneficial for these target groups. The underlying principle is that the choice of technical and labour market-oriented study pathways should be made in a conscious and informed manner and from a positive perspective.<sup>xxxvi</sup> and annex 3

173. In 2015 the Walloon Region set up an integration pathway for newcomers. The aim of the Integration pathway is to welcome and accompany new foreign residents of the Walloon Region by helping them acquire basic knowledge of how society and social relations work in Belgium and to facilitate their integration and thereby assist their employment.

174. Newcomers are obliged to follow the Integration pathway within 18 months (which may be extended) from the date of applying for their residence permit.

175. Since its adoption, the integration pathway has been adapted to better meet the needs of migrants. In particular, financial resources have been mobilised by the Region to strengthen the "socio-professional integration" strand.<sup>xxxvii</sup>

176. It should also be noted that Forem and Fedasil concluded a cooperation agreement in August 2017. This collaboration intended to promote the socio-professional integration of asylum-seekers in the Walloon Region makes it possible to organise information sessions for residents in reception centres on the services offered by Forem and on the labour market. Next to this does it facilitate support for asylum-seekers in all their professional integration procedures.<sup>xxxviii</sup>

177. At the same time, the Regional Missions for Employment (MIRE in French) have been reinforced by job coaches who are responsible for newcomer groups. The MIRE have developed methodological tools to better look after this specific target group.

178. Finally, the Centres for Socio-Professional Integration (CISP in French) also welcome foreign nationals legally residing on Belgian territory who are not subject to compulsory education and who hold at most a certificate of 3-year secondary education or an equivalent title. The CISP training courses are aimed at professional orientation, basic and/or vocational training. Just under 10% of the trainees (about 1,300 people) had a place in the CISP in 2017.<sup>xxxix</sup>

179. In the Brussels-Capital Region, as the Brussels public body for vocational training, Bruxelles Formation does not collect data on the nationality of its trainees. However, it is possible to target trainees in training centres whose diplomas were obtained abroad and who are non-EU nationals. As such, among the 11,579 jobseekers trained in 2017, 23.7% were targeted.<sup>35</sup>

180. In 2018-2019 Actiris signed 3 agreements with the "Agentschap Integratie en Inburgering",<sup>xl</sup> the VDAB Brussels and the "Huis van het Nederlands",<sup>36</sup> with the Welcome Offices for newcomers and with Fedasil to facilitate the integration of newcomers into the labour market. At the same time, an internal Actiris strategic project is being prepared to better identify newcomers in the databases in order to offer them adapted support and access to employers.

181. For Allophone jobseekers (in Brussels, almost 1 out of 10 jobseekers does not speak French or Dutch), Actiris offers a social interpreting service in 22 languages. This service

covers all types of interviews during 6 months; from the first appointment to the job information interviews and the professional assessment.<sup>xii</sup>

182. In June 2019, for the first time, the Brussels-Capital Region published a diversity monitoring focused on jobseekers.

183. In terms of measures undertaken to promote access to training for people of foreign origin we can highlight language training, particularly "French as a foreign language". The number of available places<sup>37</sup> for this training was increased between 2015 and 2018 (+11.7%)<sup>38</sup> in order to meet the growing demand of people with language difficulties who cannot access vocational training without the necessary foundations. The offering has been diversified with targeted professional language courses.

184. Since 2016 the Skills Validation Consortium has been experimenting, in collaboration with Local Missions in Brussels, with support intended for people who are inadequately prepared for the skills validation tests, partly due to their limited proficiency in French. This support thus offers a module of "profession-oriented French". While the primary aim of this "FLE VAL" scheme is to facilitate access to employment for foreign nationals, skills validation also makes it possible to encourage access to vocational training by exempting certain modules for which these skills have been acquired in the past.

185. As proficiency in French is an essential factor an additional measure has been put in place: the creation of a Language Orientation Centre (EOL) to harmonise the links between the Brussels-based providers of "French as a foreign language" training and to improve the service to the public.<sup>xiii</sup>

#### **Response to paragraph 14 of the list of points**

186. In order to give effect to Convention No. 189, the Law of 15 May 2014 amended the Law of 4 August 1996 on the well-being of workers in the performance of their work, with regard to domestic workers and household staff.

187. Article 2, §4 of the Law on Well-being, which excluded domestic workers and household staff from its scope, has been repealed.

188. Article 4, §1, paragraph 3 of the Law now specifies that the King may lay down specific measures to take account of the specific situation of domestic workers and household staff. However, this law of 15/05/2014 is not yet in force as it will come into force on the date determined by the King. A draft Royal Decree was submitted to the social partners in the Higher Council for Prevention and Protection at Work and received a negative opinion. The Council prefers to favour a more practical-oriented approach rather than a theoretical approach limited to a regulatory text, by associating the partners on the ground who are the prevention services and insurers. The social partners argue that Article 13 of Convention No. 189 requires member states to take effective measures taking into account the particular characteristics of domestic work. In this perspective, the social partners have drawn up a working document (6/09/2016) which is now being submitted to these partners. Among other things, the idea is to set up prevention tools (website, brochure, workpost sheet, etc.) for employers and domestic workers themselves. There is a real desire on the part of the social partners to succeed in developing instruments adapted to the specific realities of domestic workers in the field. This work will then be formalised in a Royal Decree to ensure the entry into force of the law of 15/05/2014.

189. In the area of social security, legislation has also been amended. The Royal Decree of 1/10/2014 provides for all domestic workers and domestic staff to be subject to social security. Since then, they have enjoyed social protection equivalent to ordinary workers.

190. In 2013 the Good Offices Commission was set up, for the staff in embassies and consular posts, which is inter alia responsible for settling disputes between embassy staff and their employers. Since its establishment its members have made various concrete proposals, including extending the scope of the Law of 5/12/1968 on collective agreements and joint committees to include diplomatic missions and consular posts.

191. This extension seemed to be a definite condition for introducing a legal and decent status for local staff working in diplomatic missions.

192. The law of 5/12/1968 on collective labour agreements and joint committees has recently been amended by the law of 15/01/2018 laying down various provisions on employment by adding in particular point 1/1 to Article 2, §3 (translation) "diplomatic missions, missions to international organisations with their headquarters in Belgium, consular posts and foreign diplomatic agents or consular officials, as regards their staff who do not enjoy a privileged status under the Vienna Conventions of 18/04/1961 on Diplomatic Relations and 24/04/1963 on Consular Relations or any other applicable international instrument, are subject to the scope of application of the Law of 05/12/1968."

## Trade union rights

### Response to paragraph 15 of the list of points

193. In general there is no consensus on introducing a so-called "strike law". What has recently been introduced by law, however, is the regulation on minimum service for the railways (2018) and within prisons (2019) in the event of a strike. This law lays down a procedure that must be followed in the event of a strike in order to guarantee minimum service.

194. There are no official statistics or data on trade union membership or the level of union affiliation in Belgium. Academic studies<sup>39</sup> estimate the net rate to be between 50-55%. The latter figure from this scientific study dates from July 2017. There has been a small decrease in recent years with a total decrease of 80,000 members. There is no clear explanation for the last figure. In any event, none of the legal provisions on the recognition and representativeness of trade unions has changed recently. However, compared with the OECD average or the rates in neighbouring countries trade union membership remains extremely high in Belgium.

## Social security

### Response to paragraph 16 of the list of points

195. Since 2017 the ONEM (National Employment Office), in accordance with one of its obligations under its administration contract, has produced 3 publications on the impact of the limitation of the integration allowances over time. According to these studies the number of beneficiaries of the integration allowances has been steadily declining since 2010, with the most marked decrease in 2015, the year of the first cases of end of entitlement due to the transitional measures decided upon. The studies present data disaggregated by sex, age, region, family category, level of education and duration of unemployment of the number of people who have lost their unemployment benefits following the introduction of the Royal Decree of 23/07/2012.<sup>40</sup>

196. The ONEM also analyses degressivity in its annual report. In 2018 the average allowance for unemployed persons receiving benefits in the first three-month period was on average 7.4% higher than in the first period in 2011. Despite the increased degressivity was in 2018 only the average allowance for single persons receiving fixed benefits somewhat lower (-3.4%) than the average allowance for unemployed persons receiving compensation during the 2<sup>nd</sup> period in 2011 (without seniority supplement). For heads of households receiving fixed benefits and for heads of households and single persons receiving benefits in the degressive phase the average allowance increased slightly. The average allowance for unemployed cohabitants receiving benefits in the degressive phase in 2018 was 8.2% lower than the average allowance in the second benefits period (without seniority supplement) in 2011. However, the total of all cohabiting fully unemployed persons over the same period decreased further. This could indicate that, as a result of the enhanced degressivity, cohabitants may find themselves in the fixed benefit phase more quickly than previously.

197. Finally, the study on outflows to early retirement shows a greater outflow to early retirement since the introduction of enhanced degressivity.

198. Regarding the fixed sums introduced for the payment of unemployment benefits they vary from €1,315.60 to €561.34 per month depending on the family situation.<sup>41</sup>

**Response to paragraph 17 of the list of points**

199. Belgium has no information regarding the impact of these measures. However, the following clarifications can be made:

200. Firstly, the introduction of Article 458ter of the Criminal Code<sup>42</sup> opens up the possibility of organising a consultation of cases between the different holders of professional secrets in order to achieve interdisciplinary cooperation<sup>43</sup> by guaranteeing the absence of criminal proceedings for breach of professional secrecy, provided that the exchange of secrets takes place within certain limits. Professional secrecy is not entirely eliminated. It should be stressed above all that Article 458b concerns a right to speak and not an obligation to speak, as the holder of a professional secret must consider which secrets can usefully be communicated in the context of the consultation. In addition, Article 458ter of the Criminal Code states that (translation) "the participants shall be bound by secrecy with regard to the secrets communicated during the consultation". Circular COL4/2018 of the College of Prosecutors-General contains guidelines for the intervention of the Public Prosecutor's Office in the context of this case consultation, in order to ensure that it meets all the conditions of legality.

201. Secondly, the introduction of Article 46bis/1<sup>44</sup> of the Code of Criminal Procedure includes an active and passive obligation on the part of staff members of social security institutions to transmit information. Whereas the passive obligation requires the social actors concerned to respond positively to a specific request for information from the Public Prosecutor's Office, the active obligation required those (translation) "who, by virtue of their profession, become aware of one or more items of information which may constitute serious indications of a terrorist offence ... to make a declaration in accordance with Article 29" (§3). However, in its judgement 44/2019 of 14/03/2019, the Constitutional Court annulled the active obligation to provide information, considering that the staff member of a social security institution does not have the power or the means to know whether a third party intends to commit a terrorist offence: they are therefore not in a position to properly assess whether they can lawfully bypass professional secrecy. Subsequently, a circular was sent to all CPASs explaining the Court's ruling. This made it possible to clarify the question of waiving professional secrecy in exchanges between the Public Prosecutor's Office and the CPASs, and only the passive obligation remains.

**Response to paragraph 18 of the list of points**

202. The draft bill to promote the socio-professional reintegration of persons with incapacity for work has been shelved by the federal government. A Royal Decree of 28/10/2016 provides for a tailored reintegration pathway, the aim of which is to guide workers with long-term incapacity for work towards adapted work or other temporary or permanent work.<sup>45</sup> An assessment of the impact of this new regulation is currently ongoing.<sup>46</sup>

203. See the response to question 16.

**Response to paragraph 19 of the list of points**

204. Salaried staff, jobseekers, self-employed persons and miners who can no longer work due to illness or an accident are entitled to work incapacity benefits.<sup>xliii</sup> The conditions for receiving this guaranteed income vary depending on whether the worker is a labourer or an employee. In some cases of incapacity for work, the worker is not entitled to a guaranteed income.<sup>xliv</sup>

205. The guaranteed salary is the same as the normal salary. Subsequently, during the period of primary incapacity for work (first year), after the period of guaranteed salary, the worker receives an indemnity from the mutual health fund, which amounts to 60% of the capped gross salary. The period of invalidity starts in the second year of incapacity. The worker continues to receive benefits from the mutual health fund.<sup>xlv</sup>

206. For people who cannot qualify for this incapacity benefit scheme under the social security system there is a second social safety net: social assistance, which is granted to people with no income or a very low income, whereby it is not obliged to have worked and paid contributions beforehand. These include the right to social integration and the right to

social assistance granted by the CPAS, allowances for the disabled, guaranteed resources for the elderly and guaranteed family benefits. These are residual rights that only become available in the absence of social security entitlements and after an investigation into the state of need.

207. For people who are entitled to assistance but who do not use it a project has been launched to analyse non-take-up among Belgian public policies. This is still ongoing.

## **Violence against women and children**

### **Response to paragraph 20 of the list of points**

208. At the federal level the legislative and regulatory framework has been enhanced through the assessment, revision or adoption of various circulars and legislative amendments.<sup>xvii</sup> The circular on domestic violence was revised in October 2015. The possibility of enforcing a ban on residence measure in the event of a serious and immediate threat to the security of persons has been incorporated into the proposed measures. The chapter on the protection of children has been expanded and a chapter on the special cases of failing to present a child, abandonment of families and abandonment of children in need has been added. A summary drafted for the police involved in intervention, three checklists and a summary of the steps for magistrates have been incorporated. The new Article 458ter of the Criminal Code now provides a legal justification for organising "case consultation" for the protection of victims of domestic violence, as well as for children who are victims of intra-family violence or other forms of violence, by allowing the absence of an offence if professional secrecy is waived. This facilitates a collaborative chain approach between the police, the judiciary and personal support sectors.

209. An interim report on the implementation of the National Action Plan to combat gender-based violence 2015-2019 was prepared in April 2018 and a final report will be submitted by the end of 2019. The National Security Plan (PNS in French) and the outline memorandum on Comprehensive Security (NCSI in French) 2016-2019 also include domestic and sexual violence among the priority aspects of security and have a section on sexual abuse of minors. Awareness campaigns have once again been conducted, such as the "#ARRÊTE c'est de la violence" (#STOP that is violence) awareness campaign launched in November 2018 at the French-speaking level. In 2017, the Flemish Community launched "Stop it now!", a project to prevent sexual abuse of children, and also launched a campaign to combat domestic violence in 2018. An awareness-raising tool to combat domestic violence, available in 22 languages, is being finalised by the Institute for the Equality of Women and Men. Websites have been enhanced or launched, including [www.ecouteviolencesconjugales.be](http://www.ecouteviolencesconjugales.be), [www.slachtofferzorg.be](http://www.slachtofferzorg.be), and [www.violencessexuelles.be](http://www.violencessexuelles.be). In the Flemish Community, minors who have questions about violence, abuse and mistreatment of children can chat anonymously with the staff of the Trust Centres for Child Abuse (2014) ([www.nupraatikerover.be](http://www.nupraatikerover.be)). Since the start of 2019, adults and minors can chat anonymously with the staff of 1712 ([www.1712.be](http://www.1712.be)). The availability of the helplines 0800/30.030 (Domestic violence helpline) and 1712 (Violence, abuse and mistreatment of children) has been extended. In the French Community, in addition to the child helpline 103 and the 'SOS-Enfants' services, a chat room has been set up to handle issues of sexual abuse and harassment (2018). The number of specialised shelters for victims of domestic violence increased from 15 to 19 in 2017 in the Walloon Region. A new reception centre was opened in Brussels in 2017. The Flemish Region has focused on developing a chain approach and various Family Justice Centers have been set up, with the aim of offering help to families confronted with domestic violence whereby all required services are under one roof, and to provide them with security by offering rapid and adequate help on demand. Judicial proceedings can continue there in constant coordination with the assistance process. New issues have also been taken into account, such as the impact of domestic violence in the workplace. The State report submitted by Belgium last February on the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence also provides a more complete picture of all the initiatives undertaken since 2014. This commitment continues, as demonstrated by the resources set aside in March



2019 to allow for the permanent funding of three centres to tackle sexual violence which opened in November 2017, and the doubling of the number of these centres in the future.

210. Much progress has been made under the NAP, but the implementation of measures can still be improved in order to better meet the needs on the ground, particularly in terms of primary prevention, initial training of professionals and the collection of statistics which are disaggregated by gender.

211. Police and judicial statistics on cases of gender-based violence as well as on cases of child abuse reported and/or taken on by Youth Care services are shown in Annex 4.

212. In order to gain a clearer picture of situations of (unreported/detected) abuse and to find mechanisms to tackle them more effectively, various studies and projects are ongoing. Scientific research was carried out in the Flemish Community in 2018 on violence against children and adolescents aged 10 to 18 and on sexual violence against women and girls with disabilities. As part of the missions carried out by the Birth and Childhood Office (ONE in French) in the French Community, since 2016, the SOS teams have benefited from a new statistical data collection programme, enabling new data to be collected in the area of care for abused children. Marital conflict/violence has been identified among the different types of abuse, accounting for 14% of cases.

213. In the Flemish Community there is an action plan against inappropriate behaviour in the culture and audiovisual sector (launched in 2018) and an action plan on the integrity of minors in youth care and childcare, education, the youth sector and the sports sector.

## Poverty

### Response to paragraph 21 of the list of points

214. In addition to the Third Federal Poverty Reduction Plan (2016-2019), which includes among its strategic objectives the reduction of child poverty, the Communities and Regions have developed various plans that have an impact on child poverty.<sup>xlvii</sup>

215. Adopted by the Walloon Government on 10/09/2015, the first Walloon Poverty Reduction Plan was primarily aimed at effectively mobilising all the regional levers that have a direct effect on reducing inequalities and, de facto, poverty situations. When the new Government took office, the Plan was slightly modified in the sense that some measures were reoriented. The Plan therefore now aims (translation) "to develop actions in the Walloon Community allowing for greater cohesion, by deploying an adequate and solidarity-based social security system, ensuring better prevention and management of the challenges of health and longer life expectancy, all with a view to making people more responsible and providing the conditions for the emancipation of all. The fight against poverty and extreme insecurity therefore remains central to the work of the Walloon Government, as does the development of the general quality of life of families".<sup>xlviii</sup>

216. In the French Community a decree on poverty reduction and the reduction of social inequalities was adopted by Parliament in May 2019.

217. Furthermore, in light of observations that, despite the efforts made, early childhood care remains an important focus of attention and that it is a lever in poverty reduction, a major reform of the organisation of childcare facilities is currently underway in the French-speaking Community (Walloon Region and the Brussels-Capital Region). The aim is to improve accessibility to all children and the quality of the offering, staff training and funding.

218. For the Flemish Region the development and implementation of a uniform system for measuring, monitoring and promoting the pedagogical quality of reception is an essential step forward. These reforms and measures are also taking place in tandem with the creation of new care places, including for children in vulnerable situations, in all the systems of the federated entities.

219. The Communities are taking various measures to make progress on abolishing school fees. In the Flemish Community, primary schools operate with a maximum invoice. What is necessary to achieve the development objectives and final terms is free of charge. For

compulsory activities and materials that are not strictly necessary, and for which parents cannot establish the price margin, a strict maximum invoice applies (€45/88 for nursery and primary school respectively). For extra-muros activities lasting several days, a maximum invoice is also applicable (€245 at the end of primary school). A final group of fees is for school services that parents can use on a voluntary basis (e.g. school meals). These fees must be signed by the parents at the time of school enrollment. The French Community's 'Pact for Excellence in Education' provides a gradual move towards free schooling, by level of education and type of cost. From the start of the 2019 school year, free education will apply to nursery education. Apart from certain exceptions for which the amounts will be capped (sports and cultural activities and school trips), it will no longer be possible to claim school fees from parents. The schools will provide the material to the students free of charge. As regards primary and secondary education, a draft decree aimed at capping the amounts that can be charged to parents for travel and activities has been adopted by the Government and will soon be submitted to the Parliament.<sup>xlviii</sup>

220. As part of its gender mainstreaming plan the Walloon Region has set itself the objective of supporting the most vulnerable families, particularly single-parent families, by making them aware of their rights. A dedicated website has been set up in this regard.<sup>47</sup>

221. The COCOM finances schemes for homeless families, Roma or UFM.<sup>xlix</sup>

222. Pregnant UFM or individuals with a child are housed in a specialised reception structure with an approved nursery, allowing mothers to continue their schooling and to have specific support for their vulnerability.

223. The evaluation of the Federal Poverty Reduction Plan is underway. At the end of May 2019, the evaluation was presented to the Network of federal public servants active in the area of poverty. This evaluation may be used to draft a possible fourth federal poverty reduction plan. The evaluation is based on the monitoring of the implementation of the 61 measures of the action plan that took place during the previous period. For each of the measures, this monitoring explicitly asks how the action contributes to the objective of lifting at least 380,000 people out of poverty by 2020<sup>l</sup>. Various reports also assess the situation of poverty and social exclusion, in particular the Belgian National Reform Programme in the context of the European semester<sup>48</sup> or the Biennial Report 2016-2017 of the Combat Poverty, Insecurity and Social Exclusion Service on the theme 'Citizenship and Poverty'.<sup>49</sup>

224. In the context of the 'Participation and Social Activation' grant, a section is dedicated specifically to children. The aim of this measure is to combat child poverty through CPASs.

## Right to food

### Response to paragraph 22 of the list of points

225. Since 2014, the PGS (Programmed Government Service) for Social Integration is responsible for managing the European Fund for the most deprived persons during the planning period 2014-2020. Within the framework of this Fund, PGS distributes around 20 food parcels every year via more than 730 organisations to the most deprived people in Belgium. These products represent about 40-50% of the food distributed through Food Banks and charities.

226. There has been a steady increase in the number of people using these products.<sup>li</sup>

227. In 2017, 403 partner organisations carried out 1,164 surveys among ultimate beneficiaries of food aid under the Fund for European Aid to the Most Deprived. The results of this survey provided a unique insight into the situation in Belgium. Various data, including quantitative analysis of the beneficiaries and their socio-demographic profile, and the frequency of distribution of food parcels, were obtained.

228. Food aid is largely provided to women who are generally also single mothers. The share of women among the beneficiaries of food aid is much higher than the share of women in the general Belgian population. Some 103,811 single mothers with children rely on the distributed food of the Fund. These mothers represent more than a third of the beneficiaries.

The majority of the beneficiaries are between 25 and 49 years old, which also corresponds to the age range of many single parents.

229. This study identified the obstacles encountered by beneficiaries in obtaining food aid. These obstacles are often of an administrative nature (the documents needed to receive food aid), but also logistical (the distance between the home and the place where the food parcels are collected) and psychological (feelings of shame).

230. For 96% of the beneficiaries food aid contributes, at least partially, to an improve of their living conditions.

231. The results of this study highlight the need for food aid that responds to both primary needs such as food (emergency aid) and financial needs, by allowing the beneficiaries to allocate their (too) limited income to items other than food. The meetings held in the context of this Fund are often an opportunity for the beneficiaries to benefit from material assistance, including: access to low-cost clothing, kitchen equipment or personal hygiene items. In addition, food aid allows the beneficiaries to contact administrative and social services that offer individual follow-ups, budgetary support or any other service that enables the most disadvantaged to regain financial equilibrium and integrate into society.

#### **Response to paragraph 23 of the list of points**

232. According to the Food Consumption Survey (ISP, the predecessor of Sciensano, 2014): the average BMI (Body Mass Index) is 26.3 (18-64 years).<sup>lii</sup>

233. The proportion of the population aged 15-64 with an excessively high abdominal girth increased in 2014 (34%) compared to 2004 (25%).

234. At the federal level, it was decided to set aside €5 million to improve the reimbursement of follow-up care for obese children with dietitians.<sup>liii</sup>

235. Another example is the signing of a Balanced Food Convention in 2016 with FEVIA, the Federation of the Belgian Food Industry, and COMEOS, the Federation for Trade and Services. With this agreement, food companies, retailers, restaurant chains, collective kitchen services and the authorities aim to reduce calorie intake by 5%, for example by reducing the sugar and/or fat content. They also intend to optimise the composition of foods where possible by, for example, adding more fibre or reducing saturated fats.<sup>liv</sup>

236. Finally, it was decided in 2018 to introduce the nutri-score as a food label in Belgium. This eases it for consumers to obtain information on how much a given food item is part of a balanced diet.<sup>lv</sup>

237. "Healthier living" is one of the health objectives of the preventive health policy of the Flemish Community.<sup>50</sup> It has opted for health objectives in terms of lifestyle. These are a way to achieve changes in behaviour through the different environments in which citizens may find themselves (e.g. work, education, family, leisure) and of more easily linking policy areas and levels.

238. The interactive report "Gezondheidsindicatoren gezonder leven" (Health indicators for healthier living) contains the main health indicators related to this health objective.<sup>51</sup> On the subject of weight, the report contains information on people's weight (underweight - normal weight - overweight - obesity) according to gender, age and educational level.

239. Also on the subject of weight, the Flemish Community collaborates with partner organisations including the "Vlaams Instituut voor Gezond Leven" and the non-profit association Eetexpert".<sup>lvi</sup>

240. The Walloon Region can rely on the Walloon Nutrition, Health and Well-being plan for the elderly (PWNS-be-A in French) and the regional "Qualité-Alimentation-Nutrition" (Quality-Food-Nutrition) certification label for rest homes and nursing homes. The objective of PWNS-be-A is to coordinate the implementation of the Walloon Nutrition and Health Plan (PWNS in French), which has six strands.<sup>lvii</sup>

**Response to paragraph 24 of the list of points**

241. The EU's Common Agricultural Policy contains measures specifically for young farmers. Pillar I includes additional financial support for young farmers starting their farming business. The objective is to facilitate the first implementation of their business. Pillar II (rural development or PDRD) treats a strategic theme, namely the support of young farmers and the future of the sector. In addition to specific training, advice for farms and investment aid, PDRD III includes support for young farmers if they purchase a farm. It is a financial intervention, so that the farmer can start his or her activities in a viable farm that meets all the regulations. In addition to the purchase measure for young farmers, the Flemish Region also supports small farms that wish to expand. These are often companies that develop new crops, alternative production methods and/or other marketing structures. This new measure has been included in PDRD III because the companies and forms of business targeted generally perform well in terms of sustainability and diversification of activities in the countryside.

242. With the new Common Agricultural Policy, the European Commission has announced that it will invest even more after 2020 in support of young farmers. Farm lease legislation also protects farmers.

243. The European Commission has approved the Rural Development Programme (RDP) for the Walloon Region. This programme places considerable importance on environmental and ecosystem issues.

244. The emphasis lies on supporting farmers in protecting the environment and combatting climate change to ensure the sustainability of the countryside and the planet. The additional objective of supporting almost 40% of the farms to improve their competitiveness and create jobs in the wider rural economy will enable the Walloon rural region to prosper and achieve the objectives of the EU's rural development policy.

**Right to physical and mental health****Response to paragraph 25 of the list of points**

245. In order to guarantee access to health care without discrimination to members of marginalised and disadvantaged groups, Article 57, §2 of the Organic Law of 8/07/1976 of the CPASs provides that persons residing in Belgium illegally may claim the right to urgent medical assistance.<sup>lviii</sup> UFM can also benefit from the health benefits covered by the compulsory health care insurance under certain conditions and from the increased intervention of the health care insurance. A lawful stay is not required in the case of an accident at work or an occupational disease.

246. In the Walloon Region, the social services and the integration process also deal with health issues, without targeting people in illegal situations.

247. In the French Community, the method of subsidising COCOF services enables them to receive all groups, including irregular migrants. Some services are more specialised. This is the case of the 'Ulysse' mental health service, which runs a project entitled "La boîte à tartines" (Lunchbox) aimed at maintaining and fostering parent-child relations for the target group in irregular situations. We can also highlight the not-for-profit association "Interprétariat et Traduction", which trains interpreters to accompany health procedures in the various services.

248. The COCOM supports various initiatives whose objective is to facilitate access to health care for individuals, regardless of their administrative status. They receive people in irregular situations and help them to access to care either directly or through the mechanisms described above in article 57 § 2 of the Organic Law of 8/07/1976 of the CPAS. These are the "Athena centre" of first reception of general medicine, the medico-social services related to the Winter Plan and other initiatives.

249. The impact of these measures and on the difficulties encountered is manifested through various initiatives, such as the mobile vaccination team in the Flemish Community (see question 11.b) or the provision of intercultural mediation services in many Belgian

hospitals, with the aim of minimising the effects of the language and cultural barrier on the accessibility and quality of care for migrants and ethnic minorities, including Roma.

250. In some regions, there are mediation services that focus specifically on Roma, some of which are active in the field of health care.

251. The 'Belgian National Platform for Roma' addresses various issues, such as the fight against discrimination in health care, the worrying image of the health of the Roma community, the obstacles to access health care and successful practices. Access to primary health care for the Roma population was also the subject of special attention in a round table discussion.

252. In the context of health, marginalised groups can therefore benefit from urgent medical aid and actions undertaken by Médecins du Monde. This initiative is part of the "Médibus Province du Hainaut" project subsidised by the Agency for Quality Living.

253. In the area of mental health, the "AB Refugees-Social" project, developed within the framework of the European Interreg V programme, aims to exchange best practice relating to the care of trans-migrants or refugees and the implementation of specific programmes.

254. With regard to recent reforms in the area of children's mental health, see CRC/C/BEL/5-6, §§136-138 and CRC/C/BEL/Q/5-6/Add.1, §§49-53.

## Right to education

### Response to paragraph 26 a) of the list of points

255. Education is a Community competence. For this reason, the conditions differ depending on the community concerned.

256. Through the policy on equal opportunities in education (ECE policy), the Flemish Community aims to offer all children the same optimal opportunities to learn and develop. This policy is based around 3 pillars: enrollment fee, legal protection and support for schools.<sup>lix</sup>

257. For basic education in the Flemish Community, all schools receive basic supervision. Approximately 10% of this supervision consists of SSE hours (additional hours given on the basis of the socio-economic status of the pupils). The following characteristics are taken into account in determining the socio-economic status of pupils: language spoken by the pupil at home, whether they receive an education allowance and the highest level of education obtained by the mother.

258. Pupils whose parents belong to the Traveller community (e.g. Roma) have a greater weighting in the calculation of teachers' hours and receive more resources.

259. Maximum attendance in pre-school has been an important focus of attention in the Flemish education policy since 2007. A quantitative study in 2015 highlighted the group of children who do not participate or participate less in pre-school education. This study led to an "actieplan kleuterparticipatie" (2016) with various targeted measures to increase the participation of toddlers in education. The action plan aims to inform, raise awareness, guide and support parents from vulnerable groups (including the Roma) in a targeted manner. Local organisations that already have a trusting relationship with parents of young children have been requested to consider participation in pre-school education. An interview sheet has been drawn up, to talk to parents in a more accessible way about the importance of starting pre-school early and attending pre-school in general. In order to achieve a pleasant transition for children moving from home or foster care to pre-school education, concrete actions were developed in 2017, covering various policy areas (Education and Training, Well-being, Public Health and Family, and Integration and Civic Inclusion) and are currently being developed/implemented. Various actions specifically target vulnerable groups.

260. In full secondary education in the Flemish Community, additional ECE hours/teachers are also granted. The following indicators are taken into account for the calculation of additional ECE hours/teachers: language spoken by the student at home (only in combination with one of the following characteristics), whether they receive a school allowance, the

highest level of education obtained by the mother, temporary or permanent withdrawal from the family context and whether they are from the Traveller community (Roma are included in this indicator).

261. The decree of 18 May 2012 on the establishment of a reception and schooling scheme for newcomer students in education organised or subsidised by the French Community has the following objectives: reception, guidance and optimum integration of newcomer students, and educational and pedagogical support adapted to the learning profiles of newcomer students.

262. In each secondary school organising a DASPA (Reception and schooling scheme for newcomer and similar students) an integration council for newly arrived students needs to be set up. This council is chaired by the head teacher or their delegate and includes all the teachers in charge of the students enrolled in the DASPA, as well as a member of the psychological/medical/social centre team in charge of the newly arrived students. The head teacher may invite a representative of the reception centre in charge of educational support and/or a member of an expert association.

263. The "Steering" decree adopted by the Parliament on 12/09/2018 introduces governance by objectives for the system and for the schools starting from September 2018.

264. Governance is based on a "contract of objectives"<sup>lxv</sup> between each school and the Regulatory Authority, whereby the specific objectives of the schools that contribute to the achievement of the system's improvement objectives are recorded. The new system of steering schools concerns all schools in compulsory education. The legislation provides that an appropriate monitoring process may be put in place if an institution is unable or unwilling to participate in the process or if its indicators show too much deviation from the average. By providing a new regulatory framework, the steering mechanism will make it possible to act in a more targeted manner on the roots of inequality in the school system, on cases of relegating disadvantaged population groups between schools, and on the significant differences in performance between schools (segregation). This reform will be implemented in three successive stages: the first stage in which schools (i.e. 800 schools) will submit their draft management plan by 30 April 2019 at the latest; the second stage by 30 April 2020; and the third stage by 30 April 2021.

#### **Response to paragraph 26 b) of the list of points**

265. In the Flemish Community, Roma children are included as a target group "vulnerable children" in all the measures described above.

#### **Response to paragraph 26 c) of the list of points**

266. The figures for the Flemish Community for children and young people with problematic absences (pupils subject to compulsory schooling and not (sufficiently) attending school) can be found in annex 5. The number of pupils with problematic absences is, in relative figures, higher among pupils of foreign nationality than among pupils of Belgian nationality. As regards gender, problematic absences are higher among boys than girls.

267. The same annex contains figures on early school leavers (young people >18 years of age who leave school early without a diploma). The number of pupils who leave school early is, in relative figures, higher among pupils of foreign nationality than among pupils of Belgian nationality, and higher among boys than girls.

268. The reasons for quitting school early are divided into two groups: pull factors (e.g. attractiveness of the labour market and the possibility of obtaining a qualification via a second chance learning pathway) and push factors (school fatigue, repetition, truancy, psychological problems, family problems, etc.).

269. In 2015, the Flemish Government approved the action plan "Samen tegen schooluitval" (Together against school drop-out). The plan aims to guarantee the right to education for every child and young person and to reduce truancy and school drop-out. The plan calls for actions that should lead to improvements for all students.<sup>lxvi</sup>

270. The French Community is currently drawing up a comprehensive plan to combat school drop-outs (a measure of the Pact for Excellence in Education) which aims to set up effective data collection and information-gathering systems to monitor specific objectives; to redefine the roles and missions of the intervention mechanisms and to define a stronger framework for the coordination of the actors involved. This Plan will be based on three strands - prevention, intervention and compensation measures. This will involve distinguishing between first, second and third line services and specifying the time frame of their interventions.<sup>kiii</sup> The implementation of the Plan is scheduled for September 2020.

#### **Response to paragraph 27 of the list of points**

271. In Belgium there is no legislation prohibiting the wearing of religious symbols in schools. It is up to each school to decide on their authorisation/prohibition via their internal rules and regulations.

272. The principles of freedom of religion and opinion are in force in schools. In the Flemish Community, there is no general prohibition on the wearing of religious symbols in schools. It is the responsibility of school authorities to develop policy in this area. Over the last 15 years, the majority of school authorities have adopted more restrictive measures. With regard to education in the Flemish Community (GO!), the governing body of the latter has issued a general directive to GO! schools to include a ban on the wearing of religious symbols in their internal rules and regulations. The majority of schools have done so. There is no general prohibition or general guideline in provincial and municipal education and in open network education. Nevertheless, many schools have banned religious symbols. The Council of State does not rule out the possibility of prohibiting the wearing of religious symbols - either at the level of a school or at the level of an educational network - provided that there are concrete elements justifying the measure, such as peer pressure or segregation.

273. Due to the fact that school is compulsory, a student cannot stay at home just because the school prohibits wearing a veil. However, home schooling is an option, which remains a limited occurrence. It is likely that some of these students will choose home schooling because of the veil situation. But these students are part of a group that is already relatively small.

274. The decree of the French Community of 12/12/2008 on the fight against certain forms of discrimination applies to education. It prohibits discrimination against pupils on the basis of their religious convictions, both with regard to enrollment in school and the conduct of their school curriculum.

275. There is no regulatory and legal framework in the French Community concerning the wearing of the veil in universities and colleges. It is generally accepted that veils are tolerated in these institutions; however, the regulations of the Studies (specific to each institution) may provide for prohibitions for specific activities for pedagogical and/or safety reasons. There is no exemption from classes for religious reasons. During traineeships, the rules of the organisation hosting the trainee will prevail, which may lead to a ban on wearing a veil during these courses.

#### **Best practice**

##### **Response to paragraph 28 of the list of points**

276. The MIRIAM project (more information in annex 6) was designed to empower single mothers with a living wage. This project was initially carried out in 5 CPAS thanks to a collaboration between the "Nederlandstalige Vrouwenraad" (Dutch-speaking women's council) and the "Karel De Grote Hogeschool". The aim was to demonstrate that through intensive support and follow-up aimed at increasing empowerment, self-esteem, self-worth and network expansion, the difficult and isolated target group of single mothers increases their chances of successful socio-professional integration. This project was funded from September 2015 to 2018 with an extension to 6 new CPAS in 2018. It has led to concrete changes among the female beneficiaries (improvement in the quality of housing, enrolment

in training, etc.). A roadmap for all the CPAS targeting assistance to women in this situation has been drawn up.

277. With the support of the European Commission, the Belgian National Contact Point for Roma took the initiative in 2016 to set up a Belgian National Platform for Roma. By setting up this platform the Contact Point has established a participatory dialogue with all relevant stakeholders and Roma communities around key policy areas that should foster the socio-economic integration of Roma in Belgian society. In interactive discussion moments the difficulties and problems, but also the opportunities and recommendations in the areas of life that are important for the Roma are discussed in depth: health, housing, education and employment. The fight against discrimination is the common thread running through this process of dialogue. In addition, seminars and training courses focus on the gender dimension of Roma integration and the empowerment of young Roma. The Platform encourages, coordinates and facilitates mutual learning between stakeholders working on Roma inclusion.

278. The steering committee of this platform, coordinated by the FPS Social Integration, consists of the federal and state government administrations, associations of local authorities and Unia.

279. Belgium is one of eight EU Member States whose project proposal to introduce the European Disability Card has been approved by the European Commission<sup>52</sup>. This card aims to facilitate the participation of persons with disabilities in cultural life and their involvement in sports and leisure activities.<sup>lxiii</sup> People with disabilities from the 7 other EU Member States can enjoy the same rights at partnercountries who commit to using this card. In the course of 2019 the EU will evaluate ongoing projects.

280. The Masterplan Diversity and youth movements of 2018 provides support for youth movements to work towards diversity in terms of origin, socio-economic situation, physical or mental state<sup>53</sup>. In the context of the Masterplan Diversity twelve "Bruggenbouwers" (bridge builders) projects have been approved with the aim of reaching children and young people in vulnerable situations or with other cultural backgrounds and showing them the way towards youth movements<sup>54</sup>. In 2018 a new call for projects was launched on the theme of "social integration"<sup>55</sup> and in 2019 a new call for projects will follow on the subject of discrimination. Youth movements are therefore encouraged to actively assume their role as social actors in the fight against racism, discrimination and social exclusion.

281. The focus on social and cultural diversity is anchored in all Flemish legislation, inter alia in the decree on socio-cultural work, the decree on cultural heritage and the decree on the arts<sup>56</sup>. Organisations that receive structural subsidies from the Flemish Community must pay special attention to social and cultural diversity. In particular the decree on participation grants subsidies to organisations whose aim is to increase participation in the areas of culture, youth and sports of people with diverse ethno-cultural backgrounds.<sup>57</sup>

282. In the Walloon Region, the allocation of priority points for accessing public housing in the event of domestic violence is provided for. Currently, 5 priority points are awarded to homeless persons who have left a dwelling within three months before submitting their application as a result of domestic violence, as attested by documentary evidence (statement of offence, certificate from the shelter or certificate from the CPAS). The CPAS are regularly confronted with situations of gender-based violence. A circular aimed at setting up a domestic violence unit or designating reference persons in this area within each CPAS was sent out in January 2019. The aim is to improve the detection and orientation of people who are confronted with this kind of violence and who come into contact with the social workers of the CPAS. CPAS staff are also encouraged to participate free of charge in the one-day training courses organised by the resource centres specialising in domestic and intra-family violence.

283. In the Brussels-Capital Region, the Youth Guarantee scheme has contributed to a decrease in youth unemployment by 50.2% since 2013 reaching a youth unemployment rate of 18.2% in July 2019. The Stages First traineeship scheme managed by Actiris has been recognised as best practice by the EU.

284. In May 2018 the Inter-Federal Action Plan against discrimination and violence against LGBTI Persons 2018-2019 was launched and finalised in May 2019. This plan was grafted



onto the two previous plans dating from 2013.<sup>58</sup> This comprised 22 objectives and 115 measures and actions in the following policy areas: equal opportunities, public health, welfare and family, education and youth, media, development cooperation, home and foreign affairs, civil service, sport, justice, labour, and asylum and migration. Coordinated by the federal level, it also included actions of the federated entities, in particular the Flemish Community and Region, the French Community, the Brussels-Capital Region, the Walloon Region and the German-speaking Community. The place given to intersex people is a novelty in this action plan. The actions grouped in the plan will be monitored and an evaluation took place in May and June 2019, at the end of the previous legislature.

285. In the area of employment, various actions have been carried out or are planned in the action plan: training for labour inspectors on LGBTI issues (at federal level and in the Walloon Region), a guide to support trans people at work will be updated and disseminated (IEFH).

286. The various actors in health care have been mobilised to better guarantee the specific needs of LGBTI people. Various actions have been carried out: a preventive health policy regarding the sexual health of LGBTI persons, guaranteeing reimbursement for specific health care for transgender persons, establishing a dialogue between LGBTI associations and the organisation of health care providers (federal level), improving suicide prevention among LGBTI persons (Flemish Community), raising awareness and informing doctors about the specificities of transgender persons (Walloon Region).

287. In the area of education, a number of initiatives have been implemented, including a training and coaching offering for management, teachers and training courses for teachers on this subject (by the Flemish Community). The website [www.schooluitdekast.be](http://www.schooluitdekast.be) brings together teaching materials for nursery, primary and secondary education, which teachers, pupils, youth workers and other interested parties can use. Free training courses for schools and pedagogical training on LGBTI friendly education have also been developed (by the Flemish Community and the Flemish Region). A "Guide d'accompagnement pour l'inclusion des personnes trans dans l'enseignement supérieur" (Accompanying Guide for the inclusion of trans people in higher education) has been drafted (French Community) and in the German-speaking Community, an awareness campaign on LGBTI issues has been organised.