



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Eighty-third session**

Summary record of the 1917th meeting

Held at the Palais des Nations, Geneva, on Friday, 14 October 2022, at 10 a.m.

Chair: Ms. Haidar (Vice-Chair)

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Ms. Haidar (Vice-Chair) took the Chair.

The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Eighth periodic report of Belgium (CEDAW/C/BEL/8; CEDAW/C/BEL/QPR/8)

1. *At the invitation of the Chair, the delegation of Belgium joined the meeting.*
2. **Mr. Pecsteen de Buytswerve** (Belgium), introducing his country's eighth periodic report, said that Belgium attached great importance to the protection and promotion of human rights, had always supported and actively engaged with the United Nations human rights treaty bodies and submitted its periodic reports to them on time. Given the country's unique federal structure, responsibility for implementing the Convention fell to several governments, and a variety of federal and federated entities had worked closely together to produce the periodic report now before the Committee.
3. **A representative of Belgium** said that Belgium had taken steps to ensure that women's rights were protected during the recent times of crisis. It had, for example, included measures for the promotion of gender equality in the labour market in its coronavirus disease (COVID-19) recovery plan and had set up a task force against trafficking in persons in connection with its efforts to protect refugees fleeing the war in Ukraine. The various governments in Belgium had also mobilized €1.5 billion to fund measures to ease the effects of the energy crisis triggered by the war and alleviate energy poverty, which disproportionately affected women.
4. Belgium continued to bolster its laws against sexual discrimination. Legislative amendments were being drafted to address some of the recommendations made in the June 2022 report of the Commission for the Evaluation of Federal Anti-Discrimination Legislation. Those amendments would, for example, lead to improved handling of complaints of sexual discrimination and greater protection against reprisals. In addition, amendments had been or were being made to improve women's work-life balance, including by extending parental leave for fathers and co-parents from 10 to 20 days starting in 2023. Criminal law amendments adopted in March 2022 to be able to better fight sexual abuse and exploitation had placed a focus on consent and increased the penalties for a number of offences. References to the outmoded concept of "family order" had been removed from the law, which now referred to offences against sexual integrity, the right of sexual self-determination and accepted standards of behaviour.
5. An interministerial conference on women's rights created in 2019 had addressed a variety of issues, including sexism in advertising and period poverty, and had helped to increase cooperation between the different levels of government. Belgium had made larger budgets available to allow for more ambitious policies on women's rights and to provide support for civil society projects through calls for proposals. Under the pension system, the eligibility criteria for the minimum pension had been reduced for people who worked part-time, taking account of the fact that women often had periods of part-time work during their working lives.
6. Various plans had been adopted at the different levels of government in 2020 to fight gender-based violence, which had become more widespread during the COVID-19 pandemic. In addition, in November 2021, a national action plan against gender-based violence had been adopted for the period 2021–2025. It set out 201 key measures, including measures addressing intersectional discrimination. A national platform had been set up in June 2022 to independently monitor the action plan, with the involvement of civil society. Belgium had also decided to expand its network of centres for the care of victims of sexual violence so that no woman would have to travel more than an hour from her home to reach one. Seven such centres were currently in operation and three more would be opened in 2023.
7. Belgium continued to adapt and update its criminal justice response to gender-based violence. Judicial officials were now required to undergo training on sexual and domestic violence, and it had been made standard practice for the police to check in with former victims of intimate partner violence and to use an intimate partner risk assessment tool. New shelters

for victims of violence had been set up by the federated entities, and a mobile device to warn victims about approaching offenders was being developed. All levels of government provided financial support to civil society organizations working to raise awareness of and prevent female genital mutilation.

8. The Act of 22 May 2014 on combating sexism in the public space was in the process of being evaluated. Efforts to combat online sexual violence and sexual harassment, including through awareness-raising and the provision of assistance to victims of revenge porn, had been stepped up. The ratification process for the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190) was expected to be completed in early 2023. A gender perspective was being mainstreamed in the policies and training programmes of the Belgian asylum and immigration authorities.

9. Following the country's efforts to increase the representation of women in elected office and on boards of directors, women accounted for more than 41 per cent of elected officials at all levels of government and one third or more of the members of the executive branches and, in 2020, had held 34.1 per cent of seats on boards of directors. Belgium was also taking steps to promote women's financial independence, improve their work-life balance, expand their access to health care and strengthen efforts in sex education.

Articles 1–6

10. **Ms. Peláez Narváez**, noting the progress made at all levels of government in Belgium towards implementation of the Convention, said that she remained concerned that there was little training on the Convention itself and that it was rarely invoked by courts, which continued to be the ones to decide whether its provisions could be directly applied. She therefore wished to know what legal safeguards were in place to ensure the protection of all Convention rights. She also wished to know how the State party ensured that there was effective equality between women and men under all its laws and policies, as certain legal provisions – such as those setting out exceptions to the minimum age for marriage or, in the Act of 22 May 2014 on combating sexism in the public space, unclear definitions of gender identity and gender expression in relation to sexual discrimination – had a discriminatory effect on women.

11. She wished to know how many complaints of discrimination against women had been lodged with Unia, the Inter-Federal Centre for Equal Opportunities and Combating Racism and Discrimination; Myria, the Federal Migration Centre; and the Institute for the Equality of Women and Men. She also wondered how those complaints had been resolved and what penalties had been imposed as a result. The information should be disaggregated by the complainant's age, ethnicity and nationality, whether or not she had a disability and other relevant factors. She also wished to find out whether there was a body responsible for handling complaints of language discrimination. It would be helpful to know whether the State party had simplified its procedures and eligibility criteria for obtaining legal aid and to have disaggregated data on women who had received such aid over the preceding year.

12. She would like to know whether the State party planned to increase the number of special police units providing assistance to victims of sexual or domestic violence, to eliminate the requirement for the police to report women who lacked residence permits to the Office for Aliens if they filed complaints of sexual or domestic violence, to provide such women with temporary residence permits for the duration of the ensuing criminal proceedings and to provide free legal aid to those who needed it. She wished to find out what steps were being taken – for example, through the provision of interpretation services, including in sign language – to ensure that women from vulnerable groups could effectively file complaints.

13. **A representative of Belgium** said that the work done by domestic human rights bodies in referring victims of rights violations to the justice system and assisting them during legal proceedings had helped increase judicial officials' awareness of human rights issues. Relatively precise definitions of the concepts of gender identity and gender expression were contained in the legislative history of the law on combating discrimination between women and men. Bodies such as the Institute for the Equality of Women and Men as well as individual victims could now take legal action on the basis of those concepts.

14. **A representative of Belgium** said that master's programmes on gender equality offered in both the Flemish and French Communities included courses on the Convention. The Convention and other international treaties were also covered in the training on gender-based violence and violence against women that all judicial officials had been required to undergo since 2020.

15. **A representative of Belgium** said that Belgium had not ratified the Council of Europe Framework Convention for the Protection of National Minorities. When it had signed the instrument, it had entered a reservation to the effect that the Framework Convention applied without prejudice to the legislative rules that currently governed the use of languages and that the notion of national minority would be defined by the interministerial conference of foreign policy. The matter of language and national minorities therefore came within the jurisdiction of the federal authorities and federated entities. To date, there had been a lack of consensus on proposals concerning ratification of the Framework Convention. However, all the authorities concerned had undertaken to actively pursue work on the subject. A working group of the Conference had been set up to address the matter and had last met in April 2022. In principle, however, it did not seem immediately obvious that the question of language discrimination would be approached from the specific angle of the Convention on the Elimination of All Forms of Discrimination against Women.

16. **Ms. Peláez Narváez** said that she wished to know how undocumented women and women in other disadvantaged groups could obtain access to the courts. She would appreciate some statistics on complaints submitted by women to the three competent national human rights institutions.

17. **A representative of Belgium** said that since 2016 the police and courts had been required to identify victims of domestic or other forms of violence, who were then entitled to special support and had a right to remain in the country.

18. **A representative of Belgium** said that the Immigration Office had drafted a circular aimed at protecting undocumented women after they had had lodged a complaint of violence with the police. The police were obliged to report such cases to the Immigration Office, as no deportation order could then be enforced against the woman. Exceptions to deportation orders could likewise be made when the health of the person in question was in danger, or to allow enough time to conduct a thorough investigation of the case. Staying the deportation order also made it possible to refer the woman to the appropriate social services until a decision was made.

19. **A representative of Belgium** said that figures compiled by the Institute for the Equality of Women and Men showed that in 2021 it had received 1,020 reports of gender discrimination, an increase of 51 per cent over 2020. Requests for information had risen by 12 per cent. In 2021, most reports had concerned discrimination at work: 38 per cent of them pertained to working conditions and pay; 30 per cent were related to access to work and 18 per cent concerned working relations. Almost a third of the reports were related to pregnancy and maternity discrimination. Sexual harassment complaints comprised 21 per cent of the reports received by the Institute, an increase of 23 per cent. Reports of street harassment had also shot up by more than 75 per cent in one year.

20. **A representative of Belgium** said figures provided by Unia, which covered other grounds for discrimination, such as disability or ill health, also indicated a rise of 12 per cent in reports of discrimination and acts of hatred and hate speech between 2020 and 2021, 35 per cent of which had been related to the COVID-19 pandemic.

21. **A representative of Belgium** said that in every police station there were officers who had been trained to deal with cases of domestic violence. Since 2017, 1,000 police inspectors had been trained to handle cases of sexual violence. Under the new national plan against gender-based violence, all the police officers who had been trained to deal with domestic and sexual violence would henceforth become part of a new national squad tasked with responding to those problems.

22. **A representative of Belgium** said that the strategy to combat gender-based violence took account of the situation and special needs of women with disabilities. It provided for measures to improve access to hotlines and to offices where complaints could be filed.

23. **Ms. Peláez Narváez** said that she wished to know whether Myria was competent to handle individual complaints and, if so, how many migrant women had lodged complaints with the Centre in 2021 and on what grounds.
24. **A representative of Belgium** explained that Myria could not take legal action or follow up complaints.
25. **A representative of Belgium** said that in 2016 a reform had improved the quality of legal aid for those entitled to it, including undocumented women.
26. **Ms. Ameline** said that, in view of the complexity of the Belgian federal structure and the lack of a ministry devoted to the question of equality, she wished to know how the country's equality strategy could be coordinated more effectively among the multiplicity of regional and local authorities and language communities and in such a way as to lend fresh impetus to gender mainstreaming policy while taking account of the latest challenges and the need for sustainable development. She would be grateful for clarification of how the State party intended to coordinate the activities of the Institute for the Equality of Women and Men, the Human Rights Platform, the interministerial conference on women's rights and the Federal Institute for the Protection and Promotion of Human Rights, in order to have a coherent system open to all. She asked what action would be taken to obtain A status for the Federal Institute for the Protection and Promotion of Human Rights under the Paris Principles. How would competence for handing complaints be divided between the Institute for the Equality of Women and Men and the Federal Institute for the Protection and Promotion of Human Rights? It would be helpful to know whether non-governmental organizations (NGOs) actively participated in their activities and whether cooperation with them could be institutionalized. The Committee would like to find out whether human rights defenders were protected against hate speech and whether their work specifically targeted women from the most disadvantaged groups who suffered from multiple forms of discrimination. She was unclear whether the keeping of statistics disaggregated by ethnic group was authorized in the State party. Lastly, she wished to know whether gender mainstreaming really applied at all levels of the federal entities and how the State party ensured that national and regional plans were consistent. She pointed out that all civil servants and officials should be given compulsory gender equality training.
27. **A representative of Belgium** said that the interministerial conference on women's rights had helped to strengthen cooperation between the various government authorities on measures to combat violence, sexism in public discourse and menstrual precariousness. All government authorities were bound to follow up the work of the conference.
28. **A representative of Belgium** said that all cabinets of ministers and authorities were coordinating their follow-up to and monitoring of the implementation of the new National Action Plan to Combat Gender-based Violence. A national platform consisting of 16 NGOs would provide advice on the plan and, if so requested by the Government, would participate in some activities under the plan.
29. **A representative of Belgium** said that the Federal Institute for the Protection and Promotion of Human Rights was fully operational, as was demonstrated by the numerous opinions it had issued. Special attention was paid to maintaining coordination and dialogue among the various sectorial bodies. The Institute cooperated closely with them when reviewing legislative amendments. Although initially it had been decided not to include competence to examine individual complaints in its terms of reference, as that competence was optional under the Paris Principles, the Institute could inform citizens about the possibilities for enforcing their rights and direct them to the appropriate body. Provision had, however, been made for the establishment of the right of complaint as part of the Institute's competence and an examination was being made of the various possibilities of doing so. It was up to the Institute to request A status.
30. **Ms. Ameline** said that she wished to stress the need for a proactive policy of temporary special measures to promote the social inclusion of the most disadvantaged groups.
31. **A representative of Belgium** said that social inclusion was one of the priorities of the government departments as was shown by the inclusion plan for the LGBTQIA+

community and national action plans to combat poverty and to integrate persons with disabilities.

32. **Ms. Tisheva** said that she wished to know when steps would be taken to strengthen the mechanism for lodging complaints of sexism and harassment in such a way as to make sure that the perpetrators were punished and that the women victims were provided with effective remedies. She would be grateful if the State party could provide statistics on the number of reported cases of sexism in the public domain registered over the previous three years and the number of convictions disaggregated by age, sex, ethnic origin or nationality. She asked how the State party would ensure the coherence and coordination of policies and responses to violence against women and sexist practices in order to guarantee equal protection of all women and girls throughout the country. She wished to know whether the State party intended to set up a separate coordinating and monitoring body for gender-based violence against women and what the timeline might be for its establishment.

33. Although legislation against harmful practices did exist in the State party, there were reports of a variety of such practices and clearly women with disabilities were most at risk of certain of them. Information about measures to strengthen that legal framework would therefore be appreciated. She was curious to know when reliable statistics would be compiled on those practices and when femicide and induced suicide would be explicitly covered by provisions of the Criminal Code. The Committee would be grateful for information on any plans to amend legislation to give women and children full protection against sexual violence in accordance with international standards.

34. She asked whether the State party intended to carry out research into the different forms taken by that violence, to mount awareness-raising campaigns and to conduct compulsory training for professionals on that issue. How did the State party ensure that migrant women who were victims of gender-based violence could obtain gender-sensitive guidance and support from professionals when their needs for international protection were assessed? She would appreciate some information about steps that would be taken by the State party to comply with its obligations to protect women and girls against gender-based violence over the following three years and about any additional infrastructure and financial resources that would be devoted to ensuring that all victims had access to shelters and specialized services. How did the State party intend to guarantee an approach that was sensitive to the needs of the most vulnerable groups of women?

35. **Ms. Dettmeijer-Vermeulen** said that, in relation to combating trafficking in persons, she would be grateful for the State party's explanation of how it ensured, in line with the recommendation of Myria in its report of November 2021, that there should be adequate resources for judicial officers, for those providing victim support and for all elements of the National Action Plan to Prevent and Combat Trafficking in Persons. While the Belgian courts had sentenced 97 convicted traffickers to prison terms in 2020, 55 of those sentences had been suspended or partially suspended. Experts attributed the high level of suspended sentences to several factors, including the overly broad definition of trafficking in persons used in the legislation. As the Council of Europe Group of Experts on Action against Trafficking had been among the institutions to recommend amendment of that legislation, she wondered whether the State party would consider bringing its law into line with the Group's recommendations. She would appreciate an update on the State party's review of its national referral mechanism for child victims of trafficking in persons. It would be useful to hear details of measures the State party was taking to counter the so-called lover boy phenomenon, in which traffickers sought to make underage girls, sometimes as young as 10 or 11 years of age, fall in love with them with a view to exploiting them. She would like to know whether the State party would consider extending the 45-day reflection period in which women victims of sexual exploitation who wished to apply for a residence permit had to decide whether to report having been victims of trafficking in persons; that period was very short, in particular given the additional prerequisite of cooperation with the police.

36. Noting that the organization of prostitution was illegal in Belgium, she pointed out that Myria had criticized amendments to the Criminal Code aimed at decriminalizing the selling of sex and procuring a person for the purpose of prostitution, as they were vague and had an impact on the identification of victims of trafficking in persons, especially women from outside the European Union. The State party had announced that it would be introducing

legislation setting out the conditions under which it would be possible to procure a person for the purpose of prostitution. She wondered whether the new law would be aimed at making the current rules in the country governing prostitution more consistent. It would be helpful to hear how the State party would ensure that the new law would assist in preventing sexual exploitation. She wished to know how the State party would improve the situation of sex workers of all nationalities and offer holistic support to enable them to leave prostitution. She hoped to hear about any specific legal measures that would be taken to criminalize acts such as the purchase of sexual services from minors or victims of trafficking in persons. Lastly, she would appreciate information on any measures that would be taken under the revised Criminal Code to address prostitution and possible trafficking in persons online.

37. **A representative of Belgium** said that, since public authorities recognized the importance of collecting data disaggregated by sex, among other indicators, it was one of the key elements of the new National Action Plan to Combat Gender-based violence 2021–2025 and a working group on the issue had also been established. The Institute for the Equality of Women and Men had a special mandate to coordinate and monitor the plan.

38. Earlier in 2022, a study on the prevalence of female genital mutilation had been produced, providing new statistical data on at-risk women and girls and victims; since accurate data collection could be difficult, the Institute worked through NGOs active in their communities to reach potential victims. The Institute produced guidance for all stakeholders on addressing female genital mutilation, forced marriage and honour crimes in a culturally sensitive way. Although the revised Criminal Code did not include a specific crime of femicide, a political decision had been reached that new legislation on femicide would be drafted.

39. **A representative of Belgium** said that, although the word “femicide” was absent from the Criminal Code, that crime was punished by the most severe penalties. For less serious violent crimes, an aggravating circumstance could be applied when the violence committed was motivated by reasons that included hatred towards the victims because of their sex. The amendments to the Criminal Code concerning sex crimes had already made it more likely that femicide and some forms of sexual assault would attract more severe penalties. In relation to incitation to commit suicide, the amended Criminal Code would criminalize such acts, whether conducted by mental or physical means and regardless of whether the victim actually died by suicide or merely attempted it; more severe sentences were established for persons who incited their intimate partner to commit suicide.

40. Under the amendments to the Criminal Code concerning sex crime law, any action to rescind the contracts of sex workers was unenforceable given the lack of job security of the women concerned. However, the type of protection provided to victims of trafficking in persons for the purposes of sexual exploitation had not been changed since the Act of 13 April 1995 on preventing trafficking in human beings; trafficking for the purposes of sexual exploitation and procuring remained criminalized.

41. **A representative of Belgium** said that, in 2021, the Wallonia-Brussels Federation had provided funding over five years for five different groups of civil society organizations: one combated female genital mutilation; one worked to prevent sexual assaults; one addressed forced marriage and honour crimes; and two sought to counter domestic violence. The Federation had also sent schoolteachers a guide on the recommended benchmarks for educating youth on relationships and emotional and sexual life, which tackled female genital mutilation and other subjects such as violence in intimate relationships between young persons. A study on the situation of minors suffering sexual exploitation was being conducted by the Federation and was expected to be completed in late 2023. The Federation also trained the staff of youth protection services and civil society organizations on preventing trafficking in persons.

42. **A representative of Belgium** said that the Flemish government had taken steps to tackle the problem of teenage pandering, which included accommodation for victims and care in home settings. If a school had concerns about potential incest, there were clear guidelines on how it should work with the multidisciplinary teams of the country’s various confidential centres for abused children to address the issue.

43. **A representative of Belgium** said that, as part of its preventive health policy, the Flemish government, along with the National Institute for Health and Disability Insurance and some local authorities, carried out several projects aimed at promoting the sexual health of sex workers, providing information on safe sex and services for the early detection and testing for sexually transmitted infections. Sex workers, in particular those wishing to leave sex work, were also offered social, emotional and legal assistance. The decriminalization of sex work had not changed the preventative nature of the policy.

44. **A representative of Belgium** said that statistical data on the increase in the number of shelters across the country would be provided in writing. She wished to highlight a shelter in the Brussels-Capital Region specifically for lesbian, gay, bisexual, transgender and intersex persons who were alienated from their families.

45. In 2020, 83 incidents of sexism had been reported to the Institute for the Equality of Women and Men, with 111 reported in 2021; the Institute was aware of just 7 convictions between 2020 and 2022. One example of prevention of such incidents was an awareness-raising campaign in the Brussels-Capital Region on sexist harassment in public spaces and sexual violence at night.

46. **Ms. Tisheva** said that she would appreciate clarification as to whether incest constituted a crime in the latest version of the Criminal Code or was merely an aggravating circumstance.

47. **Ms. Dettmeijer-Vermeulen** said that it would be useful to have an account of the financial resources that would be allocated to anti-trafficking actors, judges and prosecutors and staff in shelters in order to adequately identify and protect potential victims.

48. **A representative of Belgium** said that incest was now recognized as a crime in its own right. In relation to resources for combating trafficking in persons, an additional €50,000 had been earmarked for the three reception centres for victims.

Articles 7–9

49. **Ms. Manalo** said that she would be grateful for details of measures taken to increase the number of women in decision-making posts, in particular in the diplomatic service and armed forces. She wished to know what steps had been taken to advance women's participation at decision-making level in companies not covered by the Act of 28 July 2011 on ensuring the presence of women on the boards of directors of autonomous public enterprises, listed companies and the National Lottery. Information on any measures taken to increase the employment rate of women with disabilities to bring it into line with that for men with disabilities would be useful. In addition, she wondered whether the State party had considered introducing measures, such as quotas, to ensure equal representation of women, in particular women with disabilities, in elected assemblies and executive bodies.

50. **Ms. Narain** said that, despite the reform of the Belgian Nationality Code in 1985 to enable Belgian women to pass on their nationality to their children, it was reported that some persons whose mother was a Belgian national but whose father was a foreign national were struggling to obtain citizenship; she would appreciate details of any steps the State party had taken to remedy that situation. She would also like to know about any safeguards in place to protect women whose nationality, residence or passport had been revoked on the grounds of public order or security, as was possible in Belgian law, and who had been included in the various databases used in combating and preventing terrorism and violent extremism. In the light of the apparent lack of a procedure for repatriation of children born to Belgian nationals in conflict zones, details of any steps taken to facilitate the repatriation of such children would be useful. In addition, given that Belgium had acceded to the 1961 Convention on the Reduction of Statelessness in 2014, she wondered how the State party intended to regulate the granting of nationality or residence permits to women, including refugee women, recognized as stateless.

51. **A representative of Belgium** said that, following the municipal and provincial council elections of 2018 in Flanders, 38 per cent of municipal councillors were women, 24 of 300 municipalities had more women councillors than men and 34 per cent of deputy mayors were women, although women accounted for just 15 per cent of mayors. The Flemish

government aimed for 40 per cent of middle and senior management posts in the administration to be occupied by women and monitored its own success in that regard annually.

52. **A representative of Belgium** said that the law on quotas applied to elections and executive bodies at all levels. Representation of women was as low as 40 per cent at the local level and was almost 50 per cent in the Walloon and Flemish Parliaments; at least a third of the members of the executive at all levels of government were women. Thanks to the Act of 28 July 2011, women had gone from accounting for 8.3 per cent of members of boards of directors in 2008 to 34.1 per cent in 2020, with 98.2 per cent of companies complying with the Act in 2020.

53. **Mr. Pecsteen de Buytswerve** said that, while just 23 per cent of the staff of the diplomatic service were women, there was near gender parity among new recruits; the balance would therefore improve over time. Since most older staff were men, the more senior posts tended to be held by men too; however, the two Ministers heading the Federal Public Service for Foreign Affairs, Foreign Trade and Development Cooperation were both women.

54. **A representative of Belgium** said that gender had been mainstreamed into the Federal Disability Action Plan 2021–2024, which included specific measures, such as measures to support the employment of persons with disabilities, promote inclusive working environments and increase employment in public administration.

55. **A representative of Belgium** said that, in 2021, Belgium had 884 stateless persons recorded in the national register and a further 3,341 registered under the category “Palestinian Authority”. The number of persons categorized as “undetermined nationality” had increased from 4,248 in 2017 to 25,622 in 2021.

56. **Ms. Manalo** said that statistical data demonstrating an increase in women’s participation in decision-making within the diplomatic service would be helpful. She would also like to know whether women were accepted into the armed forces and, if so, whether they were able to gain promotion to senior ranks.

57. **Ms. Narain** said that, while the statistics provided on stateless persons were helpful, statistical data disaggregated by gender would be even more useful.

58. **A representative of Belgium** said that all positions in the armed forces were open to women but their representation remained low, at 9 per cent. Measures taken to promote women’s participation included a diversity policy that entailed, among other actions, the display of images portraying male and female personnel during recruitment drives.

59. **A representative of Belgium** said that there were also women generals.

Articles 10–14

60. **Ms. Akizuki** said that she was pleased with women’s high level of educational attainment in the State party. She welcomed, in particular, the five-year plan for women in education in science, technology, engineering and mathematics (STEM) and information and communication technology (ICT) under the Women in Digital National and Intersectoral Strategy 2020–2025, the “Wallonia Wonder Women” digital literacy awareness campaign and the renewal of the Flemish Community’s STEM Action Plan for the period 2020–2030. It would be useful to know whether the Girls Day, Boys Day Project and the “Wallonia Wonder Woman” campaign had improved female students’ enrolment in STEM courses in French Community higher education.

61. She asked whether the Flemish Region’s Action Plan entitled “Together against early school leaving” and the comprehensive plan to combat early school leaving developed by the French Community included any specific measures to improve access to education for Roma girls, migrant girls, refugee girls, girls seeking asylum and girls with disabilities. She also wished to know what had been done to prevent any negative consequences the headscarf ban in schools might have on girls’ access to education.

62. She wondered whether the State party envisaged amending its legislation to establish a country-wide ban on corporal punishment, including in the home and other care settings, to close the current legal gap. She would also appreciate data for the past three years,

disaggregated by sex, age educational attainment, nationality, ethnic background and disability, on victims of cyberbullying, bullying and violence in schools. The delegation might wish to inform the Committee of any plans to develop legislation on bullying and harassment at school.

63. Additional information was needed on the State party's policy on access to education for undocumented migrant girls and on measures taken to ensure that the girls knew about their rights, including those living in migrant detention centres. She would also be curious to find out how the State party planned to tackle the underrepresentation of women with disabilities, migrant women, and Roma women in high-quality training courses to help them enter the labour market.

64. **A representative of Belgium** said that some Flemish schools had successfully challenged school regulations and lifted the headscarf ban in their establishments. In municipal, urban, provincial and preschools, including Catholic schools, the final decision rested with the school board; the ban applied in some schools, but not in others. Some schools provided for exceptions to the ban for certain groups of girls. Jurisprudence on the headscarf ban in public schools was rather diverse and the issue was likely to remain subject to public debate.

65. **A representative of Belgium** said that, in the context of efforts to prevent online sexual harassment, a study on young persons' experience with gender and sexual identity had been launched in Flanders in 2019. Recommendations emerging from the study would be taken into account in the implementation of the Flemish Youth and Children's Rights Policy Plan 2020–2024, which contained a series of actions to raise awareness about gender and sexual diversity at school. Measures were being taken to strengthen the online integrity of young people; media awareness campaigns aimed at combating hate speech, violence and stereotypes were carried out in cooperation with the Flemish Knowledge Centre on Media Literacy; and a Code of Ethics for Belgian Influencers had been developed, which included guidelines around hate speech, bullying and sexual abuse.

66. **A representative of Belgium** said that community action plans to combat school dropout set forth prevention, intervention, empowerment and monitoring activities. Special emphasis was placed on supporting vulnerable pupils. An average of 8,000 young people left secondary school in Flanders prematurely. Within the framework of the Flemish Action Plan on early school leaving, absenteeism was closely monitored, and mandatory follow-up was provided after five half school days of unauthorized absence. There was close cooperation between local actors, schools and policymakers. Legislation on pupil guidance in primary and secondary education had been revised and schools were supported to create a welcoming, safe school environment to prevent early dropout. Alternative education pathways were also being re-evaluated and strengthened.

67. Summer schools initially established to address education gaps arising during the COVID-19 pandemic had been made permanent features of the education system. New legislation on summer schools had been adopted, which set clear expectations for all actors to deliver tailor-made solutions to small groups of children and young people to facilitate their successful return in the new school year. Summer schools were open to all children and young people and efforts to include vulnerable children had borne fruit. School dropout was higher among students of foreign nationality and male students. In the academic year 2019/20, 8 per cent of pupils had left secondary school without a qualification. The situation was monitored closely, and measures were adapted accordingly.

68. **A representative of Belgium** said that several actions had been implemented in the French Community to raise awareness around STEM-related issues. A digital module on equality of boys and girls in education had been designed to help teachers integrate gender- and STEM-related issues in class. The General Service for Digital Education, which developed a broad range of non-mandatory education and distance learning materials, had integrated a gender perspective throughout. Implementation of the Girls Day, Boys Day Project continued; data on the impact of those measures would be provided in writing.

69. Issues relating to the display of religious symbols, including the wearing of the headscarf, fell within the purview of school boards. The prohibition of discrimination on religious grounds was covered in the Decree of 12 December 2008 on the fight against certain

forms of discrimination, which also applied to access to education and in the classroom. The principle of neutrality enshrined in the Code of Basic and Secondary Education was only implemented for teaching staff.

70. Although there were no interreligious ombudsmen in schools, the Walloon Region operated school-based mediation services to resolve conflicts in student-parent-teacher relations. In non-compulsory education, a certain level of tolerance was shown when it came to the wearing of the headscarf, but some schools imposed a ban for certain activities for security or educational reasons. No exemption from class was granted on grounds of religion.

71. **A representative of Belgium** said that, in the Walloon Region, targeted dropout prevention services were available. Their aim was to create enabling conditions for students' swift reintegration in school by providing social, educational and other services. Such assistance was temporary, limited to three months, and could be extended for another three months during the year.

72. All children, including those from undocumented migrant families, were entitled to enrol in compulsory education. Migrant children were provided with special integration and language classes to foster language proficiency, prepare them for the challenges of educational achievement and educate them about school culture in order to facilitate their early integration into mainstream schools.

73. While the Decree on assistance to victims of child abuse did not establish an explicit prohibition against corporal punishment, it provided for a broad definition of abuse, which included any type of physical violence, bodily harm, sexual abuse, psychological violence or serious neglect that hampered the physical, psychological or emotional development of the child.

74. A range of measures had been implemented to prevent and combat bullying and harassment at school. The Walloon Parliament had considered a draft decree on school bullying in first reading and deliberations were under way on ways to support schools in implementing actions to address the problem in the long term.

75. **A representative of Belgium** said that the Government took a holistic approach to corporal punishment, which entailed prevention, social control and family assistance. Legislation provided for children's right to non-violent education and the notion of mutual respect between parents and children. According to recent jurisprudence, corporal punishment was an indictable offence under article 398 of the Criminal Code. The Government applied a zero-tolerance policy on violence in education. Discussions were being held on the introduction of provisions to the Civil Code on non-violent education and a ban on the use of any form of mental or physical violence or other inhuman or degrading treatment for educational purposes.

76. In a democracy, conflicting jurisprudence, such as in the case of the headscarf ban, reflected different levels of social awareness and attested to the independence of the judiciary. The European Court of Justice had ruled that a prohibition on wearing any visible form of expression of political, philosophical or religious belief in the workplace might be justified by the employer's need to present a neutral image towards customers. The Council of State had found that the same right applied to public bodies, in application of the principle of neutrality, so long as the ban on display of religious symbols was limited to staff in contact with the public.

77. **A representative of Belgium** said that an abuse prevention programme was in place in the Walloon Region, in the context of which primary school teachers discussed abuse-related issues in the classroom and provided comprehensive information on support services to pupils.

78. **Ms. Bonifaz Alfonzo** said that she wished to know whether the State party intended to take action on the International Convention on the Protection of the Rights of All Migrant Workers and Their Families any time soon.

79. Given that the improvement in the representation of women in formal employment shown in 2019 data only applied to Belgian nationals, it would be useful to obtain information on measures taken to ensure that migrant women and women belonging to disadvantaged

groups had equal access to employment. In the light of the rising number of complaints of employment discrimination on grounds of pregnancy and maternity, she wondered whether any specific measures were in place to combat that type of discrimination.

80. Women in the State party continued to earn 5.3 per cent less than men and the wage gap for women aged 55 to 64 was particularly high. She wondered what measures were envisaged to remedy the problem given the apparent inadequacy of the Act of 22 April 2012 aimed at reducing the wage gap between men and women.

81. The protection afforded under the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), was not extended to undocumented migrant workers, who were particularly vulnerable to exploitation. Migrant women were often unaware of their rights and faced obstacles to accessing justice. It would be useful to know what the State party intended to do to ensure the protection of domestic workers, regardless of migration status.

82. Given the low number of complaints lodged and sanctions imposed for harassment at the workplace, which was covered in Act of 4 August 1996 on the well-being of workers in the performance of their work, as amended in 2014, she wondered whether women were encouraged to report such harassment and what follow-up was given to the complaints. The Committee would be interested to hear the State party's views on the issue of sexual harassment at the workplace.

83. **A representative of Belgium** said that the Government attached great importance to the rights of migrant workers. However, the conferral of equal rights on migrant workers in regular and irregular situations under the International Convention on the Protection of the Rights of All Migrant Workers and Their Families was incompatible with domestic legislation, which drew a distinction between the two categories of migrants. The country was thus not in a position to accede to the Convention.

84. **A representative of Belgium** said that federal legislation prohibited discrimination on grounds of pregnancy and the relevant provisions were strictly applied by domestic courts. Discussions were currently held on the possible extension of legal protection to witnesses of discrimination at the workplace. Legislation had been amended so that leave spent during the optional prenatal leave period did not reduce the postnatal leave entitlement.

85. The gender wage gap in Belgium was among the lowest in Europe. The fact that the gap was greatest among the higher age brackets illustrated the progress made. The Act of 22 April 2012 provided for salary transparency, compelling companies of a certain size to conduct salary distribution analyses. Options for strengthening those provisions further, including by way of binding measures, were currently being discussed. Any such provisions would be aligned with the proposed directive of the European Parliament and of the Council to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms.

86. Following the ratification of the ILO Convention No. 189, legislation had been amended to grant domestic workers equal access to social security benefits. Ratification of the ILO Violence and Harassment Convention, 2019 (No. 190), was under way. The instrument of ratification would be submitted to the Federal Parliament shortly, with a view to ratification in the course of 2023. Under existing anti-harassment provisions, which were part of the Act of 4 August 1996 on the well-being of workers in the performance of their work, specific mechanisms were in place to prevent and combat sexual harassment at the workplace, including company-based ombudsmen.

87. **A representative of Belgium** said that the Government had worked with the NGO Fairwork to assist victims of human trafficking staying in closed centres who had been abused at the workplace in obtaining justice and compensation. Since the start of this cooperation in 2019, a dozen cases had been tried; the majority of victims had been men.

The meeting rose at 1 p.m.