



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

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**Committee on the Elimination of Discrimination
against Women
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Summary record of the 1918th meeting

Held at the Palais des Nations, Geneva, on Friday, 14 October 2022, at 3 p.m.

Chair: Ms. Haidar (Vice-Chair)

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Ms. Haidar, Vice-Chair, took the Chair.

The meeting was called to order at 3 p.m.

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

Eighth periodic report of Belgium (continued) ([CEDAW/C/BEL/8](#);
[CEDAW/C/BEL/QPR/8](#))

1. *At the invitation of the Chair, the delegation of Belgium joined the meeting.*

Articles 7–9 (continued)

2. **Mr. Pecsteen de Buytswerve** (Belgium) said that the best interests of the child lay at the heart of the process for repatriating the children of foreign combatants with Belgian nationality. To be eligible for repatriation, which remained voluntary, children must be accompanied by their mothers; be aged under 12 years and hold Belgian nationality, or be reasonably expected to acquire it; or be located in the Syrian Arab Republic or Iraq and undergo DNA testing if no official documentation existed to attest to their biological link to the Belgian parent. The repatriation of children aged between 12 and 18 years was considered on a case-by-case basis. To date, all children under 12 who had fulfilled the criteria had been repatriated.

3. The security services assessed the risk posed by returning mothers, and mothers who had been convicted in absentia must serve their sentences, although they could appeal. Children under 3 years could remain with their mothers in specially adapted prison wings, and contact between imprisoned mothers and older children was guaranteed. Mothers who had not been convicted were brought before the competent judicial authorities for a decision on possible prosecution and pretrial detention. The four repatriation operations undertaken to date had led to the repatriation of 62 children.

Articles 10–14 (continued)

4. **A representative of Belgium** said that the Government had coordinated the European Union’s “Parents @ Work” project, which had enhanced protection for pregnant women, mothers and fathers in the workplace, notably through training for labour inspectors on legal protection for working parents.

5. **A representative of Belgium** said that an awareness-raising campaign by the Flemish government had used the mass media to highlight inappropriate behaviour and discriminatory practices in the workplace and recruitment processes. There was also an action plan on work-related discrimination.

6. **A representative of Belgium** said that the federal Government had recently launched a programme on the sustainable inclusion of vulnerable women in the job market that would involve research into the obstacles facing them, along with projects on equal pay and improved working conditions.

7. **Ms. Bonifaz Alfonzo** said that it would be useful to know whether there was a special social security contribution scheme for domestic workers.

8. **A representative of Belgium** said that the majority of domestic workers working legally in Belgium must be registered with the social security system, and their employers made contributions in the same way as for other workers. However, domestic workers in diplomatic or consular posts were exempt from that requirement provided that they were enrolled in, and had access to, a social security system in another State, although they could be enrolled in the Belgian system voluntarily. If a relevant bilateral agreement existed with the State in question, they could use the services of the Belgian social security system.

9. **Ms. Peláez Narváez** said that she wished to know how the State party was addressing the apparently limited access to health care for vulnerable women, including migrants, women with disabilities, Roma women, older women and domestic workers. In particular, the time limits placed on abortion often resulted in unwanted pregnancies among undocumented and migrant women and women with disabilities, and it would be good to

know how those women, most of whom were not enrolled in the social security system and could therefore not benefit from free abortion, had access to the procedure. Similarly, she wished to know how domestic workers, who had been included in the social security system since 2014, had access to services such as abortion and breast and cervical cancer prevention, screening and treatment.

10. There were reports that women with intellectual and psychosocial disabilities continued to undergo forced sterilization and that intersex children underwent gender assignment surgery before they were old enough to make an informed decision. Around six persons died by suicide every day in the State party and, while most were men, the rate of suicide attempts was higher among women. Information would therefore be useful on how the State party's mental health strategies dealt with suicide, including from a gender perspective. Lastly, she wished to know how the health-care services addressed incest.

11. **A representative of Belgium** said that the Federal Disability Action Plan included specific measures that guaranteed the rights of women with disabilities and their access to health care. Persons with regular migration status had access to abortion through the compulsory health insurance system, and women with irregular status had access to it through the emergency medical care provided at public social welfare centres. Under legislation adopted in 2013, persons with disabilities could undergo sterilization only if they, and not their guardian or legal representative, gave their informed consent. If a judge decided that a person was unable to provide consent, the procedure was not carried out.

12. **A representative of Belgium** said that action would be taken to address the obstacles to abortion faced by persons with irregular migration status and to translate all the relevant information into different languages.

13. **A representative of Belgium** said that the Flemish government worked to raise the Roma community's awareness of the importance of accessing primary health care and enrolling children in the education system. There was a hotline offering free, anonymous support to persons concerned about their sexual feelings or behaviour towards minors or members of their families, while children with questions or who were victims of sexual violence could use a chat service. A project had been launched to improve the care provided to children affected by sexual abuse when the perpetrator was a relative or family member.

14. **A representative of Belgium** said that mental health-care coverage had improved at the federal level, with first-line services accessible without a referral. Those services provided initial appointments free of charge so as to refer patients to the most appropriate treatment. Suicide prevention was addressed at the level of the Community.

15. **A representative of Belgium** said that the Flemish government's actions and policies in the area of preventive health care, including suicide prevention, targeted all groups but were applied more intensively to the most vulnerable. The Flemish Centre of Expertise in Suicide Prevention provided information and advice, as well as operating a hotline for young persons.

16. **A representative of Belgium** said that in the French Community, all girls and boys aged 13 and 14, as well as older children born after 2006, could receive the human papillomavirus vaccine as part of cervical cancer prevention efforts. Vaccinators could request vaccine supplies free of charge, and up-to-date information on the vaccine was available online.

17. **A representative of Belgium** said that the same vaccination policy was in force in the Flemish Community. The Flemish government also undertook campaigns to raise awareness of the importance of breast and cervical cancer screening, which was provided free of charge to women in certain age groups. One of the Flemish government's partners had created a website providing information on sexual health in 14 languages.

18. **Ms. Peláez Narváez** said that the delegation might clarify the legal situation surrounding forced sterilization following the legislative reforms made in 2013, and whether care institutions could require persons with disabilities to be sterilized, as had been reported to the Committee.

19. **The Chair** said that she would be interested to know whether the State party would support the extension of the Trade-Related Aspects of Intellectual Property Rights waiver in relation to the vaccine for coronavirus (COVID-19) disease.

20. **A representative of Belgium** said that forced sterilization was prohibited under the law, and the authorities had repeatedly stated that the principle of free consent applied to the sterilization of persons with disabilities, which was unacceptable when its purpose was to facilitate the work of carers or parents.

21. **Mr. Pecsteen de Buytswerve** (Belgium) said that there had been no limitations on vaccine exports from the country and that the Government was considering its position on expanding the agreements reached at the twelfth Ministerial Conference of the World Trade Organization in June 2022 to include COVID-19 therapeutics and diagnostics.

22. **A representative of Belgium** said that, in May 2022, the federal Government had adopted a national plan containing 133 measures for the benefit of the LGBTQIA+ community, including legislative amendments to ban conversion therapy and unnecessary or involuntary surgery and treatment for intersex children.

23. **Mr. Safarov** said that he commended the State party on being one of the few countries to adopt a specific action plan on women in the digital industry. Given the growing rate of poverty and social exclusion resulting from the COVID-19 pandemic and the rising cost of living, he wished to hear about the goals of the federal poverty reduction plan and the specific support envisaged for migrant, Roma, older and homeless women. Similarly, he would welcome information on support provided to women entrepreneurs during the pandemic restrictions aside from the general business support measures provided to entrepreneurs at the regional level, which had only partly offset losses incurred by closures, and on the prevention of economic discrimination against women in the private sector, especially at a time where their representation was declining. Lastly, what steps were being taken to ensure access to credit for women entrepreneurs?

24. **A representative of Belgium** said that gender was a cross-cutting issue in the newly published federal poverty reduction plan for the period 2022–2024, and a number of specific actions for homeless women were being taken at the regional level. For example, the Walloon Gender Plan 2020–2024 contained measures to combat homelessness and promote social integration through the existing shelter system and a future day-care system adapted to women’s needs. In that connection, the outcome of a specially created working group was expected in 2023, two calls for project proposals had been launched and a study on women’s homelessness in Brussels had been published, revealing uneven and insufficient training in issues tied to gender and violence against women. The organization Equal Brussels had financed training for teams working with homeless women.

25. **A representative of Belgium** said that a decree on the reduction of poverty and social inequality in the Wallonia-Brussels Federation had been adopted in May 2019 with the aim of establishing a mechanism for the implementation, follow-up, assessment and promotion of a cross-cutting policy in that domain. In addition, calls for proposals on poverty reduction initiatives were published annually, and one of the focus areas under the relevant five-year plan was access to public services for the most vulnerable, including through better dissemination of information on their rights.

26. **A representative of Belgium** said that, at the onset of the COVID-19 pandemic, a task force had been set up to tackle issues concerning vulnerable groups, including women living in poverty. Among the measures taken was the introduction of food subsidies; the amount of the subsidy had since been increased, and further enhancements were being considered.

27. **A representative of Belgium** said that the Flemish poverty reduction action plan contained measures to promote shared parental responsibilities, with a focus on vulnerable families, and provided for a housing allowance. Moreover, local authorities were encouraged to exchange experiences. The universal child benefit package could be augmented with various allowances depending on the family situation, for instance if the child had a disability or if household income was below a certain threshold. Furthermore, under a 2018 decree requiring local authorities to guarantee maximum access to fundamental rights, social

services had to provide objective, complete information about a range of health and other services and refer individuals to the appropriate provider for assistance.

28. Lastly, one of the actions under the Flemish integration policy entitled “Living together in diversity” aimed to help disadvantaged persons, including newcomers, women and persons with disabilities, become self-employed. Local councils received €650 per participant, with the regional government matching that amount, and there was coordination with non-governmental organizations to ensure that the initiative was tailored to participants’ needs. More than 235 women had taken part in the project thus far.

29. **A representative of Belgium** said that several of the federated entities supported the organization BruZelle, which raised awareness about women’s reproductive cycle and provided menstrual products to low-income women and girls.

30. **A representative of Belgium** said that the Brussels authorities had adopted a homelessness reduction ordinance and were developing a poverty reduction plan. While women represented 35 per cent of the self-employed, the number of women entrepreneurs had been rising proportionally more than the number of men entrepreneurs for several years. Furthermore, in 2021, the start-up rate had increased by over 12 per cent for women compared to over 8 per cent for men. Women’s loan applications were rejected less than men’s, but that might be partly due to the fact that men tended to apply for larger sums of money. As women’s entrepreneurship was a priority of the federal minister responsible for small and medium-size enterprises and self-employed persons, a round table on women’s access to credit had been held in September 2022, whose recommendations were expected in the coming weeks. In addition, a call for proposals on the theme of women entrepreneurs and resilience post-health crisis had been launched in June 2022.

31. **Mr. Safarov**, supported by **the Chair**, said that it would be helpful to receive a statistical overview of the situation of female entrepreneurship, including access to credit, as it was difficult to compare the different information from the various entities.

32. **Ms. Toé-Bouda**, recalling that the Committee had previously underscored the lack of measures for women experiencing multiple discrimination, said that it would be useful to learn how many women owned agricultural land, what measures were in place for that group and the extent to which gender issues were incorporated in national policies on rural women. Similarly, she would welcome information on the practical implementation of the circular aimed at preventing the revictimization of undocumented women, how such women were informed of their rights, plans to amend the Aliens Act to introduce anti-discrimination measures for women migrants, refugees and asylum-seekers, for instance in respect of family reunification, and what tangible steps were being taken, such as segregation in shelters and toilets, to improve the gender sensitivity of asylum procedures. In the light of reports of violence against Muslim women and girls, she wondered whether the State party intended to adopt a national anti-racism plan with specific provisions regarding women.

33. She wished to learn more about the measures that the State party intended to take to eliminate the serious systematic discrimination against women and girls with disabilities, including social and labour market exclusion, higher institutionalization rates, loss of custody of children and poverty. She wished to know what measures were envisaged under the National Roma Integration Strategy 2020–2030 to step up access of Roma girls and women to education, employment, housing and health care, as well as the number of early marriages and teenage pregnancies among Roma girls. Lastly, what legislative and other measures was the State party planning to adopt to ensure that the specific needs of imprisoned women and their children were considered?

34. **A representative of Belgium** said that the active population in rural areas was generally declining among men and women alike. Federally, agricultural workers had represented 17.4 per cent of the active female population in 2021, down more than 4 percentage points from 2011. Two measures under the Walloon Gender Plan 2020–2024 were of particular relevance. First was the development of statistical tools on the specificities of the agricultural sector from a gender perspective, a measure that consisted in collecting data on women in agriculture and developing socioeconomic indicators to measure their role in the sector over time. Recent data showed that women accounted for just under 30 per cent of regular agricultural workforce. Men made up the majority of farm managers and headed

84 per cent of farms. Women farm managers tended to work on smaller farms that specialized in crop production or raising livestock and were generally older and had less formal training than their male counterparts. While there were two thirds fewer women agricultural workers in the Walloon Region than there had been in 1990, their proportion of the total agricultural labour force had remained roughly the same.

35. In 2020, one woman in two helped her spouse on the farm, conferring on her the status of “spouse”. There were 10 per cent fewer women with that status than in 1990. Three out of 10 women had the status of farm manager, which meant that 16 per cent of Walloon farms were run by women, a percentage that had changed little since 1990.

36. The second measure was to showcase the involvement of women in the sector by disseminating the profiles of women agricultural entrepreneurs who embodied modernity and good practices. The Association of Walloon Women Farmers, which received public funding, aimed to promote and defend the interests of women farmers through events and continuing education classes.

37. **A representative of Belgium** said that the Government strove to implement the Convention in a comprehensive manner that benefited all inhabitants of Belgium, including migrants, asylum-seekers and stateless persons. To that end, the Government had appointed gender focal points within the Office for Aliens, the Federal Agency for the Reception of Asylum-Seekers and the Aliens Litigation Council, among other bodies. Since June 2021, a task force within the Federal Agency for the Reception of Asylum-Seekers had been working to promote the gender perspective within the Agency. Within the Office for Aliens, a working group made up of 10 persons, each representing a different directorate, was responsible for monitoring the implementation of the different measures provided for in relevant national plans. A network of gender focal points had been established within the Ministry of the Interior. In dealing with asylum and migration affairs, the Government implemented the national gender mainstreaming plan and the national action plans to combat domestic violence and discrimination against the LGBTQIA+ community.

38. Directive 2011/95/EU of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, provided that applications for international protection must be assessed on an individual basis. In order to comply with that Directive, the Office of the Commissioner General for Refugees and Stateless Persons had been required to stop automatically granting refugee status to parents whose children had been granted international protection. In the light of that situation, the Office for Aliens was examining ways of amending the law on family reunification to ensure that such parents had the legal right to remain in Belgium with their children. The law would also be amended to ensure that women whose residency status was tied to their partner’s status could legally remain in Belgium if they decided to separate from their partner to escape from domestic violence.

39. The Office of the Commissioner General for Refugees and Stateless Persons provided intensive training on gender matters to its employees and those of other relevant agencies. All protection officers received basic training in gender and specialized in areas including forced marriage, female genital mutilation and lesbian, gay, bisexual, transgender and intersex issues. The Office would be called on to provide training on gender issues to the staff of shelters, migrant holding centres and registration centres to improve their ability to identify vulnerable women who might have special requirements.

40. **A representative of Belgium** said that legislative measures were being taken to ensure that multiple and intersecting forms of discrimination were recognized in both regional and national laws. The gender perspective had been incorporated into a national action plan on combating racism that was currently being developed.

41. **A representative of Belgium** said that women prisoners who had children under 3 years of age had the legal right to live with their children in detention facilities. Parent-child units in prisons were equipped with the infrastructure required for children’s development. The federal Government and the governments of the federated entities were working with all concerned stakeholders to develop a national action plan on combating racism. Under the

plan, an intersectional approach would be taken in all federal measures to monitor instances of racism, combat online hate speech and promote diversity within the public and private sectors.

42. **A representative of Belgium** said that research into sexual violence showed that very few women with disabilities in residential care had received sex education. As a result, they were unaware of the importance of consent in sexual relations. In collaboration with students with disabilities, further research was now being conducted to determine how best to include sex education in the curricula of special education schools. On the basis of that research, recommendations were expected to be issued in 2023. Family justice centres in Flanders took a specific approach to tackling domestic violence against migrant women or women of migrant backgrounds. In Antwerp, for example, women victims of domestic violence who did not speak Dutch were informed, in their own language, of the available forms of assistance and the procedures for reporting domestic violence. Weekly drop-in sessions were arranged for such victims so that they could support and learn from each other.

43. **A representative of Belgium** said that the Wallonia-Brussels Federation provided funding to organizations that aimed to foster a sense of citizenship among young people in a multicultural context, combat racism by promoting intercultural dialogue, and raise migrant women's awareness of their rights under national law.

44. **A representative of Belgium** said that, in March 2021, the Wallonia-Brussels Federation had launched a campaign entitled "Racism Leads Nowhere" with a view to helping young people to identify and report hate speech on social media. The campaign was targeted at persons aged between 15 and 35 years and was publicized on social networks, radio, television and other media. The Federation's budget for combating racism had been increased, enabling it to allocate funding to relevant civil-society organizations.

45. **A representative of Belgium** said that the decision had recently been taken to distribute free women's sanitary products to some 500 women prisoners around the country.

46. **A representative of Belgium** said that, in the Brussels-Capital Region, women with disabilities were trained to defend themselves against abuse and violence. Women with disabilities who were victims of domestic violence received information on the available forms of assistance.

47. **A representative of Belgium** said that the Wallonia-Brussels Federation provided funding to the non-governmental organization Garance, which trained women of different ages and backgrounds to defend themselves against various forms of violence.

Articles 15 and 16

48. **The Chair**, noting that national law provided for an exception to the minimum age of marriage, said that she wished to know how many persons under the age of 18 years had entered into marriage in recent years and whether the Government would consider amending the law to remove that exception. She wondered how the State party protected separated or divorced women against violent former partners, particularly as, under national law, separated parents were required to share the custody of their children. The Committee would be grateful to know how the changes made to inheritance law in 2017 had affected women.

49. **A representative of Belgium**, responding to the question about the number of marriages involving an under-age person, said that there had been two such marriages in 2017, none in 2018, one in 2019, none in 2020 and two in 2021. The amendments made to inheritance law in 2017 had been beneficial for the surviving partners of legally recognized cohabiting couples, who, in the majority of cases, tended to be women. For instance, the amendments granted surviving partners access to a greater proportion of their deceased partner's estate and also strengthened their inheritance rights in relation to other family members. Furthermore, the amendments had removed the requirement for surviving partners to declare any gifts that they had received from the deceased partner.

50. **A representative of Belgium** said that, although the number of marriages involving an under-age person was very low, reports indicated that some women and girls were forced to cohabit with a partner or to marry in fulfilment of an honour-based code. In that connection, the Wallonia-Brussels Federation funded associations that worked to combat

forced marriage and honour-based violence. Between 2017 and 2019, around 100 children had contacted the authorities to report that their relatives were planning to force them to marry. Since the outbreak of the war in the Syrian Arab Republic, the authorities had noted that girls as young as 13 or 14 years were being targeted for forced cohabitation following a customary marriage. In such cases, girls who were forced to have sexual relations with their partners were considered to be victims of rape. Steps were being taken to raise young people's awareness of forced marriage and cohabitation and special shelters had been established for girls at risk of becoming victims of those offences.

51. **A representative of Belgium** said that the Government was conducting a study of the impact of the new inheritance laws on men and women. When judges took decisions related to child custody, they were required to take into account any reports of domestic violence submitted by one of the partners. Toolkits would be made available to judges to help them to identify victims of domestic violence in divorce proceedings.

52. **A representative of Belgium** said that, in the Flemish Region, a mechanism known as "child reflex" (*kindreflex*) had been developed to make it easier for social workers to discuss parenting issues with their clients and to identify unsafe family situations. Use of the mechanism had now been extended to general hospitals, welfare centres and mental health services. In 2021, justice officials had been trained to deal with situations in which a temporary restraining order was imposed on a family member.

53. **Mr. Pasteel** (Belgium) said that he wished to thank the Committee members for the constructive dialogue. The delegation had been impressed by the detailed questions asked by the Committee members and the extensive preparatory work that they had evidently carried out. He expressed the hope that the answers provided by the delegation had been satisfactory and assured the Committee that it would receive written responses to the outstanding questions within the established time frame.

The meeting rose at 4.50 p.m.