



## **Quality in Gender+ Equality Policies**

European Commission Sixth Framework Programme  
Integrated Project

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## **Context Study Belgium**

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## DATA TO BE COLLECTED

### DEFICIENCIES, DEVIATIONS AND INCONSISTENCIES IN EU AND MEMBER STATE'S GENDER+ EQUALITY POLICIES

#### 1. 'Deficiencies, deviations and inconsistencies in EU and Member State's gender+ equality laws'

1.1 Please summarise the key developments, with dates, in gender equality law as provided by the governmental gender equality unit, i.e. list the legislation that the gender equality unit (or equivalent governmental body) name as (gender+) equality legislation. If important legislation seems to have been omitted by the authority, please comment on this.

| <u>Legislation</u> <sup>1</sup>                       | <u>Year</u> | <u>Main provision(s)</u>  |
|---|-------------|---|
| Anti-racism Act                                       | 1981        | Fights discrimination based on racism or xenophobia   |
| Abortion Act  | 1990        | Abortion legal up to 14 weeks   |
| Act Smet-Toback                                       | 1994        | Quota imposed upon candidate lists  |
| Beijing Act   | 1996        | Controls the implementation of the Beijing resolutions  |
| Act Lizin   | 1997        | Violence between partners becomes a criminal act  |
| Employment Equality Act                               | 1999        | Equal treatment of women as regards employment, implements EU Directives 96/97, 97/80   |
| Act on Quota  | 2002        | Stricter quota imposed upon candidate lists   |
| Domestic Violence Act                                 | 2003        | Assigning the family home to victim of domestic violence  |
| Anti-discrimination Act                               | 2003        | Fights discrimination, amends law (1993) on <i>Centrum voor gelijkheid van kansen en racismebestrijding</i> , implements EU Directive 2000/78, EU Directive 2000/43 |
| Gay Marriage Act                                      | 2003        | Opens marriage to same-sex couples  |
| Gay Adoption Act                                      | 2006        | Opens adoption to same-sex couples  |
| Gender Mainstreaming Act                              | 2007        | Implements gender mainstreaming, complements Beijing Act (1996)   |
| Transsexuality Act                                    | 2007        | Better legal grounds for transsexuals   |
| Anti-discrimination Act                               | 2007        | Fights discrimination, fully implements EU Directive 2000/78  |
| Anti-discrimination, Anti-racism, Anti-xenophobia Act | 2007        | Fights discrimination, racism and xenophobia; amends criminal code  |
| Anti-discrimination, Anti-sexism Act                  | 2007        | Fights discrimination between women and men, implements EU Directives 75/117, 2002/73, 96/97, 97/80, 2004/113, 86/613 and 79/7                                      |

Moreover, in December 2007, the liberal politician Bart Tommelein of the Open VLD introduced a bill in order to amend the law to combat discrimination between women and men as regards insurance matters. The non-discrimination directive had inserted an exception in case of insurance matters. Most member states made use of this, but Belgium waited until the last moment (the deadline was 21 December 2007) before inserting an amendment.

However, prior to passing the amendment, a discussion took place. Tommelein's bill considered hospitalization insurances, life insurances and car insurances. However, the majority of government did not support the amendment of hospitalization and car insurances. But the amendment of the law as regards life insurances was passed since it is based on the objective fact that 'women live longer than men'.<sup>2</sup>

<sup>1</sup> This information was gathered using the information provided by three federal (gender) equality government agencies: Raad van Gelijke Kansen, Instituut voor de Gelijkheid van Vrouwen en Mannen and Centrum voor Gelijkheid van Kansen en Racismebestrijding.

<sup>2</sup> Tommelein, Bart. 5 December 2007. 'Toch nog uitzondering non-discriminatie voor levensverzekeringen. (Nevertheless an exception for non-discrimination as regards life insurances.)' <http://www.tommelein.be/2007/nl/nieuws.asp?id=1532>, e-text accessed on 13 February 2008.

## 1.2 EU Policy and Member State Law: Comparisons and Struggles <sup>3</sup>

### Have there been disputes in your country over significant parts of EU Directives on gender?

Are there significant parts of EU Directives on gender equality that have not been implemented into national law? If some aspects are not transposed, what are they? Have there been disputes (1995-2007) between the EU and the country over transposition? Or within the country over this process? Or where local/national groups have gone direct to the EU? If so, what is the location of the dispute (e.g. intervention by Commission, Court of Justice; national court)? What was the outcome?

All these questions are very difficult to answer exactly, because the transposition process is so complex. EU Directives are transposed into member state legislation in very different ways using different procedures and different terminology and legal frames too. The aim is to collect all the information that is available already for your country in the table below, using secondary literature.

**Please fill in one table for each significant issue,**

**Please consider the following examples: include if relevant; omit if not; add any others that are relevant in your country. Examples: equal pay & equal treatment; sexual harassment & discrimination; equality bodies; civil society involvement; parental leave and the organisation of working time (example provided).<sup>4</sup>**

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|---|--|
| <b>Issue</b>  | <b>Equal pay</b><br>(Directives: 75/117/EEC)   |
| <b>Has law been passed or changed prior to the Directive</b>  | No   |
| <b>Legislation transposing Directive</b>  | Law of 10 May 2007 to Combat Discrimination between Women and Men.<br>Some provisions in legislation of 1999.  |
| <b>Does the country claim to have transposed the Directive?</b>   | Yes  |
| <b>Significant provisions that are mentioned by experts or political Actors as not being transposed</b> | The Equal Pay Day report of 2006 mentions that equal pay is not only a matter of legislation. On a judicial level, the equal treatment of men and women as regards employment and equal wages is a fact. In practice, however, the wage gap keeps existing. <sup>5</sup> |
| <b>Important differences between law and Directive now?</b>   | /  |
| <b>What is claimed to be better in law and since when?</b>  | /  |
| <b>Content of dispute(s) + date</b>   | I. 17 February 1993: Before 1995, an important dispute took place between Belgium and the Commission of the European Communities concerning the failure to fulfil obligations by providing equal pay for men and women. This   |

<sup>3</sup> Directives: [http://ec.europa.eu/employment\\_social/gender\\_equality/legislation/legalacts\\_en.html](http://ec.europa.eu/employment_social/gender_equality/legislation/legalacts_en.html).

ECJ cases: [http://ec.europa.eu/employment\\_social/gender\\_equality/legislation/case\\_law\\_en.html](http://ec.europa.eu/employment_social/gender_equality/legislation/case_law_en.html); More info on transposition: [http://ec.europa.eu/employment\\_social/fundamental\\_rights/policy/aneval/legnet\\_en.htm#comp](http://ec.europa.eu/employment_social/fundamental_rights/policy/aneval/legnet_en.htm#comp).

<sup>4</sup> Other gender+ equality related directives you might want to consider include: Directive 75/117/EEC on the principle of equal pay for men and women; Directive 79/7/EEC on the principle of equal treatment for men and women in social security; Directive 86/378/EEC on principle of equal treatment for men and women in occupational social security schemes; Directive 86/613/EEC on equal treatment between self employed men and women; Directive 92/85/EEC on the safety and health at work of pregnant workers and workers; Directive 97/80/EC on the burden of proof in cases of discrimination based on sex; Directive 2000/78 on equal treatment in employment and occupation.

<sup>5</sup> Equal Pay Day: Zij-kant and ABVV Vrouwen. 2006. *Inhoudelijk dossier. Equal Pay Day. [Dossier Equal Pay Day.]* Equal Pay day. p. 6-7

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|   | <p>case was a reference throughout other cases such as for instance C166-99. (case C173/91)<sup>6</sup></p> <p>II. 13 July 2000: Equal pay for men and women. Additional pre-retirement payment. (case C166-99)<sup>7</sup></p> <p>Ms Defreyn was an employee of Sabena for 26 years. She was granted a pre-retirement payment with two years' notice. Sabena therefore paid the supplement until the end of the month in which she reached 60 years of age. At that date she began to receive a pension. In Belgium unemployed persons cease to be entitled to unemployment benefit from the first day of the calendar month following that in which they reach 65 years of age, in the case of men, and 60 years of age in the case of women. After the judgment in case C-173/91 (Commission v. Belgium) in which the Kingdom of Belgium had failed to fulfil its obligations under Article 119 of the Treaty. Ms Defreyn asked Sabena to pay her the supplement to which she claimed to be entitled until her 65th birthday.</p> |
| <b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b> | Inequality between women and men is at stake in these cases. Age also plays a role, since this dispute involves pre-retirement payment.  |
| <b>Parties to the dispute</b>   | <p>I. Commission of the European Communities</p> <p>v.</p> <p>Kingdom Belgium</p> <p>II. Marthe Defreyn: individual, Belgian</p> <p>v.</p> <p>Sabena SA: Flying company (now Brussels airlines)</p>  |
| <b>Location or arena</b>  | <p>I. European Court of Justice</p> <p>II. 1999: National Employment Court of Brussels</p> <p>2000: European Court of Justice.</p>   |
| <b>Outcome of the dispute</b>   | <p>I. A payment due from the last employer, introduced by a collective agreement in favour of workers made redundant above a certain age provided that they are in receipt of unemployment benefit, in order to supplement the latter benefit, constitutes pay within the meaning of Article 119 of the Treaty, provided that it is payable by reason of the earlier employment relationship. Consequently, it is not permissible, by virtue of Article 119 of the Treaty, for that payment to be made to male workers only.</p> <p>II. Firstly, Treaty article 119 on equal pay applies to additional pre-retirement payment. Secondly, the additional payment is not covered by Article 5 of Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.</p>   |
| <b>Civil society engagement</b>   | Not concerning the ECJ cases. The topic of equal pay however is addressed largely by both government and civil society organisations. Of the latter, the most important organisation is Equal Pay Day, which consists of women's organisations of the socialist trade union and the Flemish socialist party. General women's organisations also address this topic.  |
| <b>Other notes</b>  | <p>Cases before 1995 on the same topic:</p> <p>C43-75 Gabrielle Defrenne v Société anonyme belge de navigation aérienne Sabena (1976)</p> <p>C80-70 Gabrielle Defrenne v Belgian State (1971)</p>  |

<sup>6</sup> All information on this case C173/91 was taken from: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:61991J0173:en:NOT>, accessed on 14 May 2008.

<sup>7</sup> All information on this case C-166/99 was taken from: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:61999J0166:en:NOT#SM>, accessed on 14 May 2008.

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| <b>Issue</b>  | <b>Equal treatment</b><br>(Directives: 2006/54/EC, 2004/113/EC, 2002/73/EC (amending 76/207/EEC), 2000/43/EC, 2000/78/EC, 96/97/EC (amending 86/378/EEC), 86/613/EEC, 86/378/EEC, 79/7/EEC, 76/207/EEC)  |
| <b>Has law been passed or changed prior to the Directive</b>  | /  |
| <b>Legislation transposing Directive</b>  | <p>2006/54/EC<br/>/</p> <p>2004/113/EC<br/>Transposed in the Law on Combating Discrimination between Women and Men of May 2007</p> <p>2002/73/EC (amending 76/207/EEC)<br/>Transposed in the Law on Combating Discrimination between Women and Men of May 2007, before transposed in the 2003 Anti-discrimination Act</p> <p>2000/43/EC<br/>Transposed by Law amending the law of 30 July 1981 on certain Acts triggered by racism or xenophobia of May 2007, before transposed in the 2003 Anti-discrimination Act</p> <p>2000/78/EC<br/>Transposed in the Law on Combating Certain Forms of Discrimination of May 2007, before transposed in the 2003 Anti-discrimination Act</p> <p>97/80/EC<br/>Transposed in the Law on the Equal Treatment of Men and Women as regards the labour conditions, the access to employment and the chances of promotion, the access to self-employment and the additional measures of social security of 7 May 1999</p> <p>Transposed in the Law on Combating Discrimination between Women and Men of May 2007, before transposed in the 2003 Anti-discrimination Act</p> <p>96/97/EC (amending 86/378/EEC)<br/>Transposed in the Law on the Equal Treatment of Men and Women as regards the labour conditions, the access to employment and the chances of promotion, the access to self-employment and the additional measures of social security of 7 May 1999</p> <p>Transposed in the Law on Combating Discrimination between Women and Men of May 2007</p> <p>86/613/EEC<br/>Transposed in the Law on Combating Discrimination between Women and Men of May 2007</p> <p>79/7/EEC<br/>Transposed in the Law on Combating Discrimination between Women and Men of May 2007</p> |
| <b>Does the country claim to have transposed the Directive?</b>   | Yes  |
| <b>Significant provisions that are mentioned by experts or political Actors as not being transposed</b> | The European Employment Equality Directive (2000/78/EC) was transposed into national Belgian legislation by the 2003 Anti-discrimination Act, but not entirely. Belgium notified the European Commission that it would take use of the optional three years for the matter of age. The recent Anti-discrimination Law of 10 May 2007 fully transposes the Directive.   |
| <b>Important differences between law and Directive now?</b>   | More possible grounds of discrimination in Belgian legislation: age, sexual orientation, citizenship status, birth, wealth, believe or religion, political preference, language, current or future health, a disability, a physical or genetic characteristic or social descent.   |

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| <b>What is claimed to be better in law and since when?</b>                                      | In a communication of the Commission of the European Communities to the Council and the European Parliament, Belgium is said to 'have gone beyond the requirements of Directive 2000/43/EC in setting up equality bodies that deal with <i>all</i> the grounds of discrimination covered by EU anti-discrimination law and/or more general human rights instruments'. <sup>8</sup>  |
| <b>Content of dispute(s) + date</b>   | I. 30 April 1998: Equal treatment. Old-age and retirement pensions. Method of calculation. Pensionable age. (Joined cases C-377/96 to C-384/96) <sup>9</sup><br>II. 22 October 1998: Directive 79/7/EEC. Equal treatment. Old-age and retirement pensions. Method of calculation. Pensionable age. (Case C-154/96) <sup>10</sup>  |
| <b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b> | Next to equal treatment of women and men, age is also of importance here.   |
| <b>Parties to the dispute</b>   | I. This was a combined Case, involving several parties:<br>August De Vriendt v Rijksdienst voor Pensioenen (C-377/96)<br>Rijksdienst voor Pensioenen v René van Looveren (C-378/96)<br>Julien Grare (C-379/96), Karel Boeykens (C-380/96) and Frans Serneels (C-381/96) and Office national des pensions (ONP) v Fredy Parotte (C-382/96), Camille Delbrouck (C-383/96) and Henri Props (C-384/96)<br>II. Louis Wolfs v. National Office for Pensions |
| <b>Location or arena</b>  | I. 1996: reference of Belgian Court of Cassation to ECJ<br>1998: European Court of Justice<br>II. 1996: reference of Belgian Employment Tribunal to ECJ<br>1998: ECJ  |
| <b>Outcome of the dispute</b>   | I. Article 7(1) (a) of Directive 79/7 of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security must be interpreted as follows: if national legislation constitutes a different pensionable age for male and female employers, the Member State concerned is entitled to calculate the amount of pension differently depending on the worker's sex.<br>II. Idem       |
| <b>Civil society engagement</b>   | No  |
| <b>Other notes</b>  | Cases before 1995 on the same topic:<br>C154/92 Remi van Cant v. Rijksdienst voor pensioenen (1998)<br>C165/91 Simon J.M. van Munster v. Rijksdienst voor Pensioenen (1994)<br>C373/89 Caisse d'assurances sociales pour travailleurs indépendants "Integrity" v. Nadine Rouvroy<br>C229/89 Commission of the European Union v Kingdom of Belgium<br>C149/77 Gabrielle Defrenne v Société anonyme belge de navigation aérienne Sabena                 |

<sup>8</sup> Commission of the European Communities. 2006. Communication from the Commission to the Council and the European Parliament. The application of Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. Brussels: Commission of the European Communities. p.5.

<sup>9</sup> All information on combined cases 377/96 to C 384-96: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:61996J0377:EN:HTML>, accessed on 14 May 2008.

<sup>10</sup> All information on case C154/96: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:61996J0154:EN:HTML>, accessed on 14 May 2008.

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| <b>Issue</b>  | <b>Sexual harassment/discrimination</b><br>Considered is: 2002/73/EC of 23 September 2002 (amending 76/207/EEC), and 2006/54/EC   |
| <b>Has law been passed or changed prior to the Directive</b>  | Yes.<br>In the EU, sexual harassment was first addressed in the 2002/73 Directive of September 2002.<br>In Belgium, this issue appeared in September 1992 in a Royal decree on the protection of workers against sexual harassment in the workplace. This led to a general law in June 2002: Law as regards the protection against violence, harassment, and unwanted sexual behaviour in the workplace. This law transposed Directives:<br>2000/78/EC<br>2000/43/EC<br>89/391/EEC<br>In 2007, the 2002 law was modified, it now transposes the following Directives:<br>2000/78/EC<br>2000/43/EC<br>76/207/EEC amended by 2002/73/EC |
| <b>Legislation transposing Directive</b>  | Directive 2002/73/EC was officially transposed in:<br>- the Anti-discrimination Act of 2003<br>- the Law on Combating Discrimination between Women and Men of May 2007.<br>- the Law to amend certain provisions concerning the well-being of employees in performing their employment, among which the protection against violence, harassment, and unwanted sexual behaviour in the workplace of 10 January 2007  |
| <b>Does the country claim to have transposed the Directive?</b>   | Yes   |
| <b>Significant provisions that are mentioned by experts or political Actors as not being transposed</b> | No further information.   |
| <b>Important differences between law and Directive now?</b>   | No further information.   |
| <b>What is claimed to be better in law and since when?</b>  | No further information.   |
| <b>Content of dispute(s) + date</b>   | No further information.   |
| <b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>         | No further information.   |

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| <b>Parties to the dispute</b>   | No further information. |
| <b>Location or arena</b>        | No further information. |
| <b>Outcome of the dispute</b>   | No further information. |
| <b>Civil society engagement</b> | No further information. |
| <b>Other notes</b>              | No further information. |

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| <b>Issue</b>  | <b>Equality Bodies</b><br>Directives considered are: <a href="#">2002/73/EC</a> , <a href="#">2004/113/EC</a>  |
| <b>Has law been passed or changed prior to the Directive</b>  | The Centre for Equal Opportunities and Opposition to Racism was established by a Law of 15 February 1993, prior to the EU Directives.<br>The Board of Equal Opportunities for Men and Women was established in 1993, prior to the Directives.<br>The Institute for the Equality of Women and Men was established by a Law of 16 December 2002. |
| <b>Legislation transposing Directive</b>  | <a href="#">2004/113/EC</a><br>Transposed in the Law on Combating Discrimination between Women and Men of May 2007<br><a href="#">2002/73/EC (amending 76/207/EEC)</a><br>Transposed in the Law on Combating Discrimination between Women and Men of May 2007, before transposed in the 2003 Anti-discrimination Act                           |
| <b>Does the country claim to have transposed the Directive?</b>   | Yes  |
| <b>Significant provisions that are mentioned by experts or political Actors as not being transposed</b> | No further information.  |
| <b>Important differences between law and Directive now?</b>   | No further information.  |
| <b>What is claimed to be better in law and since when?</b>  | No further information.  |
| <b>Content of dispute(s) + date</b>   | No further information.  |
| <b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>         | No further information.  |

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| <b>Parties to the dispute</b>   | No further information. |
| <b>Location or arena</b>        | No further information. |
| <b>Outcome of the dispute</b>   | No further information. |
| <b>Civil society engagement</b> | No further information. |
| <b>Other notes</b>              | No further information. |

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| <b>Issue</b>  | <b>NGO/civil society dialogue</b><br>Directives considered: 2002/73/EC<br>Article 8c: Member States shall encourage dialogue with appropriate non-governmental organisations which have, in accordance with their national law and practice, a legitimate interest in contributing to the fight against discrimination on grounds of sex with a view to promoting the principle of equal treatment.                |
| <b>Has law been passed or changed prior to the Directive</b>  | No   |
| <b>Legislation transposing Directive</b>  | Directive 2002/73/EC was officially transposed in:<br>- the Anti-discrimination Act of 2003<br>- the Law on Combating Discrimination between Women and Men of May 2007.<br>- the Law to amend certain provisions concerning the well-being of employees in performing their employment, among which the protection against violence, harassment, and unwanted sexual behaviour in the workplace of 10 January 2007 |
| <b>Does the country claim to have transposed the Directive?</b>   | No further information.  |
| <b>Significant provisions that are mentioned by experts or political Actors as not being transposed</b> | No further information.  |
| <b>Important differences between law and Directive now?</b>   | No further information.  |
| <b>What is claimed to be better in law and since when?</b>  | No further information.  |
| <b>Content of dispute(s) + date</b>   | No further information.  |

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| <b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b> | No further information. |
| <b>Parties to the dispute</b>   | No further information. |
| <b>Location or arena</b>  | No further information. |
| <b>Outcome of the dispute</b>   | No further information. |
| <b>Civil society engagement</b>   | No further information. |
| <b>Other notes</b>  | No further information. |

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| <b>Issue</b>  | <b>Parental Leave</b><br>Directives considered: 96/34/EC of 3 June 1996 (parental leave)<br>92/85/EEC of 19 October 1992 (maternity leave)<br><b>Organisation of working time</b><br>Directives considered: 93/104/EC, 97/81/EC  |
| <b>Has law been passed or changed prior to the Directive</b>  | - Parental leave: No.<br>- Maternity leave: maternity leave is regulated in the Employment Law of 16 March 1971 and the Law on the Obligatory Insurance of Medical Care and Benefits coordinated of 14 July 1994   |
| <b>Legislation transposing Directive</b>  | Parental leave: 29 October 1997: Royal Decree concerning the introduction of the right to parental leave within the framework of a career break.<br>Adaptation of 15 July 2005: Royal Decree to amend some stipulations as regards career breaks<br>As regards the public sector, other legislation (of 4 June 1999) applies: Royal Decree on the introduction of the right to a career break for contractual employers within federal government departments because of parental leave or the care of a seriously ill family member |
| <b>Does the country claim to have transposed the Directive?</b>   | - Parental leave: Yes. It states in the 1997 law that it transposes Directive 96/34/EC   |
| <b>Significant provisions that are mentioned by experts or political Actors as not being transposed</b> | - Parental leave: None.<br>- Maternity leave: None.  |
| <b>Important differences between law and Directive now?</b>   | - Parental leave: The Belgian law provides parental leave until the child is 6 (or 8 in case of adoption). The EU Directive stipulates that the child has to have a 'given age up to 8 years'.<br>- Maternity leave: maternity leave consists of 14 weeks in the EU Directive and of 15 weeks (or 19 in case of multiple birth) in Belgian legislation   |
| <b>What is claimed to be better in law and since when?</b>  | /  |

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| <p><b>Content of dispute(s) + date</b></p>   | <p>Dispute between the <i>Gezinsbond</i> (Union for the Family) and the government.</p> <p>- 2005 (before the amendment):<br/>The <i>Gezinsbond</i> demanded parental leave of a year for every parent, up until the child's age of eighteen years. Moreover, it asked a higher benefit amount for employees on parental leave. The organisation organised a petition and collected 5000 signatures.<br/>The Union of Self-Employed Entrepreneurs disapproved of this petition and the point of view of the <i>Gezinsbond</i>, since the costs of such a parental leave structure would be too high.<br/>The petition was sent to federal Minister of Work Freya Van den Bossche (SP.A) and was taken into consideration during the parliamentary process. As the law of 15 July 2005 clearly shows, the period of parental leave remained three months on a full-time basis. The age of the child however now became six instead of four years and the amount of the benefit was increased by 100 Euro. The government took extra measures for parents with ill children. They are currently granted two years parental leave.</p> <p>- 2007 (during meeting with government informateur, Didier Reynders of MR, in June 2007):<br/>The organisation asked for one year of parental leave per child, accompanied by an allowance which would guarantee the workability of parental leave for all parents, including single parents. The Flemish organisation joined forces with the Francophone <i>Ligue des Familles</i> (League of Families) and the German-speaking branch <i>Bund der Familien</i> (Union of Families) and formulated a plan with ten points of which parental leave is an urgent and important matter. In general, the family organisations demand a substantial reassessment of the parental leave system, as regards time, benefits and accessibility.<sup>11</sup><br/>Within the framework of the elections of June 2007, many political parties were in favour of the extension of parental leave as well. The green party <i>Groen!</i>, and the socialist parties SP.A (Flemish) and PS (Walloon) for example agree with the unions for families on the length of parental leave.<br/>The employer's organisations remain against building-out parental leave. In a press release of May 2007, the Union of Self-Employed Entrepreneurs states that such an extension would imply serious costs for employers and a serious obstacle for mothers to return to the labour market.<sup>12</sup></p> |
| <p><b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b></p> | <p>No</p>  |
| <p><b>Parties to the dispute</b></p>   | <p>2005:</p> <p>In favour of extending: <i>Gezinsbond</i> (Union for the Family)<br/>Against: the Union of Self-Employed Entrepreneurs and government</p> <p>2007:</p> <p>In favour of extending: <i>Gezinsbond</i> (Union for the Family), <i>Ligue des Familles</i> (League of Families), <i>Bund der Familien</i> (Union of Families) and political parties Groen!, PS and SP.A<br/>Against: Union of Self-Employed Entrepreneurs</p>   |

<sup>11</sup> Gezinsbond, Ligue des familles, Bund der familien. 2007. Gemeenschappelijk tienpuntenplan van de Gezinsbond en de Ligue des Familles aan de volgende regering. (Mutual ten points plan of the Union for the Family and the League of Families to the next government). Brussel: Gezinsbond, Ligue des familles, Bund der familien. p. 6.

<sup>12</sup> Unizo. 2007. Press Release. Unizo over verkiezingsbeloftes rond arbeid en gezin (Unizo on electoral promises regarding employment and family), e-text, <http://www.unizo.be/viewobj.jsp?id=296770>, accessed on 17 June 2008.

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>Location or arena</b>        | Belgium, during elections        |
| <b>Outcome of the dispute</b>   | Not clear yet.                   |
| <b>Civil society engagement</b> | Yes. See parties to the dispute. |
| <b>Other notes</b>              | /                                |

**1.3 Do any aspects of domestic gender equality law surpass (are better, more extensive, or more developed than) or earlier than EU law?**

|  | EU        |      |   | Belgium  |                                   |  |
|--|-----------|------|---|--|-----------------------------------|--|
|  | Provision | Year | Notes   | Provision  | Year                              | Notes  |
| <b>Maternity</b>                               | 14 weeks  | 1996 | Pay must not be less than wage during sickness leave. | 15 weeks (in case of multiple birth 19 weeks)  | 2004                              | If entitled to pay: National Health Service pays first 30 days: 82% of gross wage. From 31 <sup>st</sup> day: 75% of gross wage.   |
| <b>Paternity</b>                               | Optional  | 1995 |   | 10 days  | 2002                              | If entitled to pay: employer pays 3 days 100% of salary, 7 following days by National Health Service: 82% of salary.   |
| <b>Parental</b>                                | 12 weeks  | 1996 | Unpaid  | Private sector: 3 months full-time or, 6 months part-time or, 15 months 1/5 <sup>th</sup><br><br>Public sector: depends on government the employee works for | 1997, revised in 2005<br><br>1999 | Fixed benefit of 712,60 euro for a full-time employee (part-time is calculated) <sup>13</sup> by <i>Rijksdienst voor Arbeidsvoorzieningen</i> (RVA). Until child is 6 (adoption 8) |
| <b>Duty on all public bodies to promote GE</b> | No        | 2004 | Mainstreaming required by 2006                        | Yes  | 2007                              | Beijing-gender mainstreaming Act   |
| <b>Equalities body (employment)</b>            | Yes       | 2002 |   | Yes  | 2002                              | <i>Instituut voor de gelijkheid van vrouwen en mannen</i> (IVGVM)  |

<sup>13</sup> <http://www.meta.fgov.be/defaultTab.aspx?id=547#AutoAncher5>, accessed on 23 June 2008.

|  |               |           |                       |     |      |  |
|--|---------------|-----------|-----------------------|-----|------|--|
| Equalities body (goods & services)     | Yes           | 2004      |                       | Yes | 2002 | Instituut voor de gelijkheid van vrouwen en mannen (IVGVM) |
| Equalities body for promotion          | Yes           | 2006      |                       | Yes | 2002 | Instituut voor de gelijkheid van vrouwen en mannen (IVGVM) |
| Gender pay audits                      | Not specified |           |                       | Yes | 2002 | No results have been described yet.                        |
| Gender Equality plan (employment)      | Yes           | 2002/2006 |                       | Yes | 2006 | It is a general gender equality plan.                      |
| Requires NGO dialogue to be encouraged | Yes/no        | 2002      | Dialogue              | Yes | 2003 | First transposed in Anti-discrimination Act of 2003        |
| Positive Action measures               | Yes/no        | 1975      | Allowed, not required | Yes |      | Allowed  |
| Other:                                 |               |           |                       | /   |      |  |
| 1.                                     |               |           |                       |     |      |  |
| 2.                                     |               |           |                       |     |      |  |
| 3.                                     |               |           |                       |     |      |  |
| ...                                    |               |           |                       |     |      |  |

#### 1.4 Equality law on intersecting inequalities

In 2003, the Anti-Discrimination Act 2003, amending the 1993 Law on the Centre for Equal Opportunities and Opposition to Racism (*Centrum voor gelijkheid van kansen en racismebestrijding*), and implementing the EU Directives 2000/78/EC and 2000/43/EC was passed. It transposed the European Employment Equality Directive 2000/78/EC, but not entirely. A group of four countries, among them Belgium, notified the European Commission that they would make use of the optional three years to fully transpose the discrimination ground of age. Age was transposed (together with a new set of EU Directives: 75/117, 2002/73, 96/97, 97/80, 2004/113, 86/613 and 79/7) in the set of three new separate anti-discrimination Acts in May 2007.

- Is discrimination on the grounds of ethnicity/'race' illegal? Yes
  - When was this law introduced? 1981, revision in 2003 and 2007
  - Is this restricted to employment related issues? No
  - Does it include the sale and supply of services? Yes
  - What disputes if any took place during its introduction?

The Anti-Racism Act 1981, which fought anti-discrimination based on racism and xenophobia, and the Anti-Discrimination Act of February 2003 were replaced by the Anti-Discrimination Acts of 10 May 2007.

- Is discrimination on the grounds of religion illegal? Yes
  - When was this law introduced? 2003, revised in 2007
  - Is this restricted to employment related issues? No
  - Does it include the sale and supply of services? Yes
  - What disputes if any took place present during its introduction?
- Is discrimination on the grounds of sexual orientation illegal? Yes
  - When was this law introduced? 2003, revised in 2007
  - Is this restricted to employment related issues? No
  - Does it include the sale and supply of services? Yes
  - What disputes if any took place during introduction of these laws?

The Anti-discrimination Act of 2003 and the set of Anti-discrimination Acts of 2007 (gender, race and general) considers all inequalities formulated by the European Union. Discrimination based on the following issues is illegal in Belgium:

Race, gender, age, sexual orientation, civil status, birth/descent, property, religion and philosophy on life, political preferences, language, current or future condition of health, disability, physical or genetic characteristic or social descent.

- Is discrimination on the grounds of disability illegal? Yes
  - When was this law introduced? 2003, revised in 2007
  - Is this restricted to employment related issues? No
  - Does it include the sale and supply of services? Yes
  - What disputes if any took place during introduction of these laws?
- Is discrimination on the grounds of age illegal? Yes
  - When was this law introduced? 2007
  - Is this restricted to employment related issues? No
  - Does it include the sale and supply of services? Yes
  - What disputes if any took place during introduction of these laws? See introduction to 1.4 as regards the age-issue.
- Is discrimination on the grounds of marital status illegal? Yes
  - When was this law introduced? 2003, revised in 2007
  - Is this restricted to employment related issues? No
  - Does it include the sale and supply of services? Yes
  - What disputes if any took place during introduction of these laws? /
- Are there further legal issues, especially disputed legal issues, concerning the intersection of equalities with gender that are relevant? /

## 2. Plans and programmes

Two types of national gender equality plans are considered here. The first set of questions concerns plans specific to the country.

The second set of questions refers to the National Reform Programmes for employment and National Reports (National Action Plans) on Strategies for social inclusion and social protection that the EU requires annually from each Member State.

### 2.1 National gender equality plans

#### 2.1.1 Is there a national gender equality plan?

Yes, there is a *Strategic plan 2005-2007*, by the Institute for the equality of women and men.<sup>14</sup>

- If yes please name and describe very briefly the range of issues that it covers (in particular, how far beyond employment does it go?).

The plan considers the implementation and promotion of gender equality in general in Belgium, in actions, mentality and behaviour (p. 9).

- Is the focus restricted to non-discrimination?

No, non-discrimination is mentioned as a concept and discrimination is mentioned as behaviour to fight, but the plan is not restricted to non-discrimination.

- Is there reference to gender mainstreaming?

There is. One of the aims of the Institute for the Equality of Women and Men is developing and promoting instruments, measures and networks, which are understood as necessary to implement gender mainstreaming (p. 12).

- Are there named policy instruments and/ institutions, if so what?

Yes. Firstly, this *Strategic plan 2005-2007* is the plan of a federal Institute for the Equality of Women and Men which works to implement gender equality in society. In order to do so, several institutions and instruments are referred to. The law of 16 December 2002 on the establishment of the Institute names two important aims: 1. Defend equality between women and men in society and fight every form of discrimination in society; 2. Develop instruments and strategies to promote gender mainstreaming (p. 10).

The institutions mentioned are:

- The Institute for the Equality of Women and Men
- Centre for Equal Opportunities and the Opposition to Racism
- Board of Equal Opportunities for Men and Women
- Sophia
- Independent experts
- Trade unions
- (women's) organisations
- Amazone

The policy instruments mentioned are:

- gender mainstreaming
- instruments to evaluate policy lines, measures, and programmes (p. 12)
- guidance and support for interest groups which aim to implement gender equality (p. 12)
- *National Action plan on violence against women*
- *Gender charter* of the trade unions

- Are there indicators and statistics to evaluate the policies?

Yes. The Institute for the Equality of Women and Men aims to gather, improve and distribute new statistics (p. 16).

In 2006 the report<sup>15</sup> *Women and men in Belgium. Gender statistics and gender indicators* were published by the Institute. These statistics concern eleven subjects: population, migration, employment, entrepreneurship, wages, poverty, education, participation in science and technology, combination employment-family, decision-making, health, and violence and crime.

The indicators mentioned are:

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<sup>14</sup> Instituut voor de gelijkheid van vrouwen en mannen. 2005. *Strategisch plan 2005-2007*. (*Strategic plan 2005-2007*). Brussel: Instituut voor de gelijkheid van vrouwen en mannen. This plan can be found on: <http://www.iefh.fgov.be/ShowDoc.aspx?levelID=21&objectID=146&lang=nl>, accessed on 17 December 2007.

<sup>15</sup> Instituut voor de gelijkheid van vrouwen en mannen. 2006. *Vrouwen en mannen in België. Genderstatistieken en genderindicatoren*. (*Women and men in Belgium. Gender statistics and gender indicators*). Brussel: Instituut voor de gelijkheid van vrouwen en mannen. <http://www.iefh.fgov.be/ShowDoc.aspx?levelID=53&objectID=308&lang=nl>, accessed on 17 December 2007.

- dependence: this is calculated by looking at the relation between the population that is mostly dependent, and the active generation (p. 13).
- wage gap: to calculate the wage gap, the share of women and men in wages is compared to the number of days worked. In 2004, 83.553.224.000 euro gross wages were paid. 36,16% was for women. However, women worked 40,07% of the hours. (p. 65)
- body mass index, which measures the relative body weight and is calculated via 'kg/m2 (p. 125)

Other indicators used calculate:

- number of women and men who apply for asylum (p. 21)
- degree of activity, degree of employment, degree of unemployment (p. 31)
- feminisation degree (p. 35)
- horizontal and vertical segregation (p. 37 and 43)
- degree of part-time employment (p. 47)
- degree of female entrepreneurship (p. 55)
- pension gap (p. 69)
- at poverty risk and long-term unemployment (p. 73)
  - o Is there reference to EU targets (European Employment Strategy targets: Lisbon (2000) female employment rate of 60% by 2010; Barcelona (2002) provision of childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age)? (Add age here)

The Institute for the Equality of Women and Men is 'a source and an active player in the field of international, European and Belgian legislation as regards the equality between women and men' (p.11).

In this Strategic plan 2005-2007, references are made to:

- European Directive 2002/73 (p. 11)
- EQUAPOL (p. 13)
- Beijing 10+ (p. 13 and further)

#### 2.1.2 Is gender equality integrated with other equalities in a national plan?

If yes please name and describe very briefly the range of issues that it covers (in particular, how far beyond employment does it go? Is it framed by equality or by diversity or both).

No it is not. This can already be seen in the name of the Institute for the equality between 'women and men'. This Institute specifically implements gender equality. The other equalities, and most importantly those related to racism, are considered by the Centre for Equal Opportunities and the Opposition to Racism.

#### 2.1.3 Is there a gender equality (or similar) plan in the area of gender based violence

Yes.

If yes please name the plan.

The first plan<sup>16</sup> on gender-based violence covered 2001, 2002 and 2003 and was called *National Action Plan on violence against women*. Towards the end of 2003 the *Instituut voor de gelijkheid van vrouwen en mannen* (Institute for the Equality of Women and Men) evaluated the NAP. This evaluation was the starting point of a second National Action Plan: *National Action Plan on Partner Abuse 2004-2007*.

A broader definition of 'violence between partners' was provided, for federal, as well as regional and communal use by the collective *National Action Plan 2006-2007* consisting of a state of the art on Actions and perspectives.

In the future, a *National Action Plan on Female Genital Mutilation* will be published. 11 May 2007 was declared 'Action day against female genital mutilation' by Hilde Vautmans of the Flemish liberal party Open VLD and Magda De Meyer of the Flemish socialist party SP.A. The matter was introduced more thoroughly and the number of 2745 mutilated women in Belgium was released. Several propositions were made in the Chamber, of which the State Secretary for the Family's (Gisèle Mandaila of the Walloon liberal party MR) National Action Plan against female genital mutilation is the most important one. These debates and plans however have to be continued by the new government.

<sup>16</sup> The plans on gender-based violence can be found on the website of the the *Instituut voor de gelijkheid van vrouwen en mannen* (Institute for the equality between women and men): <http://www.iefh.fgov.be/ShowDoc.aspx?levelID=44&objectID=118&lang=nl>, accessed on 5 November 2007.

#### Does it cover?

##### o Domestic violence and violence in partnerships

Yes. Whereas the first National Action Plan addressed several themes (five domains: violence within the couple, violence at work, human trafficking, asylum policy, international connections and development cooperation), the focus of the second National Action Plan and the National Action Plan 2006-2007 shifted towards 'partner abuse'. This is considered to be one of the most persistent and life-threatening forms of violence for women in Belgium (NAP 2004-2007, p. 3-4).

##### o Sexual assault/violence and rape

Sexual violence is named and addressed throughout the National Action Plans.

In the National Action Plan 2006-2007, rape is addressed in two ways: on the one hand rape is seen as a form of domestic violence, on the other hand measures to help victims of rape are addressed. The ministerial directive on the SAS set (*seksuele agressie set*, or sexual aggression set) aims to improve all investigations on rape (NAP 2006-2007, p. 24).

##### o Sexual harassment and stalking

The first National Action Plan considered various domains of gender-based violence, of which sexual harassment at work was one (NAP 2004-2007, p. 3). In the second National Action Plan of 2004-2007 sexual harassment is only mentioned as a topic of a training course for magistrates and legal apprentices (NAP 2004-2007, p.20). In the 2006-2007 National Action Plan, sexual harassment is mentioned within the scope of the Actions mentioned above and the new domain of schools and pupils. A reference is made to a website ([www.ond.vlaanderen.be](http://www.ond.vlaanderen.be)) which gives information about fighting sexual harassment (NAP 2006-2007, p. 41).

In the same National Action Plan, stalking is mentioned as the subject of a leaflet *Geweld. Wat nu?* (*Violence. What to do?*) This leaflet is aimed at victims of domestic violence, sexual violence and stalking, among which sexual harassment at work (NAP 2006-2007, p. 15).

##### o Trafficking and prostitution

In the National Action Plan 2001-2003 trafficking (closely connected to prostitution) was one of the five domains of gender-based violence (NAP 2004-2007, p.3). In the second National Action Plan, the issue is not addressed anymore.

##### o Forced marriage, honour crimes and FGM

Forced marriages and female genital mutilation are mentioned in the second National Action Plan (NAP 2004-2007, p. 9): one of the aims of the federal Minister of Equal Opportunities is to attach an information centre for migrant women to the Centre for Equal Opportunities and the Opposition against Racism. Here, migrant women are able to find information and help on subjects such as repudiation, violence, forced marriages and female genital mutilation.

#### Does the plan include?

##### o named policy instruments and/or institutions, if so what;

Yes. In the National Action Plan 2004-2007 six strategic pillars were worked out in order to combat violence against women: 1) increasing awareness, 2) training, 3) prevention, 4) protection and assistance, 5) repressive and other measures and 6) evaluation. For each of these pillars the different federal Belgian Ministries and Institutions name Actions and perspectives to be developed. The Actors included are: the Minister of Equal Opportunities, the Vice prime Minister + Minister of Justice, the Vice Prime Minister + Minister of Internal Affairs and finally the Minister of Social Affairs and Health. The *Instituut voor de gelijkheid van vrouwen en mannen* (Institute for the equality of women and men) coordinates the plan. The whole of society (police, justice, information centres and so on) is addressed to help develop the National Action Plan. In the National Action Plan 2006-2007, the regions and the communities are involved.

##### o indicators and statistics to evaluate the policies, if so which?

Yes. Both a quantitative and a qualitative analysis of the National Action Plan will be important (NAP 2004-2007, p. 50). It is important to evaluate the Actions and measures, as well as to map the data of police, justice and assistance centres. Specific Actions mentioned by the federal Minister of Equal Opportunities and implemented by the Institute for the Equality of Women and Men will consist of the following steps:

- measure the willingness of victims of violence between partners or victims of sexual violence to file a complaint;
- chart the budget for the aid to victims;
- collect statistics on the offenders (NAP 2004-2007, p.51).

## 2.2 EU required National Reform Programme (National Action Plan) for Employment

- o Does the EU require National Reform Programme for employment (in which one of the ten guidelines concerns gender mainstreaming) include a significant set of Actions concerning gender equality? If so, what are these?

Member state reports 2006: [http://ec.europa.eu/growthandjobs/key/nrp2006\\_en.htm](http://ec.europa.eu/growthandjobs/key/nrp2006_en.htm)

*Lisbon strategy. National reform programme 2005-2008. Belgium. More growth, more jobs... Progress report 2006.*<sup>17</sup>

The Lisbon strategy report for the federal state Belgium includes several references to gender equality and more specifically mentions gender mainstreaming. As regards making the labour market more accessible and making society more inclusive the report mentions several Belgian steps: the supply of child-care places was increased, tax breaks on the costs of child-care were stepped up, and the wage gap between women and men became an important issue with annual reports and an interest in job classifications. Moreover, a databank of businesses pursuing an Active equal opportunities policy was set up. The report mentions gender mainstreaming as well since information sessions on gender mainstreaming were held with social consultancy officials. In Brussels, an Action plan was set up as well. It is said that 'Belgium subscribes to the principle of gender equality and for a better work-life balance'<sup>18</sup>. It invests 72,9 million euro to increase childcare facilities and to create 13 000 extra places. As regards the contribution of the European Structural Funds to the implementation of the Lisbon strategy in Belgium, both Flanders and Brussels (the Capital Region) indicate the equality between women and men on the labour market as a priority.

- o Did the EU appointed National Expert (part of the EU Network of Experts on Gender and Employment and Social Inclusion) made (have) critical or positive comments on the gender equality dimension of the member state's programme? If so, what are these?

EGGSIE 2005 report see:

[http://ec.europa.eu/employment\\_social/gender\\_equality/docs/2006/final\\_nrp\\_synthesis\\_2005\\_en.pdf](http://ec.europa.eu/employment_social/gender_equality/docs/2006/final_nrp_synthesis_2005_en.pdf)

Jill Rubery, Damian Grimshaw, Hugo Figueiredo, Mark Smith and Rory Donnelly. 2005. *The National Reform Programme 2005 and the gender aspects of the European Employment Strategy. The co-ordinators' synthesis report prepared for the Equality Unit, European Commission. Final report 2005.* Manchester: European Work and Employment Research Centre (EWERC), University of Manchester. In the EGSIE report of 2005 Sile O' Dorchai and Danièle Meulders are appointed as national experts for Belgium.<sup>19</sup>

The 2005 EGSIE report takes a closer look at the Belgian National Report (NRP) of 2005 and points out that the visibility of gender has decreased since 2004. The EU appointed experts declare that gender mainstreaming is not referred to. As regards gender disaggregated statistics, some important employment indicators are still not gender disaggregated. In comparison to the 2004 NRP, the 2005 Belgian National Report mentions more policies but they do not include a gender dimension. In the expert's words:

In Belgium gender is only visible to a very small degree in the policy process. The 2005 NRP shows no improvement compared to the 2004 NAP in terms of the degree of gender mainstreaming of the different employment guidelines or the adequacy of specific gender equality policies. On the contrary, the fact that there is no longer a specific guideline on gender equality reduces the visibility of gender issues even more throughout the NRP Employment. Despite persisting gender gaps in the labour market, it is clear from the NRP that the choice for a transversal design, implementation and evaluation of policies is preferred over a genuine gender approach of specific problems. Some important employment indicators are still not broken down by gender, for that matter.<sup>20</sup>

<sup>17</sup> [http://ec.europa.eu/growthandjobs/pdf/nrp/BE\\_nrp\\_en.pdf](http://ec.europa.eu/growthandjobs/pdf/nrp/BE_nrp_en.pdf), accessed on 10 October 2007.

<sup>18</sup> [http://ec.europa.eu/growthandjobs/pdf/nrp/BE\\_nrp\\_en.pdf](http://ec.europa.eu/growthandjobs/pdf/nrp/BE_nrp_en.pdf), p. 68 of 84, accessed on 10 October 2007.

<sup>19</sup> [http://ec.europa.eu/employment\\_social/gender\\_equality/docs/2006/final\\_nrp\\_synthesis\\_2005\\_en.pdf](http://ec.europa.eu/employment_social/gender_equality/docs/2006/final_nrp_synthesis_2005_en.pdf), accessed on 10 October 2007.

<sup>20</sup> [http://ec.europa.eu/employment\\_social/gender\\_equality/docs/2006/final\\_nrp\\_synthesis\\_2005\\_en.pdf](http://ec.europa.eu/employment_social/gender_equality/docs/2006/final_nrp_synthesis_2005_en.pdf), page 190 of 275, accessed on 10 October 2007.

- o Did the EU Commission's response to the National Reform Programme for employment include recommendations on gender equality? If so, what were these?

EC response: [http://ec.europa.eu/growthandjobs/annual-report-1206\\_en.htm](http://ec.europa.eu/growthandjobs/annual-report-1206_en.htm))

- Commission of the European Communities. 2006. *Recommendation for a Council recommendation on the 2007 update of the broad guidelines for the economic policies of the Member States and the Community and on the implementation of Member States' employment policies*. Brussels: Commission of the European Communities.<sup>21</sup>

- Commission of the European Communities. 2006. *Belgium. Assessment of National Reform Programme*. Brussels: Commission of the European Communities.<sup>22</sup>

The European Commission's response to the Belgian National Report does not include references to, assessments of or recommendations concerning gender equality. When equality is touched upon, the 'age' issue – 'older workers and vulnerable groups' – is mentioned instead of an implicit or explicit notion of 'gender' or 'women and men'.

### 2.3 EU required National Reports (National Action Plans) on Strategies for Social Protection and Social Inclusion

- o Does the EU required National Report on Strategies for Social Inclusion include a significant set of Actions concerning gender equality, including gender-based violence? If so, what are these?

Member state reports: [http://ec.europa.eu/employment\\_social/social\\_inclusion/naps\\_en.htm](http://ec.europa.eu/employment_social/social_inclusion/naps_en.htm)

*Strategisch rapport voor de sociale bescherming en insluiting 2006-2008. België. [Strategic report on social protection and inclusion. Belgium.]*<sup>23</sup>

The *Strategic report on social protection and inclusion for Belgium* refers to three important challenges: 1) good and affordable housing for everyone, 2) Activation and diversity: increasing the employment of vulnerable groups, and 3) children and poverty. Even though the three topics are intertwined with a gender aspect to a degree varying from implicit to explicit, the second challenge is denoted as most important as regards gender equality. Increasing the employment rate of certain vulnerable groups, more specifically 'women, semi- and unskilled people and persons with a disability', is stressed.<sup>24</sup>

The labour market should be representative of society as a whole and fighting discrimination is of utmost importance. The main stress in Belgian policy shall be on 'diversity' with projects on the subject being funded. As regards gender equality within this challenge, Action shall be taken to remove obstacles from the parents' employment paths: better and more childcare, working at home, several kinds of leaves... Semi- and unskilled people will be encouraged to integrating on the labour market. Moreover, age plays a role in poverty: older women are more often affected by poverty than older men.

Next to these main challenges, two important topics or policy areas are mentioned in separate chapters. The first is pensions: since women have other career patterns than men (e.g. often working part-time, taking up leave, staying at home) their pensions are in danger since they do not have the same pension rights compared to someone with a more 'regular' career pattern. The second topic is preventing breast cancer.

In the report, there is no specific reference to gender mainstreaming, but mainstreaming is mentioned within the scope of fighting poverty of children. Gender-based violence is not mentioned at all. There is a reference to the abuse of elderly people.

- o Did the EU Expert Group on Gender, Social Inclusion and Employment have critical or positive comments on the gender equality dimension of the report (including gender-based violence)? If so, what are these?

<sup>21</sup> [http://ec.europa.eu/growthandjobs/pdf/1206\\_annual\\_report\\_legal\\_basis\\_en.pdf](http://ec.europa.eu/growthandjobs/pdf/1206_annual_report_legal_basis_en.pdf), accessed on 10 October 2007.

<sup>22</sup> [http://ec.europa.eu/growthandjobs/pdf/1206\\_annual\\_report\\_belgium\\_en.pdf](http://ec.europa.eu/growthandjobs/pdf/1206_annual_report_belgium_en.pdf), accessed on 10 October 2007.

<sup>23</sup> [http://ec.europa.eu/employment\\_social/social\\_inclusion/docs/2006/nap/belgium\\_nl.pdf](http://ec.europa.eu/employment_social/social_inclusion/docs/2006/nap/belgium_nl.pdf), accessed on 10 October 2007.

<sup>24</sup> [http://ec.europa.eu/employment\\_social/social\\_inclusion/docs/2006/nap/belgium\\_nl.pdf](http://ec.europa.eu/employment_social/social_inclusion/docs/2006/nap/belgium_nl.pdf), page 13 of 151, accessed on 10 October 2007.

EGGSIE Synthesis report (2006)

[http://ec.europa.eu/employment\\_social/publications/2006/ke7606201\\_en.pdf](http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf)

European Commission. 2006. *Gender inequalities in the risks of poverty and social exclusion for disadvantaged groups in thirty European countries*. Brussels: European Commission, Expert Group on Gender, Social Inclusion and Employment.<sup>25</sup>

The National EGGSIE experts (Danièle Meulders and Jérôme de Henau) for Belgium have indicated that immigrant/migrant women were the focus of the national report. Most of the remarks in this comparative report are therefore closely related to (im)migrant women.

In the chapter on lone parents, Belgium is described as having reached the Barcelona target of 33% of children under three years having a childcare place. The second Barcelona target is not reached yet, but is close (90% of children between three and the mandatory school age – six in Belgium – should have a childcare place).

Immigrant women in Belgium are both EU and non-EU immigrants, a majority (63%) of these women come from Morocco or Turkey. It is this group of women which suffers most from unemployment, hence poverty. Compared to immigrant men and Belgian women, this group has high inactivity and unemployment rates. The majority of Belgian policies aimed at these women involve education. The EGGSIE experts believe the problem to be a lack of gender mainstreaming of these measures. Moreover, the experts point out that there is a problem with implementing the anti-discrimination Act of 2003<sup>26</sup> since two separate institutions are responsible:

The law charges the Centre for Equal Opportunities and Opposition to Racism with the prevention of and Action against these forms of discrimination. There is, however, a risk that the particular problems migrant women face due to the intersectionality of gender and race or origin may not be addressed because of the institutional division of responsibilities whereby sex discrimination remains the provenance of the Institute for Equal Opportunities for Men and Women. This may mean that any weaknesses in the implementation of the legislation are magnified for women if they try to seek redress.<sup>27</sup>

The EGGSIE report formulates three policy priorities. First, further research is needed; second, more effective anti-discrimination is needed; and finally, policy work to fight discrimination in employment should be undertaken together with the social partners.

- o Did the EU Commission's response to the National Report on Strategies for Social Protection and Social Inclusion include recommendations on gender equality (including gender based violence)? If so, what were these?

EC report: [http://ec.europa.eu/employment\\_social/social\\_inclusion/jrep\\_en.htm](http://ec.europa.eu/employment_social/social_inclusion/jrep_en.htm)

*Country profile. Belgium.*<sup>28</sup>

The EC's response to the National report contains two recommendations as regards gender based violence, but does not include gender based violence.

Even though gender-based statistics are provided by the report, a general gender mainstreaming approach is lacking. However, women will benefit more from the proposed measures provided within the three priorities – 1) good and affordable housing for everyone, 2) Activation and diversity: increasing the employment of vulnerable groups, and 3) children and poverty – since they are overrepresented in the target groups. One of Belgium's challenges is to improve women's pensions.

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<sup>25</sup> [http://ec.europa.eu/employment\\_social/publications/2006/ke7606201\\_en.pdf](http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf), accessed on 10 October 2007.

<sup>26</sup> In May 2007 a new set of anti-discrimination laws was passed in Belgium, among other things inserting the age issue. The separation between gender and race however remains.

<sup>27</sup> [http://ec.europa.eu/employment\\_social/publications/2006/ke7606201\\_en.pdf](http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf), p. 131-132 of 196, accessed on 10 October 2007.

<sup>28</sup> [http://ec.europa.eu/employment\\_social/social\\_inclusion/docs/2007/joint\\_report/be\\_nl.pdf](http://ec.europa.eu/employment_social/social_inclusion/docs/2007/joint_report/be_nl.pdf), accessed on 10 October 2007.

## 2.4 EU funding

- o Does the EU provide any funding having a gender impact through programmes such as DAPHNE, European Social Fund? If yes, how much and over what period of time?

As regards the European Social Fund, Belgium has a budget plan for 2007-2013 with three main priorities: 1) promoting social inclusion, 2) planning of careers and encouraging diversity of jobs, and 3) fight discrimination. Throughout these priorities, gender will obviously play an important role. How the finances are divided can be seen in the following table<sup>29</sup>:

| Priorities  | EU-finances | National finances | Total finances |
|---|-------------|-------------------|----------------|
| Promoting social inclusion                            | 33 072 885  | 34 605 088        | 67 677 973     |
| Planning of careers and encouraging diversity of jobs | 5 589 333   | 5 589 333         | 11 178 665     |
| Fight discrimination                                  | 4 600 000   | 4 600 000         | 9 200 000      |
| Technical Assistance                                  | 1 802 592   | 270 389           | 2 072 982      |
| Total   | 45 064 810  | 45 064 810        | 90 129 620     |

Another funding programme is Daphne. The following overview gives an idea of how much money was granted to how many/which projects by Belgian applicants over a one year period (2004 and 2005).

| Year               | Project name  | EC Funding (Daphne II) | % EC |
|--------------------|---|------------------------|------|
| 2004 <sup>30</sup> | Street work: elaboration of the international Dynamo network  | 124.788                | 80%  |
|                    | Safeguarding people with learning disabilities against sexual violence – with particular reference to the experiences and insights of families (European Association of Service Providers for Persons with Disabilities)                                    | 121.148 €              | 77%  |
|                    | SIAMSECT – Elaboration of a EU template and collection plan for Statistical Information and Analysis on Missing and Sexually Exploited Children and Trafficking in human beings (Institute for International Research on Criminal Policy, Ghent University) | 98.247 €               | 90%  |
|                    | Childscope 7/25 – promoting integrated European policies on missing and sexually exploited minors in CY, EE, LV, LT, MT, SK & SI (European Centre for Missing and Sexually Exploited Children)  | 100.000                | 100% |
|                    | Childscope's Interactive Directory of NGOs working in the field of missing and sexually exploited children  | 100.000                | 100% |
|                    | Baltimedia (developing training methods for perpetrators, victims, and mediators of violence. Partners are Sp-It-NI-B-Ro-Pt) (Association Internationale de guidance et de Santé)   | 100.000                | 100% |
|                    | Daphne Toolkit 2005 Multimedia tools for further dissemination of Daphne outcomes (City & Shelter)  | 99.568                 | 80%  |
|                    | Strengthening the protective environment for and with children  | 100.000                | 70%  |

<sup>29</sup> Information and data taken from Belgian ESF site

[http://ec.europa.eu/employment\\_social/esf/members/be\\_nl.htm](http://ec.europa.eu/employment_social/esf/members/be_nl.htm), accessed on 13 February 2008.

<sup>30</sup> All information taken from:

[http://ec.europa.eu/justice\\_home/funding/2004\\_2007/daphne/doc/list\\_projects\\_2004\\_en.pdf](http://ec.europa.eu/justice_home/funding/2004_2007/daphne/doc/list_projects_2004_en.pdf), accessed 14 May 2008.

|                          |  |         |     |
|--------------------------|--|---------|-----|
| <b>2005<sup>31</sup></b> | Development of a prevention tool to combat violence against refugee women and girls in Europe: A Participatory Approach (International Centre for Reproductive Health, Ghent University) | 244.550 | 80% |
|                          | Breaking the cycle of intra-familial abuse of children and women: the European Multi-Family Therapy Best Practice Model (Centre de Protection de l'Enfant, l'Accueil a.s.b.l.)           | 98.958  | 80% |

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<sup>31</sup> All information taken from: [http://ec.europa.eu/justice\\_home/funding/2004\\_2007/daphne/doc/list\\_projects\\_2005\\_en.pdf](http://ec.europa.eu/justice_home/funding/2004_2007/daphne/doc/list_projects_2005_en.pdf), accessed 14 May 2008.

### 3. Governmental Machinery For Equality

Provide a summary of the history of governmental machinery for equality provided in the issue history D11, up-dated if appropriate. In particular, consider if there have been any developments in the relationship between the gender machinery and other equalities machinery (e.g. proposed mergers). (Approx. 250 words)

Since 1993, Belgium has a federal structure with six governments on three levels: federal, regional and communal. The federal government has jurisdiction over the country as a whole. In Flanders, the Flemish region and Flemish community have merged into one Flemish government. The third government is that of the Walloon region, the fourth is the Francophone community. Brussels, the capital city has a region government. And finally, the German-speaking Belgians are represented in a community government. On the federal and regional levels, gender equality structures have been embedded. With the exception of the Flemish community (which has joined with the region) and the administration for equal opportunities of the Francophone Community, the Belgian communities do not have gender equality machinery or structures.

#### Federal:

In 1975, a Women's Labour Committee was established in the Ministry of Labour and Employment. In 1985, Miet Smet became the first federal State Secretary of Social Emancipation. This position became a ministerial post in 1992. In 1993, the former Women's Labour Committee joined with the Emancipation Board under the name Board of Equal Opportunities for Men and Women. Ten years later, Laurette Onkelinx established the Institute for Equality of Women and Men.

#### Regional and Communal:

From 1995 and onwards, the regional and communal parliaments are elected directly. From this moment on, Flanders had a Minister of Equal Opportunities. The other regions (Brussels 2004: State Secretary of Equal Opportunities) (Walloon 2004: Minister of Equal Opportunities) and communities followed this example later on or not at all. Within the Francophone Community the Prime Minister deals with equal opportunities, but there is a women's policy machinery at the level of the administration. The German-speaking Community does not have a Minister of Equal Opportunities. Moreover, most of the Belgian parliaments (except the parliament of the German-speaking Community) have a Committee on Equal Opportunities. In 1987, on the federal level, the Advisory Committee for Social Emancipation was founded, which was replaced in 1995 by an Advisory Committee for Equal Opportunities between Men and Women.

Do any or all of these forms of gender machinery exist in the country, and if so what are they called (fill in their name in original language and translated to English)?

- o governmental (civil servants and ministers in central government);
- Belgium: 1985-1992: *Staatssecretaris voor Sociale Emancipatie* (State Secretary for Social Emancipation)  
1992-now: *Ministerie voor Gelijke Kansen* (Ministry of Equal Opportunities)
- Flanders: *Ministerie voor Gelijke Kansen* (Ministry of Equal Opportunities) since 1995
- Walloon region: *Ministère de l'égalité des chances* (Ministry of Equal Opportunities) since 2004
- Brussels region: *Sécretaire d'Etat de l'Égalité des Chances* (State Secretary of Equal Opportunities) since 2004
- Francophone community: the Prime Minister is responsible for Equal Opportunities, and there's a women's policy machinery at the level of the administration
- German-speaking community: no machinery

- o enforcement and monitoring agency (e.g. equality authority, ombudsperson);

#### Belgium:

- *Raad van de Gelijke Kansen voor Mannen en Vrouwen* (Board of Equal Opportunities for Men and Women). This Board was established in 1993 and is a federal advising institution. It is a policy tool to realize equal opportunities between women and men.<sup>32</sup>
- *Instituut voor de Gelijkheid van Vrouwen en Mannen* (Institute for Equality of Women and Men). This Institute was established in 2003 and is a civil service. It studies and researches equal opportunities between women and men, is responsible for lobbying with government or individuals, supports

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<sup>32</sup> Website: [www.raadvandegelijkekansen.be](http://www.raadvandegelijkekansen.be)

organisations which address equal opportunities between women and men, provides (legal) information and helps with legal problems.<sup>33</sup>

- *Centrum voor Gelijkheid van Kansen en Racismebestrijding* (Centre for Equal Opportunities and Opposition to Racism). This Centre tackles discrimination - which includes all other inequalities than gender – on the grounds listed in the anti-discrimination laws of May 2007 (amending the anti-discrimination Act of 2003): i.e. race, age, sexual orientation, civil status, birth/descent, property, religion and philosophy on life, political preferences, language, current or future condition of health, disability, physical or genetic characteristic or social descent. The Centre was established in 1993 and its aim is to tackle all forms of discrimination by informing individuals, providing legal counselling and information, awareness raising and doing policy lobbying.<sup>34</sup>

Flanders:

- *Gelijke Kansen in Vlaanderen* (Equal Opportunities in Flanders): provides policy support<sup>35</sup>

- *Dienst Emancipatiezaken* (Emancipation Service): equal opportunities for civil servants of Flemish government

- o special legal apparatus (e.g. special courts for employment or domestic violence);

There are Employment Tribunals in Belgium. They deal with social and employment-related issues. Cases concerning for instance equal pay or sexual harassment are addressed in these Tribunals. There are 27 legal districts with separate Tribunals, and next to the Employment Tribunals there are Industrial Courts of Appeal.

- o body for consultation / dialogue with women's NGOs

Dutch-speaking:

- *Nederlandstalige Vrouwenraad* (Dutch-speaking Women's Council, NVR)<sup>36</sup>

- *Vrouwen Overleg Komitee* (Women's Consultation Committee, VOK)<sup>37</sup>

Francophone:

- *Conseil des Femmes Francophones de Belgique* (Council of Francophone Belgian Women, CFFB)<sup>38</sup>

- *Comité de Liaison des Femmes* (the Committee of Women's Collaboration)

- o Other, for example, Parliamentary Committees

Belgium:

- *Adviescomité voor Gelijke Kansen van mannen en vrouwen van de Belgische Senaat* (Advisory Committee for Equal Opportunities of men and women of the Belgian Senate)

- *Adviescomité voor de Maatschappelijke Emancipatie van de Kamer van Volksvertegenwoordigers* (Advisory Committee for the Social Emancipation of the Chamber of Representatives)

Flanders:

- *Commissie voor Wonen, Stedelijk Beleid, Inburgering en Gelijke Kansen* (Committee for Living, Municipal Policy, Naturalization and Equal Opportunities)

Answering the following list of questions may require mention of any or all of these types of institution: some apply to one kind more than another.

*The nature of the institution*

- Is there gender machinery that meets the minimum legal requirements of the EU?
  - o A body for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on the grounds of sex: Yes
  - o providing independent assistance to victims of discrimination in pursuing their complaints about discrimination; Yes
  - o conducting independent surveys concerning discrimination; Yes
  - o publishing independent reports and making recommendations on any issue relating to such discrimination: Yes

All questions here can be answered affirmatively. Next to the independent (women's) organisations which tackle these issues, the three government services (of Equal Opportunities, Institute for the Equality of Women and Men and Centre for Equal Opportunities and Opposition to Racism) provide the advice, support and research asked for in this set of questions. These services are all attached to (and financed by) the federal government, although they work independently.

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<sup>33</sup> Website: [www.iefh.fgov.be](http://www.iefh.fgov.be)

<sup>34</sup> Website: [www.diversiteit.be](http://www.diversiteit.be)

<sup>35</sup> website: [www.gelijkekansen.be](http://www.gelijkekansen.be)

<sup>36</sup> Website: [www.vrouwenraad.be](http://www.vrouwenraad.be)

<sup>37</sup> Website: [www.vrouwendag.be](http://www.vrouwendag.be)

<sup>38</sup> Website: [www.cffb.be](http://www.cffb.be)

- Is there gender machinery that meets the 'Paris Principles'?
  - independence guaranteed by a constitutional or legislative framework, autonomy from government, Yes, the Institute for the equality of women and men is a semi-governmental and thus partly independent.
  - pluralism including pluralism of composition, Yes
  - a broad mandate, Both the Institute for the equality of women and men, and the Centre for equal opportunities and opposition to racism have a broad mandate.
  - adequate powers of investigation, Yes
  - sufficient resources, Yes
- Is there gender machinery that meets the further requirements of the UN Platform for Action?
  - responsibility vested at the level of a Cabinet minister. Yes
  - Develop indicators and statistics to monitor policy. Yes
- How close to the Prime Minister is the governmental machinery located?
  - PM's office
  - Other powerful department.
  - Other department

The Centre for Equal Opportunities and Opposition to Racism as well as the Institute for the equality of women and men are both installed in other departments.
- Would any of the bodies be described as following a feminist agenda? Yes, especially the Institute for the equality of women and men.
  - Briefly explain the reasoning behind your answer.  
The *Strategic Plan*<sup>39</sup> of the Institute talks about its mission, vision and values. The Institute wants to guarantee and promote equality between women and men and introduce it within all aspects of life. It fights gender discrimination, develops instruments to insert gender mainstreaming, and prepares governmental decisions.
  - If yes, then indicate which vision of gender equality (equality through sameness, equal valuation of different contributions, or transformation) fits best.  
Men and women are considered to be equal. The vision 'equality through sameness' fits best here.
- Are there other policy groups relevant to gender equality that are embedded in particular departments, but which are not usually known as gender machinery e.g. domestic violence group within the home affairs or justice department? If yes, when was it set up, what does it do, what are its resources?

No.

- Are there any special legal institutions such as special courts to assist the implementation of gender equality laws e.g. employment tribunals, domestic violence courts?  
There are no special domestic violence courts in Belgium. There are however Employment Tribunals. Their main function is not to assist the implementation of gender equality legislation, but in practice, every subject which is related to employment will be dealt with by the Employment Tribunals: cases of equal pay, sexual harassment at work and so on are likely to be dealt with by the Employment Tribunals.

#### *Dedicated to gender or integrated with other equalities?*

- Is this gender equality body integrated with machinery for other equalities issues (if so which) or for human rights? No. The Institute for the equality of women and men only tackles gender equality, whereas other inequalities are targeted by the Centre of Equal Opportunities and Opposition to Racism.
- If yes,
  - When did this happen?
  - Was the change controversial (who fought whom, allied to whom)?
  - Is the division of responsibilities by function or by strand?
  - Is there a separate mechanism for consulting civil society by strand, including women?

#### *Relationship of machinery with civil society*

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<sup>39</sup> Instituut voor de gelijkheid van vrouwen en mannen. 2005. *Strategisch plan 2005-2007 van het Instituut voor de gelijkheid van vrouwen en mannen (Strategic plan 2005-2007 of the Institute for the equality between women and men)*. Brussels: Instituut voor de gelijkheid van vrouwen en mannen, p. 9.

- Are there procedures for the consultation of women's groups in civil society by the gender or equalities machinery? Yes.

- If so, are they routinised or occasional?

The Institute for the equality of women and men provides structural subsidies to several women's organisations (e.g. Amazone, Sophia, Council of Francophone Belgian Women and Dutch-speaking Women's Council).

Within the framework of its legal assignment, the Institute has made arrangements for a period of three years (1 January 2006-31 December 2008) on transparency, evaluation, reports and controlling of Activities and budget. The women's organisations are occasionally asked for advice, coming to meetings, and events.

Moreover, the Institute provides funding for 'small projects' that promote equality between women and men. The maximum amount for such projects is 6000 Euros. One organisation can only receive 10.000 Euros/year.<sup>40</sup>

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<sup>40</sup> Information provided by Silvie Di Turi of the Institute for the equality between women and men, by e-mail on 9 June 2008.

## 4. Policy summary questions

### 4.1 Non-employment

Is the tax system household based or individualised?

Household based. Married couples or legal cohabitants (who are equal to married couples since 2006) receive one tax demand, whereas singles or partners within unmarried couples who live together receive an individualised tax demand.<sup>41</sup>

Is the benefit system household based or individualised?

Household based. The Actual allowance depends on the marital status of the person using the benefit system. There is a difference between married people, single people, unmarried people living together and people who legally cohabit.

How long is it legitimate for lone parents not to be in paid work? (i.e. at what age does the youngest child reach before parent is required to be available for employment and benefit stops).

A (lone) parent can take up parental leave until the child turns 6 years, or 8 years in case of disability. This means that the parent has to take up parental time between the moment of birth and the moment the child turns 6 (or 8) years<sup>42</sup>. Then the parent is able to stay at home full-time for 3 months, part-time during 6 months or 1/5<sup>th</sup> during 15 months.<sup>43</sup>

Are there Active labour market programmes (i.e. programmes to help people who are out of labour market back into paid employment, includes training and job placement schemes) for lone parents?

No

Are there Active labour market programmes for women who are returning to employment after lengthy period of time out of the labour market?

No

What is the minimum amount of childcare that is provided by the state? (e.g. number of hours, no. of weeks per annum)

- Childcare: care (under 3 years) see below
- Childcare: pre-primary education (3 yrs- school age) see below

What is the predominant form of childcare provision? i.e. public, private or mixed.

The predominant childcare provision is private. These are the most important ones (others include care taking of children by parents, babysitters and so on)<sup>44</sup>:

1. Affiliated baby-minders (onthaalouder): affiliated to an acknowledged service, prices are legally fixed and are determined by the parent's wages. The baby-minder cannot discriminate. The baby-minder cannot take care of more than 8 children, their own small children included. Mainly for babies and toddlers.

2. Self-employed baby-minders: this form of baby-minder is independent and determines his or her own prices. The baby-minders can receive a certificate of supervision by *Kind en Gezin* (Child and Family)<sup>45</sup> in Flanders. The baby-minder cannot take care of more than 7 children, their own children included. They provide childcare for children of all ages and can work special hours. They also provide urgent childcare.

3. Recognized day-care centre (kinderdagverblijf): childcare in group provided by educated people in specific premises. The price is legally fixed and is determined by the wages of the parents. The centres cannot discriminate. There are places for 23 – 100 children, depending on the scale of the building. The children are divided in age-groups. The majority of these day-care centres are aimed at babies and toddlers, but small children and children between the ages 6-12 are more frequently being taken care of.

4. Independent day-care centre or mini-crèche: Childcare in group in a special centre. If they have a certificate of *Kind en Gezin* (in Flanders) they are legally ok. Mini-crèches are meant for 8-22 children, independent day-care centre for more than 23 children. They can work special hours or help in urgent situations.

<sup>41</sup> <http://fiscus.fgov.be/interfaofnl/vragen/ipp/ipp19/ipp19.htm#Echtscheiding>, accessed on 6 November 2007.

<sup>42</sup> <http://www.werk.belgie.be/defaultTab.aspx?id=547>, accessed on 6 November 2007.

<sup>43</sup> <http://www.acv->

[online.be/Sociale\\_wetgeving\\_priv/Infopakketten/Minder\\_werken/Ouderschapsverlof/ouderschapsverlof.asp?pag\\_eid=tcm:9-5148-64](http://www.acv-online.be/Sociale_wetgeving_priv/Infopakketten/Minder_werken/Ouderschapsverlof/ouderschapsverlof.asp?pag_eid=tcm:9-5148-64), accessed on 6 November 2007.

<sup>44</sup> [http://www.kindengezin.be/KG/Themas/Kinderopvang/soorten\\_opvang/default.jsp](http://www.kindengezin.be/KG/Themas/Kinderopvang/soorten_opvang/default.jsp), accessed on 6 November 2007.

<sup>45</sup> Kind and Gezin started as a Flemish public service, but became an independent agency in 2006.

[http://www.kindengezin.be/KG/Algemeen/Over\\_Kind\\_En\\_Gezin/Wat\\_doet\\_kind\\_en\\_gezin/Voorgeschiedenis.jsp](http://www.kindengezin.be/KG/Algemeen/Over_Kind_En_Gezin/Wat_doet_kind_en_gezin/Voorgeschiedenis.jsp), accessed on 6 November 2007.

5. Recognized Initiative for care outside of school (Erkend Initiatief voor buitenschoolse opvang, IBO): childcare for children between the ages 2,5 and 12 during periods outside of school hours. They are legally recognized and cannot discriminate.

6. Childcare by schools: schools can provide for care of their pupils before and after school. They have to inform *Kind en Gezin* and are legal childcare providers when they are granted a certificate.

#### 4.2 Intimate citizenship

Is abortion legal? If so, in what year did this happen?

Yes, 1990.

Up to which week of pregnancy is abortion legal?

14

Are there any other conditions? If so, what are these (e.g. consent of doctor/s, counselling)?

A pregnant woman wanting an abortion has to go to a health service institution or hospital, and she has to state that she is 'in an emergency situation'. However, only the woman (or girl) can express an opinion. Women are provided with information on crisis centres and have to wait six days before the having the Actual abortion.

How many abortions are carried out per year (select most recent year where data available. If illegal, approximately how many women travel to access abortion services in another country?)

According to the data provided by Sensoa<sup>46</sup> in 2005 17.867<sup>47</sup> abortions were carried out in Belgium. This table shows the regional differences and women going abroad to have abortions:

| Year | Flanders | Walloon provinces | Brussels | Abroad |
|------|----------|-------------------|----------|--------|
| 2005 | 41,81 %  | 31,91%            | 24,51%   | 1,77%  |

In April 2008, the Minister of Social Affairs, Laurette Onkelinx, provided new information based on data by the *Riziv* (National Institute for illness and disability insurances).<sup>48</sup> These data only refer to the number of reimbursed abortions.

| Year                   | Costs Riziv      | Number of abortions |
|------------------------|------------------|---------------------|
| 2005                   | 2,7 million euro | 12.305              |
| 2006                   | 2,5 million euro | 11.306              |
| First semester of 2007 | 1,6 million euro | 6.892               |

The 2007 data is divided by Belgian province:

| Province        | Number abortions |
|-----------------|------------------|
| Brussels        | 1.417            |
| Antwerp         | 1.105            |
| Liege           | 677              |
| West-Flanders   | 644              |
| East-Flanders   | 631              |
| Flemish Brabant | 619              |
| Limburg         | 512              |
| Namur           | 325              |
| Walloon Brabant | 216              |
| Luxembourg      | 127              |
| <b>Total</b>    | <b>6.892</b>     |

<sup>46</sup> Sensoa is the Flemish service and assessment centre for sexual health and hiv. Website: [www.sensoa.be](http://www.sensoa.be)

<sup>47</sup> All data on abortion taken from: Sensoa. 2007. *Feiten en cijfers. Abortus in België. [Facts and figures. Abortion in Belgium.]* Antwerpen: Sensoa.

[http://www.sensoa.be/pdf/feiten\\_en\\_cijfers/Feiten&cijfers\\_abortus\\_in\\_belgie\\_2007.pdf](http://www.sensoa.be/pdf/feiten_en_cijfers/Feiten&cijfers_abortus_in_belgie_2007.pdf)

<sup>48</sup> Data provided in newspaper article. 'Aantal abortussen in België blijft toenemen. (Number of abortions in Belgium increased).' In *De Standaard*, 10 April 2008.

Are civil partnerships/civil unions/gay marriage legal and if so, are the legal rights the same as for heterosexual marriage? Consider the following (Yes/no+year when introduced):

Same sex marriage Act in 2003, same-sex adoption in 2006.

Does it extend to:

- survivors' benefits in pensions? Yes
- adoption rights? Yes
- parental leave? Yes
- assisted reproduction? Yes. The new law of July 2007 on assisted medical reproduction provides that lesbian couples cannot be discriminated. They have the right to assisted reproduction. However, fertility centres have the right to refuse based on ethical principles. In practice, catholic hospitals refuse lesbian couples.
- Family reunification – have partners the right to settle and be employed in the country where their partners live? Yes

Number of registered civil partnerships, annually and in total?

The following table, with statistical information taken from the Belgian General Direction Statistics and Economical Information, shows how many marriages between partners of the same sex (male-male on the one hand, and female-female on the other) have been registered between 2003 (the year of the same sex marriage Act) and 2006<sup>49</sup>.

| Year                   | Male-Male   | Female-Female | Total       |
|------------------------|-------------|---------------|-------------|
| 2003                   | 509         | 345           | 854         |
| 2004                   | 622         | 447           | 1069        |
| 2005                   | 580         | 447           | 1027        |
| 2006                   | 596         | 529           | 1124        |
| <b>Total 2003-2006</b> | <b>2307</b> | <b>1768</b>   | <b>4075</b> |

#### 4.3 Gender-based violence

Has there been a national survey on gender based violence? When was the most recent one carried out?

The last general national survey on gender based violence in Belgium was carried out between October 1997 and September 1998 and was published in a report in 1998 (p. 1). The report<sup>50</sup> was commissioned by Minister Miet Smet, who at the time was the Minister of Equal Opportunities. It was the update of a study carried out ten years earlier (in 1988). The Institute for the equality of women and men aims to start a new survey in 2008.<sup>51</sup>

In February 2008, the federal police released data on honour killings in Belgium which were presented in the Senate by Marc Van de Plas of the federal police<sup>52</sup>.

Does it include:

- Domestic violence and violence in partnerships? Yes. It is not called domestic violence, nor violence between partners or intrafamilial violence (*intrafamiliaal geweld*), but referred to as violence in personal relationships (*persoonlijke relaties*). The term addresses both violence within the family and violence between others (p. 10).
- Sexual assault/violence and rape? Yes. A list of all forms of sexual violence is provided (p. 61). It includes, among other things, being touched, having to touch the offender or others, having to talk about sex, watching sexual videos or photographs, being forced to (watch) masturbation, coitus with or without penetration and so on.
- Sexual harassment and stalking? References are made.
- Trafficking? No
- Prostitution? No

<sup>49</sup> [http://statbel.fgov.be/figures/d22\\_nl.asp#homo1](http://statbel.fgov.be/figures/d22_nl.asp#homo1), accessed on 5 November 2007.

<sup>50</sup> Bruynooghe, Rose-Marie and Sigrid Noelanders. 1998. *Geweld ondervinden, gebruiken en voorkomen* [Experiencing, using and preventing violence]. Diepenbeek: Limburgs Universitair Centrum, Sein.

<http://doclib.uhasselt.be/dspace/bitstream/1942/909/3/geweld1998.pdf>, accessed on 7 November 2007.

<sup>51</sup> Information provided by Nicola D'Hoker of the Institute for the Equality between women and men in the beginning of November 2007.

<sup>52</sup> <http://www.gva.be/nieuwsxtra/experts/johndewit/artikel.asp?art={1F68CB3F-E1F8-4806-A516-8D40568C9A6A}>, accessed on 3 March 2008.

- **Forced marriage?** No
- **Honour crimes?** Yes. Marc Van den Plas of the federal police stipulated that one woman is killed in the name of honour every four month .
- **FGM?** No

Next to these forms of violence, the report discusses the terms 'physical violence (p. 60) and 'verbal violence' (p. 52). Physical violence is, among other things, hitting, threatening, cutting, strangling and so on. Verbal violence is being yelled at, called names, snarled at and so on.

#### 4.3.1 Domestic violence

What legal devices are available to prevent domestic violence? Do they target perpetrators and/or victims? (Yes/no +year when introduced).

There are several legal devices in Belgium to prevent domestic violence. Domestic violence is often referred to by other terms, such as violence between partners, spouses or legal cohabitants.

- Until 1997 violence between partners was stipulated in the Criminal Code, but not sufficiently applied.

- 24 November 1997: law concerning fighting violence between partners (Act Lizin)<sup>53</sup>

- 28 January 2003: law on assigning the family home to the victim of violence and complementing article 410 of the Criminal Code<sup>54</sup>

Devices could for instance include:

- **restraining orders** Yes.
- **non-molestation orders** Yes.
- **occupation orders** Yes.
- **state funded perpetrator programs**
- **other devices?** Arrest warrants and assigning the place of residence to the victim (2003).

As regards to the lack of answers to the following questions, I would like to refer to Tine Mertens 2004 report on the registration of violence between partners<sup>55</sup>. In this report, she states that a general, national and inclusive survey of violence between partners is difficult to make, since the issue belongs to different policy areas and has become fragmented (p. 4-5).

What is the prevalence of domestic violence against women, in one year? (from the survey)

-

What is the life time prevalence of domestic violence against women? (from the survey)

-

What is the number of incidents of domestic violence against women, in one year (from the survey)

-

What is the number of incidents of domestic violence reported to the police (annual)? (If not available, say so)

-

What is the number of domestic violence convictions in the courts? (If not available say so)

-

What is the attrition rate for domestic violence in the criminal justice system (convictions as % of reports to police)? (if not available say so)

-

If there is any information on the previous questions broken down by age, class, sexual orientation, race/ethnicity etc, give it here too.

-

#### 4.3.2 Rape & Sexual assault

When was marital rape criminalized?

<sup>53</sup> *Wet van 24 november 1997 strekkende om het geweld tussen partners tegen te gaan.* (Law of 24 November 1997 concerning fighting violence between partners.) <http://reflex.raadvst-consetat.be/refLex/index.reflex?docid=38348&lang=nl>, accessed on 7 November 2007.

<sup>54</sup> *Wet tot toewijziging van de gezinswoning aan de echtgenoot of aan de wettelijk samenwonende die het slachtoffer is van fysieke gewelddaden vanwege zijn partner en tot aanvulling van artikel 410 van het Strafwetboek.* (Law of 28 January 2003 to assign the family home to the partner by marriage or cohabitation who is the victim of violence of his or her partner and to complement article 410 of the criminal code.)

<http://reflex.raadvst-consetat.be/reflex/index.reflex?docid=79801&lang=nl>, accessed on 7 November 2007.

<sup>55</sup> Mertens, Tinne. 2004. *De registratie van partnergeweld in de hulpverleningssectoren in België.* [The registration of violence between partners in the assistance sector in Belgium.] Diepenbeek: Limburgs Universitair Centrum, Sein.

In 1997<sup>56</sup>. Previously, violence between partners was not considered a criminal act in Belgium. This was brought to an end by the 1997 Law Concerning the Fight Against Violence Between Partners, also known as the Act Lizin, named after Anne-Marie Lizin of the Walloon Socialist Party (PS). Prior to this law, violence between partners could be penalized, as indicated in the criminal code, but the laws were not sufficiently applied. Due to the Act Lizin the minimum penalty was increased: the minimum correctional prison sentence doubled and the minimum penalty with reference to imprisonment, custody and forced labour was increased by two years. The law however did not provide for an arrest warrant, this was only made possible in 2003 with the new domestic violence law.

**What is the number of annually reported incidents to the police?**

The following figures by Statbel indicate the number of registered rape cases in Belgium and the number of registered criminal offences concerning indecency offence.<sup>57</sup>

| Rape |      | Criminal offences against<br>Indecency offence |      |
|------|------|--|------|
| 2000 | 2505 | 2000   | 5594 |
| 2001 | 2634 | 2001   | 5636 |
| 2002 | 2906 | 2002   | 6322 |
| 2003 | 2777 | 2003   | 5492 |
| 2004 | 2723 | 2004   | 5209 |
| 2005 | 2632 | 2005   | 4798 |

**What is the attrition rate for rape in the criminal justice system (convictions as % of reports to police)? (if not available say so)**

Not available

**What is required for an Act to be considered to be rape, e.g.:**

- lack of consent (since when)

Yes, introduced by law of 1989

- physical resistance? (since when)

Not required

- Other?

Article 374: assault can be named assault when there is a beginning of execution of the act (*een begin van uitvoering* in Dutch).

**Is any characteristic of victim or perpetrator considered relevant (e.g. age, sex), and if so which characteristic?**

Indeed there are several relevant characteristics which play an important role for prosecuting the perpetrator, and are likely to lead to more severe sentences.<sup>58</sup>

- If, at the time of the rape, the victim has not reached the age of 10, 14 or 16, the sentence will be higher according to the younger age of the child.

- If the rapist is family, or lives together with the victim, the sentence will be more severe.

- If the victim is pregnant, has a mental or physical disability or an illness, or is weakened in some way or the other (for instance: the threat of a weapon), the perpetrator is likely to get a more severe sentence.

- If the perpetrator misuses his/her power (he or she is for instance a physician), this will be taken into consideration.

- The anti-discrimination laws of May 2007 connect the principle of discrimination to this chapter on 'Indecent assault and rape': if the act of rape is connected to hate, contempt or hostility based on the race, colour of skin, descent, ethnical or national descent, nationality, gender, sexual orientation, civil status, birth, age, fortune, religion or ideology, current or future state of health, disability, language, political conviction, physicality of genetic characteristic or social descent, the perpetrator is likely to get a more severe sentence (article 377bis).

<sup>56</sup> *Wet van 24 november 1997 strekkende om het geweld tussen partners tegen te gaan.* (Law of 24 November 1997 concerning the battle against violence between partners.) [http://reflex.raadvst-consetat.be/ref\\_Lex/index.reflex?docid=38348&lang=nl](http://reflex.raadvst-consetat.be/ref_Lex/index.reflex?docid=38348&lang=nl), accessed on 5 November 2007.

<sup>57</sup> [http://statbel.fgov.be/figures/d352\\_nl.asp#2](http://statbel.fgov.be/figures/d352_nl.asp#2), accessed on 5 November 2007.

<sup>58</sup> All information taken from the *Belgian Criminal Code*, Title VII, Chapter V 'Indecent assault and rape', articles 372-378bis. [http://www.juridat.be/cgi\\_loi/loi\\_N.pl?cn=1867060801](http://www.juridat.be/cgi_loi/loi_N.pl?cn=1867060801), accessed on 5 November 2007.

### 4.3.3 Trafficking for sexual exploitation

Has the government signed and ratified the EU convention on human trafficking (date)

Belgium has signed the Convention on Human Trafficking on 17 November 2005, but has not ratified it yet.<sup>59</sup>

Is trafficking primarily seen as a problem of the sending or the receiving country?

Even though trafficking is seen as a problem of the sending country, it needs to be treated as a global problem that needs international cooperation. The Belgian website of Foreign Affairs refers to several international (the Convention on Human Trafficking by the EU, and the protocol to the United Nations Convention Against Transnational Organised Crime) and national policies and Actions (the law of 13 April 1995 in order to suppress human trafficking<sup>60,61</sup>).

Are women victims of trafficking, when identified as such, given temporary/permanent residence permits? How long? (date)

Yes. Victims (both women and men) of human trafficking (*mensenhandel*) and border crossing (*mensensmokkel*) are able to obtain a residence permits. The Centre for Equal Opportunities and Opposition to Racism provides examples and explains which categories of victims are alluded to and what is actually meant by those two terms.<sup>62</sup>

|  |  |
|--|--|
| human trafficking ( <i>mensenhandel</i> )  | - different forms of sexual exploitation<br>- exploitation of begging<br>- economical exploitation<br>- taking of organs<br>- forcing to commit crimes |
| frontier crossing ( <i>mensensmokkel</i> ) | - assisting illegal immigration with profit motive in case of aggravating circumstances (violence, life-threatening,                                   |

In order to obtain the statute of victim, there are three conditions that need to apply:<sup>63</sup>

1. Leave the network or organisation which was exploiting them;
2. Be assisted by recognized and specialized centres for victims of trafficking;
3. File a complaint against the network or the person who is/was responsible for the exploitation.

The procedure consists of several steps. First the presumptive victim is granted a reflection period of 45 days and receives an ordinance to leave the country. During this period, the presumptive victim has to leave the network, work together with the assistance centres, and has to decide to file a complaint. If the presumptive victim is a minor, he or she immediately is granted a residence permit for three months.

If the person fulfils all these conditions, he or she receives a temporary residence permit for 3 months. At this stage, official assistance remains compulsory and the assumed victim can apply for a working permit c.

Following this stage, the residence permit will be prolonged for six months, according to several factors such as the length of the investigation, the will to cooperate with the court and so on. The residence permit will be extended by six months every six months, until the investigation is finished.

Finally, if the complaint leads to a conviction based on legislation on human trafficking, the victim is granted a permanent residence permit.<sup>64</sup>

<sup>59</sup> <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=197&CM=1&DF=&CL=ENG>, accessed on 5 November 2007.

<sup>60</sup> *Wet van 13 april 1995 houdende bepalingen tot bestrijding van de mensenhandel en van de mensensmokkel*. (Law of 13 April 1995 concerning provisions to prevent human trafficking and frontier running). [http://www.diversiteit.be/CNTR/NL/human\\_trafficking/legislation/laws/leg\\_hum\\_law\\_95-04-13.htm](http://www.diversiteit.be/CNTR/NL/human_trafficking/legislation/laws/leg_hum_law_95-04-13.htm), accessed on 5 November 2007.

<sup>61</sup> <http://www.diplomatie.be/EN/policy/policynotedetail.asp?TEXTID=13735>, accessed on 5 November 2007.

<sup>62</sup> [http://www.diversiteit.be/CNTR/NL/human\\_trafficking/status+traffic/](http://www.diversiteit.be/CNTR/NL/human_trafficking/status+traffic/), accessed on 5 November 2007.

<sup>63</sup> [http://www.diversiteit.be/CNTR/NL/human\\_trafficking/status+traffic/](http://www.diversiteit.be/CNTR/NL/human_trafficking/status+traffic/), accessed on 5 November 2007.

<sup>64</sup> All information taken from: [http://www.diversiteit.be/CNTR/NL/human\\_trafficking/status+traffic/](http://www.diversiteit.be/CNTR/NL/human_trafficking/status+traffic/), accessed on 5 November 2007.

#### 4.3.4 Intersections

Have specialised policies and practices on gender based violence that address gender as intersecting with race/ethnicity, class, sexual orientation been developed by:

- Police Yes
- NGOs Yes
- Local Authorities / government

Yes, the anti-discrimination laws of 2003 (one law) and 2007 (set of three laws) are of influence, as can, for instance, be seen in the legislation and articles of the *Criminal Code* as regards rape. The intersection holds for: race, colour of skin, descent, ethnical or national descent, nationality, sex, sexual orientation, civil status, birth, age, fortune, religion or ideology, current or future state of health, disability, language, political conviction, physicality of genetic characteristic or social descent.

- Other

/

#### 4.3.5 Service provision

Are there refuges and/or sexual assault centres? (dates)

- Female victims of violence can call on several women's refuge centres throughout Belgium. As Brigitte Rys points out, they were installed towards the end of the 1970s and were greatly influenced by the British Errin Pizzey.<sup>65</sup> The first Belgian umbrella organisation provided services for all sorts of women 'in need' and was called: the National Organisation of Reception Centres (*de Nationale Vereniging der Onthaalhuizen*). A Walloon-Flemish division was established in 1977.

On the Flemish side, women's refuge centres receive grants since 1990, and were regionalised in 1997. From this moment on they were called Centres for General Welfare Work (*Centra voor Algemeen Welzijnswerk, CAW*).

The Francophone Community provides and finances 14 refuge centres<sup>66</sup> in three categories: 1) individual adults (women and men), 2) individual adults with children, 3) families.

- Within the scope of human trafficking and frontier crossing, Belgium has three official shelters or refugee centres.

1. Pag-Asa was established in Brussels in 1995.<sup>67</sup> It provides humanitarian assistance to victims and fights the exploitation networks. The centre is responsible for legal, administrative, psychological and social guidance. The service is both ambulant and residential. There are 16 shelter places.

2. Payoke was established in Antwerp in 1987.<sup>68</sup> Payoke is responsible for the guidance of and aid to victims of human trafficking. It provides information, legal and administrative assistance and it offers the victims both an ambulant and residential service. Payoke makes use of other shelter centres and specifically mentions De Passant, Het Werk der Daklozen, Welzijnzorg (Boechout), 't Huis (Aalst), Fedasil (Kapellen)<sup>69</sup> and Asmodee, Zijzorg and Doorgangshuis (Sint-Niklaas)<sup>70</sup>.

3. Surya (Liege). These centres provide services for men, women and children. Victims of human trafficking who are minors are helped by centres for minors such as Esperanto in the Walloon region, Juna in Flanders and Minro N'Daka in Brussels<sup>71</sup>.

The Centre for Equal Opportunities and Opposition to Racism plays an important role here. It coordinates the collaboration between the three specialized centres mentioned above, it stimulates and follows up the Belgian policy on human trafficking, and it helps (even in court cases) the victims.<sup>72</sup>

How many are there?

- The Centres for General Welfare Work provide 16 women's refuge centres (250 beds) and six women's shelters (100 beds). Furthermore, victims can call on other shelter places as well: there are

<sup>65</sup> All information based on: Rys, Brigitte. 2003. *Rosa Factsheet. Vluchthuizen, vroeger en nu. [Women's refuge centres, in the past and now.]* Brussel: Rosa. <http://www.rosadoc.be/site/nieuw/pdf/factsheets/nr24.pdf>, accessed on 12 November 2007.

<sup>66</sup> [http://www.cocof.irisnet.be/site/fr/affsoc/maisons\\_d\\_accueil/](http://www.cocof.irisnet.be/site/fr/affsoc/maisons_d_accueil/), accessed on 12 November 2007.

<sup>67</sup> Website: [www.pag-asa.be](http://www.pag-asa.be), accessed on 5 November 2007.

<sup>68</sup> Website: [www.payoke.be](http://www.payoke.be), accessed on 5 November 2007

<sup>69</sup> Annual report 2004: <http://www.pag-asa.be/>, p. 9, accessed on 5 November 2007.

<sup>70</sup> Annual report 2005: <http://www.pag-asa.be/>, p. 9, accessed on 5 November 2007.

<sup>71</sup> [http://www.diversiteit.be/CNTR/NL/human\\_trafficking/centres+victims/](http://www.diversiteit.be/CNTR/NL/human_trafficking/centres+victims/), accessed on 5 November 2007.

<sup>72</sup> [http://www.diversiteit.be/CNTR/NL/human\\_trafficking/RoleCentre/](http://www.diversiteit.be/CNTR/NL/human_trafficking/RoleCentre/), accessed on 5 November 2007.

169 beds in the centres for coupled reception, 144 beds in crisis centres and 131 beds for young people.<sup>73</sup>

- The Francophone Community provides 313 places in the first category (individual adults), 321 in the second (individual adult and child) + third category (families).<sup>74</sup>

- As regards human trafficking and the crossing of borders, Belgium has three official shelter or refugee centres. However, they work together with other services in order to provide residential places for everyone.

#### When was the first set up?

- The first women's refuge centre was established in Brussels in 1977: the Collective for Abused Women (*het Collectief voor mishandelde vrouwen*).

- In 1997: establishment of the Centres for General Welfare Work in Flanders

- In 1987, Payoke (Antwerp) was the first refugee centre/shelter for victims of human trafficking or crossing of borders.

#### Are they state funded, to what extent?

- In Flanders, women's refuge centres were financially recognized in 1990.<sup>75</sup>

- In the Francophone Community the 14 refuge centres receive grants.

- Payoke is partially funded by the Flemish Government and the National Lottery (*Nationale Loterij*).

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<sup>73</sup> [http://www.steunpunt.be/xcms/lang\\_nl-BE/mid\\_13802/ModeID\\_0/EhPageID\\_456/4966/default.aspx](http://www.steunpunt.be/xcms/lang_nl-BE/mid_13802/ModeID_0/EhPageID_456/4966/default.aspx), accessed on 12 November 2007.

<sup>74</sup> [http://www.cocof.irisnet.be/site/common/filesmanager/affsoc/maison\\_accueil/](http://www.cocof.irisnet.be/site/common/filesmanager/affsoc/maison_accueil/), accessed on 12 November 2007.

<sup>75</sup> Rys, Brigitte. 2003. *Rosa Factsheet. Vluchthuizen, vroeger en nu. [Women's refuge centres, in the past and now.]* Brussel: Rosa. <http://www.rosadoc.be/site/nieuw/pdf/factsheets/nr24.pdf>, accessed on 12 November 2007.

## CIVIL SOCIETY AND ENGAGEMENT IN POLICY MAKING

### 5. Political system

#### 5.1 Is the state unitary or federal?

If federal, are key gender+ equality decisions made at national or provincial/local level?

In 1993, after four state reforms, the once unitary country Belgium (1830) became a federal state. Over time, a growing number of competencies have been transferred to the regions and communities. Constitutionally speaking, the residual power is with the regions and communities but since the legislation to transpose this principle is still due, the residual power still remains with the federal authorities. Belgium is a dual federation with incoherent packages of competencies. This means that the federal state on the one hand and the regions and communities on the other hand are all in charge of specific competencies but nonetheless need to cooperate because of the overlap in competencies (note that the EU also forces the various Belgian state levels to cooperate in matters of EU policies).

The federal government is responsible for e.g. justice, external affairs, defence and social security: i.e. all subjects which are not affected by language or culture and are relevant for all Belgian people. The communities are responsible for personal or individual matters such as language, culture and education. Finally, the regions deal with territorial matters, environment and employment.<sup>76</sup> As mentioned before, the lack of coherent policy packages implies that in many matters the various state levels have to cooperate, mainly through cooperation agreements and intergovernmental conflict resolution.

Now what does this mean for gender+ equality decisions? The competence of gender equality has never been attached to a specific state level. This, in combination with the adoption of a gender mainstreaming strategy, makes all state levels in charge of gender equality policies. The Belgian federal state level has a Ministry for Equal Opportunities and is mainly responsible for gender policy on a federal level: (anti-discrimination) legislation, the implementation of EU Directives as regards gender and the UN conventions (CEDAW) and Women's Conferences. However, the Flemish community and region – which have gathered in one Flemish government – have developed a strong gender+ equality policy aimed at Flanders. Even though not as developed as the Flemish Ministry, both the Walloon region government and the Brussels region government are paying attention to gender+ equality with a Walloon Ministry of Equal Opportunities and a Brussels State Secretary of Equal Opportunities.

#### 5.2 To what extent and how are social partners (employers & trade unions/capital & labour) integrated in policy decisions?

Yes.

The National Labour Council (*Nationale Arbeidsraad* or *Conseil National du Travail*) was established by law in 1952. The Council consists of members of the representative trade unions and employer's organisations. It is responsible for advising the government and/or parliament on social topics. Since 1968, the National Labour Council is also responsible for collective labour agreements.<sup>77</sup>

Would the political system be possible to describe as corporatist or neocorporatist, where hierarchically ordered trade unions and/or employer and/or other civil society organisations are institutionally incorporated in policy making?

The political system in Belgium is neocorporatist, but this neocorporatist structure focus on traditional labour market issues.

What is the gender composition in the decision making process of agreements made by the social partners (if there are any such agreements)?

40% to 50% of the unionists in Belgium are women.<sup>78</sup> However, this number decreases when we look at the decision makers of the trade unions. Belgium has three trade unions: the Christian ACV/CSC, socialist ABVV/FGTB, and liberal ACLVB/CGSBL. The table below shows how many women are represented on the levels of decision-making:

<sup>76</sup> <http://www.diplomatie.be/nl/belgium/belgiumdetail.asp?textID=495>, accessed on 16 October 2007.

<sup>77</sup> <http://www.cnt-nar.be/N11.htm>, accessed 23 June 2008.

<sup>78</sup> All data and information provided on this matter is taken from: Vanthienen, Annemie. 2002. *Vrouwen in de vakbond (Women in the trade union)*. Brussels: Rosa Factsheet.

<http://www.rosadoc.be/site/nieuw/pdf/factsheets/nr20.pdf>, accessed on 14 May 2008. This article has used data from the ISERES report.

| <b>ABVV/FGBT</b>    |              |            |                |
|---------------------|--------------|------------|----------------|
| <b>Organ</b>        | <b>women</b> | <b>men</b> | <b>% women</b> |
| Federal bureau      | 11           | 29         | 27,5%          |
| Federal secretariat | 2            | 5          | 28,6%          |

| <b>ACV/CSC</b>      |              |            |                |
|---------------------|--------------|------------|----------------|
| <b>Organ</b>        | <b>women</b> | <b>men</b> | <b>% women</b> |
| National bureau     | 3            | 32         | 10,5%          |
| Executive committee | 1            | 8          | 11,1%          |

| <b>ACLVB/CGSBL</b>  |              |            |                |
|---------------------|--------------|------------|----------------|
| <b>Organ</b>        | <b>women</b> | <b>men</b> | <b>% women</b> |
| National committee  | 21           | 116        | 15,3%          |
| National bureau     | 3            | 18         | 14,3%          |
| Executive committee | 0            | 8          | 0%             |

In 2004, a *Gender Charter* was signed by the three Belgian trade unions.<sup>79</sup> The Gender Charter states that the trade unions will both work on gender-related issues, and address the underrepresentation of women in the trade unions.

### 5.3 In which policy environment (ministry) is a decision on the issue predominantly made (for each area: general gender equality policies; non-employment; intimate citizenship; gender-based violence)?

Since Quing looks at Belgium as a nation, as a federal state, and Belgian legislation is passed on a federal level, I only take the federal Ministries into account here.

**General gender equality:** Ministry of Equal Opportunities

**Non-employment:** Ministry of Equal Opportunities, Ministry of Employment and Labour, Ministry of Pensions

**Intimate citizenship:** Ministry of Equal Opportunities

**Gender-based violence:** Ministry of Equal Opportunities, Ministry of Justice

### 5.4 Political cleavages

Is the state consociational or not, i.e. are there major internal divisions (ethnic, language, religion etc) where neither of the groups form a majority while, at the same time, the political regime can be considered to be stable?

Belgium is a classical example of a consociational democracy, involving extensive protections for the various minorities. The major current cleavage is the ethno-linguistic divide. The three official Belgian languages are Dutch, French and German. The Dutch-speaking and the French-speaking form the major groups, but while the Dutch-speaking makes up the biggest group at the federal level, the French-speaking largely dominates Brussels, whereas German is spoken in a relatively small part of Belgium. The three communities' governments are based on the three linguistic groups: the Dutch-speaking, the French-speaking and the German-speaking. As regards the regions, in general Dutch is spoken in the Flemish region, French in the Walloon region, Dutch and French in Brussels, and German and French in East Cantons (Eupen, Sankt-Vith and Malmédy).

What are the main existing salient political cleavages within the state, and on what dimension (e.g. language, region, religion, nationality)?

The Belgian political landscape is characterized by three major political cleavages; the socio-economic divide between labour and capital; the ideological divide between catholic and anti-clerical tendencies; and the ethno-linguistic divide between the two major language groups, Dutch-speaking and French-speaking. The socio-economic and the ideological cleavages were dominant until the 1960s. At that point, several major issues were settled and the ethno-linguistic cleavage took over in importance. It dominates much of the current political dynamics, especially since it is strongly embedded in the political system.

### 5.5 International obligations and links

When, if at all, was CEDAW signed?<sup>80</sup>

<sup>79</sup> <http://www.aclvb.be/vrouw/gender-charter.html>, accessed on 14 May 2008.

<sup>80</sup> See <http://www.un.org/womenwatch/daw/cedaw/states.htm>

Belgium signed CEDAW on 17 July 1980 and the instrument of ratification, accession or succession was received, after some reservations, on 10 July 1985. 'In communications received on 14 September 1998 and 8 July 2002, the Government of Belgium informed the Secretary-General that it had decided to withdraw its reservations made upon ratification with respect to articles 7 and 15, paragraphs 2 and 3, respectively.'<sup>81</sup>

#### [When did the country join the EU?](#)

Belgium was a founding member of the European Economic Community, the precursor of the European Union. It formed the Benelux, together with the neighbouring countries the Netherlands and Luxembourg in 1944.

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<sup>81</sup> <http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm#N21>, accessed on 17 October 2007.

## 6. Political Representation

### 6.1 The development of women's political representation, including:

- [Date of female suffrage](#)<sup>82</sup>

General (compulsory) suffrage for women applies since 1948. Prior to this, women were able to vote under certain circumstances: wives of whom the husband or son was killed, died, arrested or taken captive during World War I were granted the right to vote in 1919. In 1920, all women were granted the right to vote locally.

- [Note any caveats, e.g. age, property qualification, ethnicity, and when removed.](#)<sup>83</sup>

Belgium became independent in 1830. In 1831, an electoral system based on tax applied: only citizens who paid taxes were granted the right to vote. The electoral system was therefore initially based on economical wealth. From 1893 on, a (compulsory) multiple voting right was established: every man from the age of 25 was granted one vote. If the voter paid taxes or was a graduate, he could receive one or two extra votes. In 1919, the multiple voting right was abolished and a single voting system was introduced. At the same time, the suffrage age was decreased from 25 to 21..

Until 1948, with the exceptions of the local right to vote and the vote based on the loss of a husband or son in World War I, women were not included during elections. Since 1948 general female suffrage applies for all women aged 21. In 1981, the suffrage age was amended again; all Belgians aged 18 are subjected to compulsory voting.

The main subject of discussion as regards suffrage, which remains, is the right to vote for non-Belgians.

- [Date of male suffrage](#)

Since 1893 all men over 25 were, without restrictions, granted the right to vote.

- [Use of quotas](#)
  - [When introduced](#)

1994. Quotas were introduced in Belgium in 1994 by the Act Miet Smet-Louis Tobback<sup>84</sup>. This Act stipulates that the lists of candidates for the elections should not contain more than 2/3 of one sex (and no more than 3/4 during a transition period lasting until 1996).. This rule was applied for the first time during the (European, regional and parliamentary) elections of 1999. In June and July 2002 a new set of laws on quotas<sup>85</sup> were adopted, now stipulating that the division of women and men on electoral lists of candidates should be 50-50. Moreover, the first two candidates should be of different sexes. During a transitional period in 2003 and 2004 this applied for the first three candidates. In May 2003 two new Acts<sup>86</sup> were adopted on the guaranteed presence of women and men in all the Belgian governments.

- [What form e.g. party, electoral, constitutional](#)

Electoral (quota Acts of 1994 and 2002) and constitutional. In 2002 the Constitution was amended: article 11bis guarantees the presence of women in Belgian parliament.<sup>87</sup>

- [What is the numerical representation of women in parliament? \(over QUING period\)](#)

Throughout the QUING-period, the representation of women in Belgian parliament has gradually increased. The next table provides more detailed information of the numerical representation of women in the Belgian parliament as well as the numerical representation of women in the governments of the Communities and Regions<sup>88</sup>:

<sup>82</sup> <http://www.rosadoc.be/site/nieuw/pdf/factsheets/nr1.pdf>, accessed on 17 October 2007.

<sup>83</sup> <http://www.elections.fgov.be/Nouveau/NieuwNI/Dokunn/aspecten/evolutievanhetstemrecht/evolutievanhetstemrecht/echtbelgie.htm>, consulted 17 October 2007.

<sup>84</sup> *Wet van 24 mei 1994 ter bevordering van een evenwichtige verdeling van mannen en vrouwen op de kandidatenlijsten voor de verkiezingen.* (Law of 24 May 1994 to improve the equal division of men and women on the lists of candidates). <http://www.iefh.fgov.be/ShowContent.aspx?levelID=34&objectID=115&lang=nl>, accessed on 17 October 2007.

<sup>85</sup> <http://www.iefh.fgov.be/ShowContent.aspx?levelID=34&objectID=82&lang=nl>, accessed on 17 October 2007.

<sup>86</sup> <http://www.iefh.fgov.be/ShowContent.aspx?levelID=34&objectID=82&lang=nl>, accessed on 17 October 2007.

<sup>87</sup> <http://www.iefh.fgov.be/ShowContent.aspx?levelID=34&objectID=130&lang=nl>, accessed on 17 October 2007.

<sup>88</sup> All figures based on: Celis, Karen and Petra Meier. 2006. *De macht van het geslacht. Gender, politiek en beleid in België [The power of sex. Gender, politics and policy in Belgium]*. Leuven: Acco, p. 22-23.

## Women in Belgian parliament

| Year | % women - Chamber of Representatives | % women - Senate | Total % women In Belgian Parliament |
|------|--------------------------------------|------------------|-------------------------------------|
| 1995 | 12%                                  | 24%              | 18%                                 |
| 1999 | 19%                                  | 28%              | 23,5%                               |
| 2003 | 35%                                  | 38%              | 36,5%                               |

## Women in the parliaments of the Communities and Regions

| Year | Flemish parliament | Brussels parliament | Walloon parliament | Parliament of the German-speaking Community |
|------|--------------------|---------------------|--------------------|---|
| 1995 | 16,9%              | 29,3%               | 12%                | 20%   |
| 1999 | 20,2%              | 36%                 | 10,7%              | 32%   |
| 2004 | 31,0%              | 45%                 | 19%                | 32%   |

- Was the increase in women's representation a gradual increase since suffrage, or were there any key turning points? E.g. quotas, 1989.

Indeed, since women gained the vote there has been debates on women in government. Until 1995, only 10% of members of parliament (both the Chamber and the Senate) have been women<sup>89</sup>.

Throughout the 1990s, the number of women in parliament has increased, on the federal, the communal and the regional level. The quota laws of 1994 and 2002 have played a role here, but as Karen Celis and Petra Meier point out: it would be wrong to state that they are directly responsible for the increasing number of women in parliament.<sup>90</sup>

- Other important developments

Women were granted the right to be eligible for election in 1921. They could become members of parliament, but they were not able to vote (some of them were, see above) until 1948.

The members of the Royal family who are heirs to the throne can become senators. Until 1991 this right was only granted to men. Since 1991, women are able to become heiress to the throne and consequently able to become senator as well. In 1996, Princess Astrid (the daughter of the current King, Albert II) became senator.<sup>91</sup>

### 6.2 Political representation for intersecting inequalities:

- Class (e.g. was male suffrage granted in stages with property qualifications; representation in parliament)

Until 1919, class played the most important role as regards male suffrage. The first decades after the independence of Belgium 1830 -1893, the electoral system was based on tax. Votes were granted to citizens who paid taxes. In 1893 the multiple voting right was introduced. From that moment on, until 1919, all men of 25 years and older received one vote. Extra votes (one or two) were granted if the voter paid taxes.

Regarding representation based on class:<sup>92</sup> From 1830 all men aged 25 could stand as a candidate for the Chamber of Representatives. It did not matter if they paid tax. Similar to women's representation and the vote, some men did not have the right to vote but were eligible for election. As regards the Senate, the candidates needed to pay taxes. In 1893 the taxes to be paid to be eligible for the Senate were reduced and every man who had a rateable value of 12.000 Belgian francs could stand as a candidate for the Senate. In 1921, the system based on tax was abolished.

- ethnicity/religion (what exclusions and when; numerical representation in parliament)

Since the law on '*migrantenstemrecht*' (immigrant's right to vote) of 2004, all people who descent from outside of the European Union and have lived in Belgium for five years have the right to vote in elections at the local level but lack the right to in federal level elections. The same goes for citizens of

<sup>89</sup> Celis, Karen and Petra Meier. 2006. *De macht van het geslacht. Gender, politiek en beleid in België [The power of sex. Gender, politics and policy in Belgium]*. Leuven: Acco, p. 22.

<sup>90</sup> Celis, Karen and Petra Meier. 2006. *De macht van het geslacht. Gender, politiek en beleid in België [The power of sex. Gender, politics and policy in Belgium]*. Leuven: Acco, p. 52-56.

<sup>91</sup> <http://www.belgium.be/eportal/application?languageRedirected=yes&docId=3451&pageId=contentPage&languageParameter=nl>, accessed on 23 October 2007.

, accessed on 23 October 2007.

the EU member states, although a citizen of a EU member state have the right to vote in the Belgian EU elections. Note that due to the compulsory character of suffrage in Belgium, non-Belgian citizens who once register as voters for the elections in which they can participate are then subject to the same compulsory character of suffrage, that is, once they register, they have to participate in the elections and in all subsequent elections

- Other important intersecting inequalities, any quotas

Being eligible for election has always been restricted by age in Belgium. In 1830, the representatives of the Chamber had to be 25 years and the senators 40 years. In 1921, the Senate was reformed. In 1993, the age for the candidates for the Chamber and Senate was set to 21.<sup>93</sup>

### 6.3 Political parties and gender

- Does women's political representation vary by Party;
  - if so, do these Parties tend to represent different class, ethnic, religious or other interests?

- Due to the quota laws, political parties need to place 50% of women on their electoral lists of candidates.

- Five of the Belgian political parties currently (June 2008) have a chairwoman. Joëlle Milquet has been the chairwoman of the French-speaking Christian Democrats (CdH) for a couple of years. , Mieke Vogels is the chairwoman of Groen!, the Dutch-speaking Greens since November 2007 (she succeeds Vera Dua who was the chairwoman of the same party from November 2003 to November 2007) and Caroline Genez is the chairwoman of SP.A, the Dutch-speaking Social Democrats since October 2007. Since April 2008 Vlaams Progressieven (before: Spirit), a smaller Dutch-speaking leftist but liberal party, is presided by a woman, Bettina Geysen and since May 2008, the mayor of the Dutch-speaking party, the Christian Democrats CD&V, is also headed by a woman, Marianne Thyssen Hence. In Flanders, all parties are headed by women, except for the Liberals (Open VLD), the radical right-wing populists Vlaams Belang, and two small parties, the regionalist N-VA and the recently created LDD.

#### What is the current Party / Parties in Government:

- 2003-2007: Open VLD – MR – SP.A-Spirit – PS (i.e. liberals and socialists)
- 21 December 2007 - 23 March 2008: due to the governmental crisis in Belgium, which started right after the elections of 10 June 2007, a temporary interim government was installed: Verhofstadt III. The parties in this government are CD&V, Open VLD, PS, MR. (i.e. Christian democrats, liberals and socialists)
- 20 March 2008-2011: Cd&V, CDh, Open VLD, MR, PS (i.e. Christian democrats, liberals and socialists)

- With which European Parliament political group is/are this Party / these Parties affiliated?<sup>94</sup>

| Belgian party: government 2003-2007 | Official affiliation   |
|-------------------------------------|--|
| Open VLD                            | European Liberal Democrat and Reform Party (ELDR) <sup>95</sup>                                |
| MR                                  | European Liberal Democrat and Reform Party (ELDR)  |
| SP.A-Spirit                         | Party of European Socialists (PES) <sup>96</sup><br>European Free Alliance (EFA) <sup>97</sup> |
| PS                                  | Party of European Socialists (PES)   |

<sup>93</sup> <http://www.belgium.be/eportal/application?languageRedirected=yes&docId=3451&pageid=contentPage&languageParameter=nl>, accessed on 23 October 2007.

<sup>94</sup> See list Of EP political groups: [http://www.europarl.europa.eu/groups/default\\_en.htm](http://www.europarl.europa.eu/groups/default_en.htm)

<sup>95</sup> <http://www.eldr.org/index.php?newlang=english>, accessed on 12 November 2007.

<sup>96</sup> <http://www.pes.org/content/view/11/48/lang/en/>, accessed on 12 November 2007.

<sup>97</sup> <http://www.e-f-a.org/party.php?id=2>, accessed on 12 November 2007.

| Belgian party: interim government (December 2007-March 2008) | Official affiliation                              |
|--|---|
| Open VLD   | European Liberal Democrat and Reform Party (ELDR) |
| MR   | European Liberal Democrat and Reform Party (ELDR) |
| Cd&V   | European People's Party (EPP) <sup>98</sup>       |
| PS   | Party of European Socialists (PES)                |

An overview of the major Belgian political parties:

| Belgian party                      | Official affiliation  |
|------------------------------------|---|
| Open VLD                           | European Liberal Democrat and Reform Party (ELDR)   |
| MR                                 | European Liberal Democrat and Reform Party (ELDR)   |
| SP.A-Vlaams Progressieven (Spirit) | Party of European Socialists (PES) <sup>99</sup><br>European Free Alliance (EFA) <sup>100</sup> |
| PS                                 | Party of European Socialists (PES)  |
| Cd&V                               | European People's Party (EPP)   |
| CdH                                | European People's Party (EPP)   |
| Groen!                             | European Green Party <sup>101</sup>   |
| Ecolo                              | European Green Party  |
| Vlaams Belang                      | Identity, Tradition, Sovereignty (ITS) <sup>102</sup>   |
| Parti Communiste                   | European Left <sup>103</sup>  |

- o What political party / parties have held office during 1995-2007?

| Government term                                   | Party                              | Affiliation          | Flanders / Walloon provinces |
|---|------------------------------------|----------------------|------------------------------|
| <b>1995-1999<br/>Government<br/>Dehaene II</b>    | CVP                                | Christian democratic | Flemish                      |
|   | PSC                                | Christian democratic | Walloon                      |
|   | SP                                 | Socialist            | Flemish                      |
|   | PS                                 | Socialist            | Walloon                      |
| <b>1999-2003<br/>Government<br/>Verhofstadt I</b> | VLD                                | Liberals             | Flemish                      |
|   | PRL<br>(became part of MR in 2002) | Liberals             | Walloon                      |
|   | SP<br>(became SP.A in 2001)        | Socialist            | Flemish                      |
|   | PS                                 | Socialist            | Walloon                      |
|   | Agalev                             | Green party          | Flemish                      |

<sup>98</sup> <http://www.epp.eu/membersorted.php?landID=7>, accessed on 12 November 2007.

<sup>99</sup> <http://www.pes.org/content/view/11/48/lang/en/>, accessed on 12 November 2007.

<sup>100</sup> <http://www.e-f-a.org/party.php?id=2>, accessed on 12 November 2007.

<sup>101</sup> [http://www.europeangreens.org/cms/default/rubrik/9/9209.member\\_parties.htm](http://www.europeangreens.org/cms/default/rubrik/9/9209.member_parties.htm), accessed on 12 November 2007.

<sup>102</sup> Vlaams Belang, the Flemish right wing and fascist party was one of the members of the European Party ITS, which existed between January 2007 and 14 November 2007. The Party was dissolved when 5 Romanian Members of European Parliament left the fraction.

EUObserver. 2007. *MEPs welcome fall of far-right group*. <http://euobserver.com/9/25148>, e-text, accessed on 20 November 2007.

<sup>103</sup> <http://www.european-left.org/about/memberparties>, accessed on 20 November 2007.

|   |                                   |                          |                  |
|---|-----------------------------------|--------------------------|------------------|
|   | Ecolo                             | Green party              | Walloon          |
|   | FDF<br>(became part of MR in2002) | Francophone              | Walloon/Brussels |
|   | MCC<br>(became part of MR in2002) |                          | Walloon          |
| <b>2003-2007<br/>Government<br/>Verhofstadt II</b>              | Open VLD                          | Liberals                 | Flemish          |
|   | MR                                | Liberals                 | Walloon          |
|   | SP.A + Spirit                     | Socialist + Left liberal | Flemish          |
|   | PS                                | Socialist                | Walloon          |
| <b>2007-2008<br/>Interim<br/>Government<br/>Verhofstadt III</b> | Open VLD                          | Liberals                 | Flemish          |
|   | MR                                | Liberals                 | Walloon          |
|   | CD&V                              | Christian democratic     | Flemish          |
|   | PS                                | Socialist                | Walloon          |
| <b>2008-2011<br/>Government<br/>Leterme I</b>                   | CD&V                              | Christian democratic     | Flemish          |
|   | CDh                               | Christian democratic     | Walloon          |
|   | Open VLD                          | Liberals                 | Flemish          |
|   | MR                                | Liberals                 | Walloon          |
|   | PS                                | Socialist                | Walloon          |

[Main European Political Parties \(each footnote provides a link to party's website where you can find their national political party members\)](#)

European People's Party (EPP): Centre right Christian democrats and conservatives. The EPP is the largest group in the European Parliament with 277 members.<sup>104</sup>

Party of European Socialists (PES): Social democrats, democratic socialists. With 218 members the PES's socialist group is the second largest group in the.<sup>105</sup>

European Liberal Democrat and Reform Party (ELDR): Liberal democrats and centrist, the ELDR is the third-largest political party represented.<sup>106</sup>

European Free Alliance (EFA): Pro devolutionists, independence<sup>107</sup>

European Green Party: Greens, ecologists, environmentalists<sup>108</sup>

#### 6.4 Representation in government

- What percentage of government Ministers are female?<sup>109</sup>
- To which Ministries do female ministers belong?

The following tables shows which female Ministers are responsible for which Ministerial posts in Belgium, and its community and regional governments.

<sup>104</sup> [www.epp.org](http://www.epp.org)

<sup>105</sup> [www.pes.org](http://www.pes.org)

<sup>106</sup> <http://www.eldr.org/>

<sup>107</sup> <http://www.e-f-a.org/>

<sup>108</sup> [www.europeangreens.org](http://www.europeangreens.org)

<sup>109</sup> See IPU: <http://www.ipu.org/wmn-e/world.htm>

## Federal Belgian parliament

### 2003-2007<sup>110</sup>

Between 2003 and 2007, of the 15 federal Ministers, 3 were female (20%). Of the 4 State Secretaries 2 were female (50%).

| <b>Minister (name + political party)</b>        | <b>Ministry</b>  |
|---|--|
| Laurette Onkelinx (PS)                          | Ministry of Justice<br>Vice-premier  |
| Freya Van den Bossche (SP.A)                    | Ministry of Budget and Consumer Policy<br>Vice-premier                         |
| Sabinne Laruelle (MR)                           | Ministry of Self-Employment and Agriculture, charged with Overseas Development |
| <b>State secretary (name + political party)</b> | <b>State Secretary</b>   |
| Els Van Weert (Spirit)                          | State Secretary of Enduring Development, Social Economy                        |
| Gisèle Mandaila Malamba (MR)                    | State Secretary of Family and Disabled Persons                                 |

### 2007-2008<sup>111</sup>

Between 21 December 2007 and 20 March 2008, the federal Belgian parliament consisted of three female Ministers and eleven male Ministers (21,42%).

| <b>Minister (name + political party)</b> | <b>Ministry</b>                                      |
|--|--|
| Laurette Onkelinx (PS)                   | Ministry of Social Affairs and Health                |
| Sabine Laruelle (MR)                     | Ministry of Economy, Self-Employment and Agriculture |
| Inge Vervotte (CD&V)                     | Ministry of Civil Affairs and Public Enterprises     |

### 2008-2011<sup>112</sup>

On 20 March 2008 the new federal government was elected. It consists of 15 Ministers of whom six were female, amounting to 40%. Of the seven State Secretaries, one is female (14,28%).

| <b>Minister (name + political party)</b>        | <b>Ministry</b>  |
|---|--|
| Laurette Onkelinx (PS)                          | Vice-premier<br>Ministry of Social Affairs and Health          |
| Joëlle Milquet (CdH)                            | Vice-premier<br>Minister of Employment and Equal Opportunities |
| Sabine Laruelle (MR)                            | Ministry of Economy, Self-Employment and Agriculture           |
| Marie Arena (PS)                                | Ministry of Social Integration, Pensions and Metropols         |
| Inge Vervotte (CD&V)                            | Ministry of Civil Affairs and Public Enterprises               |
| Annemie Turtelboom (VLD)                        | Ministry of Migration and Asylum Policy                        |
| <b>State secretary (name + political party)</b> | <b>State Secretary</b>   |
| Julie Fernandez-Fernandez (PS)                  | State Secretary of Persons with a Disability,                  |

<sup>110</sup> <http://www.belgium.be/eportal/application?origin=navigationBanner.jsp&event=bea.portal.framework.internal.refresh&pageid=indexPage&navId=5906>, accessed on 12 November 2007.

<sup>111</sup> <http://www.belgium.be/eportal/application?origin=navigationBanner.jsp&event=bea.portal.framework.internal.refresh&pageid=indexPage&navId=5906>, accessed on 8 January 2008.

<sup>112</sup> <http://www.belgium.be/eportal/application?origin=navigationBanner.jsp&event=bea.portal.framework.internal.refresh&pageid=indexPage&navId=5906>, accessed on 26 March 2008.

### Flemish parliament 2004-2009<sup>113</sup>

Of the Flemish 10 Ministers, 3 are female (30%).

| <b>Minister (name + political party)</b> | <b>Ministry</b>   |
|--|---|
| Kathleen Van Brempt (SP.A)               | Ministry of Mobility, Social Economy and Equal Opportunities              |
| Hilde Crevits (CD&V)                     | Ministry of Public Works, Energy, Environment and Nature                  |
| Patricia Ceysens (Open VLD)              | Ministry of Economy, Enterprise, Science, Innovation and Foreign Commerce |

### Francophone community government 2004-2009<sup>114</sup>

Of the 6 Francophone Community Ministers, 4 are female (66,6%).

| <b>Minister (name + political party)</b> | <b>Ministry</b>  |
|--|--|
| Marie Arena (PS)                         | Premier<br>Ministry of Obligated Education   |
| Marie Dominique Simonet (cdH)            | Ministry of Higher Education, Scientific Research and International Relations of the Francophone Community<br>Vice premier |
| Fadila Laanan (PS)                       | Ministry of Culture and Audiovisual Media  |
| Catherine Fonck (cdH)                    | Ministry of Health, Children, and Young Persons  |

### Walloon region government 2004-2009<sup>115</sup>

Of the nine Ministers, one is female (11,1%).

| <b>Minister (name + political party)</b> | <b>Ministry</b>  |
|--|--|
| Marie Dominique Simonet (cdH)            | Ministry of Research, New Technologies, and External Affairs |

### Brussels government 2004-2009<sup>116</sup>

Of the five Ministers, two are female (40%), and of the three State Secretaries one is female (33,3%).

| <b>Minister (name + political party)</b>        | <b>Ministry</b>  |
|---|--|
| Evelyn Huytebroeck (Ecolo)                      | Ministry of Environment, Energy and Water Policy           |
| Françoise Dupuis (PS)                           | Ministry of Accomodation and Urban Development             |
| <b>State secretary (name + political party)</b> | <b>State Secretary</b>                                     |
| Brigitte Grouwels                               | State Secretary of Civil Servants and the Port of Brussels |

### Government of the German-speaking community government<sup>117</sup>

Of the four Ministers, one is female (25%)

| <b>Minister (name + political party)</b> | <b>Ministry</b>   |
|--|---|
| Isabelle Weykmans (PFF)                  | Ministry of Culture, Media, Preservation of Monuments, Youth and Sports |

<sup>113</sup> [http://start.vlaanderen.be/solution.php?nav=burger&solution\\_id=1132722005937&thema\\_id=89](http://start.vlaanderen.be/solution.php?nav=burger&solution_id=1132722005937&thema_id=89), accessed on 12 November 2007.

<sup>114</sup> <http://www.cfwb.be/index.php?id=416>, accessed 12 November 2007.

<sup>115</sup> <http://gov.wallonie.be/code/fr/comp.asp>, accessed 12 November 2007.

<sup>116</sup> [http://www.bruxelles.irisnet.be/nl/region/region\\_de\\_bruxelles-capitale/autorites/gouvernement.shtml](http://www.bruxelles.irisnet.be/nl/region/region_de_bruxelles-capitale/autorites/gouvernement.shtml), accessed on 12 November 2007.

<sup>117</sup> [http://www.dgparlament.be/desktopdefault.aspx/tabid-622//1141\\_read-20578/](http://www.dgparlament.be/desktopdefault.aspx/tabid-622//1141_read-20578/), accessed on 12 November 2007.

## 7. Civil Society

### 7.1 Gender

Is there one (or more than one) national organisation that coordinates feminist and women's organisations.

Yes there are. The *Conseil des Femmes Francophones de Belgique* (Council of Francophone Belgian Women, CFFB) is a non-profit organisation which organises and represents over fifty organisations and individuals. It collaborates with other organisations on federal, communal, regional and international level.

Similarly, in Flanders there is the *Nederlandstalige Vrouwenraad* (Dutch-speaking Women's Council, NVR). It is a non-profit umbrella organisation for all associations working for equal opportunities as regards gender, age, origin, sexual orientation, political conviction and so on. The Women's Council informs the public, consults politicians, and exerts pressure. Moreover, the organisation monitors the implementation of the resolutions of UN conferences and the UN Convention.

Both the Council of Francophone Belgian Women and the Dutch-speaking Women's Council were established as one organisation in 1905, the *Nationale Vrouwenraad van België* (the National Women's Council of Belgium). In 1974, the current division – based on language – came about.

Amazone is a non-profit organisation which was founded in 1995 by the federal Minister of Equal Opportunities, Miet Smet. Until now, Amazone has been granted a subsidy by the federal government. It is a meeting point for women and women's organisations, and a resource centre for equality between women and men. The centre provides a meeting place, congress centre, restaurant and a documentation centre. Many women's organisations hold office in the Amazone building (e.g. Sophia, *Nederlandstalige Vrouwenraad*, *Comité de Liaison des Femmes* and VOK). Amazone aims to support NGOs and women organisations which aim at improving equality between men and women.

- o is this the same as the body which is affiliated to the European Women's Lobby?

The Council of Francophone Belgian Women and the Dutch-speaking Women's Council, as well as the *Comité de Liaison des Femmes* – which is a women's organisation – are affiliated to the European Women's Lobby. Amazone is mentioned as the centre housing those organisations<sup>118</sup>.

- o when was it established?

National Women's Council: 1905 (to 1974).

Council of Francophone Belgian Women: 1974.

Dutch-speaking Women's Council: 1974.

Amazone: 1995.

- o how many organisations are affiliated to the national body?

Dutch-speaking Women's Council: 42<sup>119</sup>

Council of Francophone Belgian Women: 74<sup>120</sup>

Amazone: 24<sup>121</sup>

- o how many women are so coordinated? Not clear.

- o How many staff work for the organisation (how many paid, how many unpaid)?

Dutch-speaking Women's Council: 10 with a full-time contract, 3 with a part-time contract and 1 part-time temporary contract.<sup>122</sup>

Council of Francophone Belgian Women: 3 full-time staff members, and 1 person with a limited contract for a special project.<sup>123</sup>

Amazone: the staff consists of 22 full-time employees.<sup>124</sup>

- o What is its budget?

Dutch-speaking Women's Council: No information available

<sup>118</sup> [http://www.womenlobby.org/site/1Template1.asp?DocID=414&v1ID=&RevID=&namePage=&pageParent=&DocID\\_sousmenu=](http://www.womenlobby.org/site/1Template1.asp?DocID=414&v1ID=&RevID=&namePage=&pageParent=&DocID_sousmenu=), accessed on 23 October 2007.

<sup>119</sup> A list of the members of the NVR can be found on: [http://www.vrouwenraad.be/fr\\_portret.html](http://www.vrouwenraad.be/fr_portret.html), accessed on 23 October 2007.

<sup>120</sup> A list of the members of the CFFB can be found on: <http://www.cffb.be/index.html?current=10&page=1&page2=10&lang=fr>, accessed on 23 October 2007.

<sup>121</sup> A list of the 'inhabitants' of Amazone can be found on: <http://www.amazone.be/Main/Frameset.asp?reference=01%2D01&lang=nl&sess=420195063&>, accessed on 23 October 2007.

<sup>122</sup> Information provided by Fatiha Ahalli of NVR by e-mail on 6 November 2007.

<sup>123</sup> Information provided by CFFB, by e-mail on 7 June 2008.

<sup>124</sup> Information provided by Mieke Van Nuland, director of Amazone, by e-mail on 8 November 2007.

Council of Francophone Belgian Women: The annual budget of the CFFB is approximately 50 000 Euros.<sup>125</sup>

Amazone: The annual budget of Amazone is approximately 1.100.00 Euros<sup>126</sup>.

- o What is its range of Activities (are these in an annual report)?

Dutch-speaking Women's Council:

- equality for all women and men, irrespective of age, descent, sexual orientation, preferences...
- consult and talk with policy Actors, academics and various organisations
- stimulate the debate and spread visions
- exert power
- monitor the implementation of international instruments such as CEDAW and the UN's Women's Conferences
- attend meetings of (inter)national organisations<sup>127</sup>

Council of Francophone Belgian Women:

- participation of women in society
- install gender equality in all domains of life
- ameliorate the status of women
- combat violence against women
- the health and quality of life of women
- solidarity with all women throughout the world<sup>128</sup>

Amazone:

- promote equality between women and men within all domains of society
- flexible and qualitative support for women's organisations (housing, meeting places, infrastructure)
- provide information<sup>129</sup>
- enable collaboration and exchange information on gender equality, gender mainstreaming, equality

- o Does the national body engage with all or only some of our 3 issues

Amazone, the Dutch-speaking and Francophone Women's Councils address gender equality in general in society. As such, they address every subject connected to gender equality and more specifically non-employment, intimate citizenship and gender based violence.

- o Are there national coordinating organisations for feminist/women's Activities in: employment/non-employment; gender based violence; and intimate citizenship (if so name them)?

There are no coordinating organisations dealing with these topics specifically.

### List the key women's / feminist civil society organisations and their main methods / Activities FLEMISH<sup>130</sup>

- Amazone
- Dutch-speaking Women's Council (*Nederlandstalige Vrouwenraad*, NVR)
- Office for Allochthonous Girls and Women (*Steunpunt Alochtone Meisjes en Vrouwen*, SAMV)
- Women's Consultation Committee (*Vrouwen Overleg Komitee*, VOK)
- Sophia
- RoSa
- Christian Labourer's Wives (*Kristelijke Arbeidersvrouwen*, KAV)
- Catholic Socio-cultural work of rural women (*Katholiek Vormingswerk van Landelijke Vrouwen*, KVLV)
- Viva (socialist women)
- Liberal Women
- Markant
- Forum of Flemish Women (*Forum van Vlaamse Vrouwen*, FVV)
- Feminist Anarchist Madams (*Feministische Anarchistische Madammen*, FAM)
- F.C. Poppensnor

<sup>125</sup> Information provided by CFFB, by e-mail on 6 June 2008.

<sup>126</sup> Information provided by Mieke Van Nuland, director of Amazone, by e-mail on 8 November 2007.

<sup>127</sup> All information was provided on: [http://www.vrouwenraad.be/fr\\_portret.html](http://www.vrouwenraad.be/fr_portret.html), accessed on 17 December 2007.

<sup>128</sup> All information was provided on: <http://www.cffb.be/index.html?current=2&page=2&page2=2&lang=fr>, accessed on 17 December 2007.

<sup>129</sup> All information was provided on:

<http://www.amazone.be/Main/Frameset.asp?reference=01%2D01&lang=nl&sess=78045995&>, accessed on 17 December 2007.

<sup>130</sup> All information was gathered on <http://www.rosadoc.be/site/nieuw/opzoeken/links/organisaties.htm>, accessed on 26 February 2008.

- Gender Action Group
- NextGENDERation Network

## WALLOON

- Council of Francophone Belgian Women (*Conseil des Femmes Francophones de Belgique*, CFFB)
- Vie Féminine
- Les Femmes Prévoyantes socialistes
- Amnesty International - section femmes
- réseau d'associations travaillant sur le thème de la violence envers les femmes.

- **Building autonomous institutions**

Yes. The three most important autonomous institutions are RoSa, Amazone and Bibliothèque Léonie Lafontaine. All of them are however subsidized by the government.

- RoSa<sup>131</sup>: *Rol and Samenleving* (Role and Society) or RoSa was established in 1978, when the female Minister of Dutch Culture, Rika De Backer-Van Ocken, allocated funding. Since that moment the organisation started to develop into what it is today: a documentation centre, library and archive for equal opportunities, feminism and women's studies. Since 1995, the Flemish Ministry of Equal Opportunities has been very important to RoSa, and RoSa is supported by the Unit on Equal Opportunities in Flanders. It is situated in the Equal Opportunities House in Brussels.

- Amazone<sup>132</sup>: Amazone was established in 1995 by the federal Minister of Equal Opportunities, Miet Smet. Since that moment, the institution receives subsidies from the Ministry of Equal Opportunities. Amazone supports Belgian women's organisations and provides housing to them in the 'Amazone-building'. It is a centre with resources to provide documentation, information, knowledge, and experiences promoting equality between women and men to individuals/groups/associations.

- Bibliothèque Léonie La Fontaine<sup>133</sup>: This library is connected to the Francophone University of Women. It is situated in Amazone and provides books, articles, documents, magazines and all possible forms of information on women and feminism.

- **Public protest e.g. demonstrations**

When taking women's movement in Belgium into consideration, public protest is minimal, especially when compared to service provision. But it occurs. Some examples:

- Equal Pay Day: Equal Pay Day yearly campaigns on 31 March for equal wages for women and men.

- FC Poppensnor: has campaigned against the prohibition of headscarves (January 2007), the policies of George W. Bush (February 2005). They also held a sit-in in the Flemish Parliament (2004).

- **Campaigning**

Yes, single issue campaigns are often carried out (e.g. domestic violence) by the women's organisations. Some examples:

- Together with *Wereldsolidariteit* (World Solidarity), the Dutch-speaking Women's Council currently has a campaign concerning women and poverty worldwide<sup>134</sup>. Another campaign concerns female genital mutilation.

- Equal Pay Day campaigns for equal pay.

- Amazone: campaigns on for instance women and entrepreneurship (together with Markant, the women's organisation for female entrepreneurs), and on female engineers.

- **lobbying state**

- The Dutch-speaking Women's Council consults and talks with policy Actors, academics and various organisations. It stimulates debates and spreads its vision. Moreover, it exerts power and monitors the implementation of international instruments such as CEDAW and the UN's Women's Conferences. It also attends the meetings of (inter)national organisations.

- The Women's Consultation Committee targets both the general public and at the government with its opinions.

<sup>131</sup> <http://www.rosadoc.be/site/nieuw/start.htm>, accessed 23 June 2008.

<sup>132</sup> <http://www.amazone.be/Main/Frameset.asp?reference=01%2D01&lang=nl&sess=78045995&>, accessed 23 June 2008.

<sup>133</sup> [http://www.universitedesfemmes.be/03\\_bibliotheque.php](http://www.universitedesfemmes.be/03_bibliotheque.php), accessed 23 June 2008.

<sup>134</sup>

[http://www.wereldsolidariteit.be/index.php?option=com\\_content&task=category&sectionid=8&id=50&Itemid=141](http://www.wereldsolidariteit.be/index.php?option=com_content&task=category&sectionid=8&id=50&Itemid=141), accessed on 23 June 2008.

- [service provision](#)

One of the most important tasks of the women's organisations is service provision. Some examples:

- RoSa is an archive and documentation centre for feminism, equal opportunities and women's studies.
- The Office for Allochthonous Girls and Women publishes and spreads leaflets and information on marriage and migration. It also screens ethnic women's films.
- FC Poppensnor organises a monthly feminist café.
- Amazone provides support to women's organisations and provides general information (website with women's news) to the public. It also campaigns on for instance women and entrepreneurship (together with Markant, the women's organisation for female entrepreneurs), and on female engineers.
- The Women's Consultation Committee organises an annual Women's Day event on 11 November.
- Sophia organises colloquiums, and provides information on gender/feminist/women's studies in Belgium.

- [research](#)

The Francophone University of Women (*Université des Femmes*)<sup>135</sup> develops feminist research, publishes articles and texts with a feminist dimension and disseminates feminist knowledge. It also provides documentation on women and feminism. The University of Women is linked to the Library Léonie La Fontaine, and publishes *Chronique Féministe* (Feminist Chronicle).

- [Are they important or marginal to national politics?](#)

The women's movement in Belgium is rather 'silent', except for some demonstrations by for instance FC Poppensnor and the yearly Actions of the Equal Pay day Group. According to Joke Wiercx, this silence must not be misunderstood as a lack of influence. The abortion law is a good example of the importance of the women's movement to national politics.<sup>136</sup>

- [Are they centralised or dispersed?](#)

In terms of structure, there is a variety of organisations:

- Most of the Belgian women's organisations are gathered in the umbrella organisations (see above).
- There are women's organisations that just have one section. FC Poppensnor is a good example, as is the Office for Allochthonous Girls and Women.
- Some organisations are centrally organised, but have local branches. Examples here are the Christian Labourer's Wives (the *Katholieke Arbeidersvrouwen*) which has 900 departments in Flanders. Markant, the organisation for female entrepreneurs is also locally present in several regions throughout Flanders. Also the Forward-looking Socialist Women (*Les Femmes Prévoyantes socialistes*) have branches throughout the Walloon provinces.

### [List the key anti-feminist organisations and their main methods/ Activities?](#)

There is not really an anti-feminist movement in Belgium, and no such organisations exist. There is a Belgian affiliation of Fathers 4 Justice Belgium<sup>137</sup>.

- [Building autonomous institutions](#)
- [Public protest e.g. demonstrations](#)
- [Campaigning](#)
- [lobbying state](#)
- [service provision](#)
- [research](#)
  - [Are they important or marginal to national politics?](#)
  - [Are they centralised or dispersed?](#)

### [Are there any men's groups / organisations that are supportive of women's / feminist organisations?](#)

No.

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<sup>135</sup> [http://www.universitedesfemmes.be/02\\_universite-des-femmes.php](http://www.universitedesfemmes.be/02_universite-des-femmes.php), accessed 23 June 2008.

<sup>136</sup> Wiercx. 2005. p. 71.

<sup>137</sup> <http://www.f4j.be/>, accessed on 17 December 2007.

## Women's / feminist organisations in civil society

- What are the major distinctions in civil society between different types of organisations/projects e.g. feminist, pro-family etc.?

In Belgium, the most important distinction, between both women's and feminist organisations, is language. There are Walloon (French-speaking) and Flemish (Dutch-speaking) organisations. All these organisations are based on feminist ideas.

Next to language, political opinion plays an important role. Women are organised according to their political principles (e.g. Les Femmes Prévoyantes socialistes, Christian Labourer's Wives, Viva, Liberal Women and so on).

- Do women's organisations actively engage with other intersecting inequalities (in each area?)

In 2005, Joke Wiercx conducted a study on Flemish women's organisations. Her findings are only targeted at Flanders, but still they give an idea of what women's organisations are like in Belgium. As regards intersecting with other inequalities, women's organisations tend to collaborate with other organisations once a year: most collaboration takes place with immigrant organisations and trade unions, collaborations with LGBT organisations are rather limited.<sup>138</sup>

It rather seems that an inequality such as ethnicity/race intersects with gender (and for instance sexual orientation) instead of vice versa. Moreover, the women's organisations have a common meeting place in the building of Amazone, which makes networking between these organisations possible.

There are also regular meetings with governmental representatives.

- Do they have good alliances with those representing other inequalities or not? (in each area)

Not really (see answer above).

- Are there alliances between women's / feminist organisations and men's groups (if these exist in your country)?

/

- Are there many organisations of minoritised women? (in each area)

There are organisations for migrant/allochthonous women. This is the most important intersection.

- What links are there with international? / EU level / bilateral bodies? (in each area)

- On the international level, the Dutch-speaking Women's Council monitors the implementation of international instruments such as CEDAW and the UN's Women's Conferences.

- The Belgian women's associations affiliated to the European Women's Lobby are the Council of Francophone Belgian Women and the Dutch-speaking Women's Council, as well as the *Comité de Liaison des Femmes*.

- The treasurer of the European Women Lawyers Organisation is Belgian.

- Amazone has a link to the UNIFEM campaign 'Say no to violence against women' on its website.

- In Women Against Violence Europe (WAVE), there are some Belgian members as well: the Collective for Battered Women (*Collectif pour Femmes Batues*) and the Foundation Welfare Antwerp (*Stichting Welzijnzorg Provincie Antwerpen*).

- NextGeneration has a group based in Brussels in Belgium<sup>139</sup>.

- International organisations, such as Amnesty International, have local groups in Belgium.

- Is organised feminism engaged with the state, or does it follow an autonomous or separatist agenda building its own institutions? For example, is it invited to report to consultations; does it take money from the state; is it commissioned by the state to undertake specific tasks?

The women's organisations are often engaging with the state. This can be in the form of receiving subsidies from the state, but there are also regular consultations with the state.

- Does this vary between issue areas? No.
- Has this changed over time? No.
- When engaging with the state is a coalition form of organising common or not? No.

- Does it make sense to talk of a 'women's movement' or not?

Yes, Joke Wiercx talks about a women's movement in Belgium.

<sup>138</sup> Wiercx, Joke. 2005. 'A la recherche du mouvement actuel des femmes en Flandre.' ('In search of the actual women's movement in Flanders'). In Marques-Pereira, Bérengère, and Petra Meier. 2005. *Genre et politique en Belgique et en Francophone* [Gender and politics in Belgium and in Francophone countries]. Louvain-la-Neuve : Academia Bruylant, Science Politique : p. 65.

<sup>139</sup> <http://www.nextgeneration.net/groups/brussels/us/index.html>, accessed 23 June 2008.

- o Briefly explain your answer.

The study conducted by Joke Wiercx clearly describes the character of the Actions of women's organisations. Their 'silent Actions' must not be misunderstood as a lack of Action in general. Wiercx points out that the less spectacular Actions of the last twenty years have resulted in a series of concrete policy Actions. The abortion law is a good example. These soft Actions were thus a good choice. However, they also brought about the fact that the Belgian women's movement is less visible.<sup>140</sup>

- o Is there a tendency towards one of the three major visions of gender equality (sameness, equal valuation of difference, transformation)?

Not specifically.

- o Is there a preferred model of care work: support for a domestic regime or support for a public (state or market provision) regime?

In general, the women's organisations tend to prefer a domestic regime with a main focus on parental and maternal leave as well as time credit and flexibility. However, there is also attention for childcare services.

- o How closely aligned is feminism with social democracy?

In some areas, social democracy plays a more important role than in others. Equal pay for instance is addressed by the Equal pay Day. This organisation consists of *Zijkant*, the women's branch of the socialist political party and by ABVV Women, the women's branch of the socialist trade union.

- o Notes on the history of the development of gendered or feminist civil society organisations:

- o Is there a history of divisions as to where on a continuum between autonomous or close to state is most appropriate? No.

- Does this vary by 4 areas (general, employment, intimate citizenship, and gender based violence)? No.

- o Is there a history of divisions as to: socialist, radical, liberal?

In Belgium, several women's organisations are based on socio-political divisions (e.g. Les Femmes Prévoyantes socialistes, Christian Labourer's Wives, Viva, Liberal Women and so on).

- Does this vary by 4 areas? No

- o Is there a history of changing engagement with class, ethnic and religious forces? No

- Does this vary by 4 areas? /

- o Is feminist research organised in Universities and research institutes?

Yes it is.

Until October 2007, a university degree in 'Women's Studies' could be obtained at the University of Antwerp (Flanders). This was organised by different Flemish universities. The course received grants from the Flemish Minister of Equal Opportunities, but had to stop when these grant stopped.

In the various universities, there are Centres for Women's Studies and some of the universities provide a general gender/feminist course or integrate a gender perspective in (parts of) their curricula.

- o Are there named centres?<sup>141</sup>

Yes. There are Centres in almost all Belgian Universities:

- The Dutch-speaking Free University of Brussels (*Vrije Universiteit Brussel*, VUB) has Rhea, Research Centre for Gender and Diversity (*Onderzoekscentrum voor Gender en Diversiteit*)

- Gender and Sexuality Ateliers (*Ateliers Genre(s) et sexualité(s)*) at the Francophone Free University of Brussels (*Université Libre de Bruxelles*, ULB). At the ULB there is also an Interdisciplinary group on women's studies (*Groupe interdisciplinaire d'études sur les femmes*, *GIEF*) in the Faculty of Arts, and a Group called Gender and Migration (Genre at Migration) in the Sociology Department.

- At the Catholic University of Leuven (*Katholieke Universiteit Leuven*, KUL) there is a Centre for Equal Opportunities and Diversity (*Centrum voor Gelijke Kansen en Diversiteit*), as well as a department on 'Woman and University' (*Vrouw en Universiteit*).

<sup>140</sup> Wiercx. 2005. P. 71.

<sup>141</sup> The centres selected here, were taken from an overview by Sophia:

<http://www.sophia.be/index.php/links/type/1?CAKEPHP=49107085f7c56f5b553db197db16d543>, accessed on 3 June 2008.

- The University of Ghent (*Universiteit Gent*) has a Centre for Gender Studies (*Centrum voor Genderstudies*)
  - The University of Liege (*Université de Liège*, Ulg) has a research unit, Studies of gender and diversity (*Etudes sur le genre et la diversité en gestion*, EgID) and FER (a network of gender studies scholars and female researchers at the University of Liege).
  - The University of Hasselt (*Universiteit Hasselt*) has an Institute for Behavioural Sciences (*Instituut voor Gedragwetenschappen*, SEIN) which has a unit working on diversity and equal opportunities.
  - The University of Antwerp (*Universiteit Antwerpen*) has the Centre Equal Opportunities Policy (*Steunpunt Gelijkekansenbeleid*).
    - If yes, are they important? Yes, however the importance varies from university to university and from centre to centre.
    - If not, is important feminist research primarily dispersed or mainstreamed? /
  - Are there specific positions, funds or journals within the country (or region e.g. Nordic)?
  - There are specific scholarships awarded by the Belgian Federation of Women with a University Degree (*de Belgische Federatie van Vrouwelijke Universitair-Gediplomeerden*)
  - As regards journals, there are some, but they are rather limited in number: *Chronique Féministe*, *Uitgelezen* (by documentation centre RoSa), *Scumgrrrls* and the online magazine *Div@zine*
  - Is there a national association for women's studies/gender studies?
- Yes there is: Sophia. This organisation was established in 1990 and promotes and helps to develop research on and education in women's studies in Belgium.<sup>142</sup>

- Are there feminist lawyers' organisations?

No, there are not. However, there is a Belgian member represented in the European Women's Lawyer's Association.<sup>143</sup>

- Are there radical lawyers' organisations that support justice claims for one or more of the inequalities? No

## 7.2 Class

- A short history of the development of organisations representing class interests.

There are three important trade unions in Belgium: Catholic ACV/CSC, Socialist ABVV/FGTB, and Liberal ACLVB/CGSLB.

- ACV/CSC: Belgian christian syndicalism came about during the Industrial Revolution in the 19th century. The working conditions of the workers were terrible, child labour was widespread and a working day consisted of 14 hours. The housing of the workers was terrible and there were no social provisions. In 1857 the *Broederlijke Wevers* and the *Noodlijdende Broeders* were established. However, internal struggles caused divisions. In 1886 the *Antisocialistische Katoenwerkersbond* (Anti-Socialist Cotton workers) was established, which would eventually become the ACV/CSC. In 1912, a national christian trade union was established with Gustaaf Eylembos as the first chairman.<sup>144</sup>

- ABVV/FGTB: Comparably to the ACV/CSC, the history of the ABVV/FGTB started in the second part of the 19th century. In 1898 the *Syndikale Kommissie* (Syndical Committee) was established. This became the *Belgisch Vakverbond* (Belgian Trade Union, BVV) in 1937. From 1945 on, the *Algemeen Belgisch Vakverbond* (General Belgian Trade Union, ABVV) became an important representative trade union.<sup>145</sup>

- ACLVB/CGSLB: Ghent was the industrial centre (textile, metal and port) of Belgium in the 19th century. Here the history of the Belgian trade unions started. In 1857, the first 'trade unions' were established: the *Broederlijke Wevers* and the *Noodlijdende Broeders*. In 1860 an umbrella trade union came about, but this only existed for a short period of time. In 1877 the *Broederlijke Wevers* reunited and joined the socialist *Vlaamse socialistische Arbeiderspartij* (Flemish Socialist Worker's Party). That was the moment the liberal chairman established a liberal trade union (*Vrije Kiezersbond*, later on renamed as *Algemene Werkbond van Werklieden en Burgers*). When this trade union became to catholic, a new division occurred. In the mean time there were some new changes of names and other groups joined and went away. In 1920, there was a need for a

<sup>142</sup> [www.sophia.be](http://www.sophia.be), accessed on 3 June 2008.

<sup>143</sup> [www.ewla.org](http://www.ewla.org), accessed on 3 June 2008.

<sup>144</sup> [http://www.acv-online.be/Wie\\_zijn\\_wel/ACV/Geschiedenis/acv\\_geschiedenis.asp](http://www.acv-online.be/Wie_zijn_wel/ACV/Geschiedenis/acv_geschiedenis.asp), accessed on 3 June 2008.

<sup>145</sup> <http://www.abvv.be/code/nl/fram005.htm>, accessed on 3 June 2008.

national liberal trade union. The structure of ACLVB/CGSLB is till more or less the same as in 1930.<sup>146</sup>

- o How strong are trade unions? Use the following four measures of trade union strength (Data: European Industrial Relations Observatory Online, national sources)

Trade unions are very strong in Belgium, as some of the measures below show:

- o density (proportion of workers that are organised),  
Union density is rather high in Belgium, but it is not sure how many of the trade union members are actually employees: many of the members are retired or receive unemployment benefits. More than three million people are member of a trade union<sup>147</sup>, divided between the three major trade unions:
  - Catholic ACV/CSC: 1,7 million
  - Socialist ABVV/FGTB: 1,3 million
  - Liberal ACLVB/CGSLB: 225.000

- o coverage (what proportion of workers are covered by collective bargaining agreements),

The collective agreements cover the workforce as a whole, which results in one of the highest coverage rates of the EU 25, which is 96% according to Eironline.<sup>148</sup>

- o centralisation of collective bargaining,
  - is there a national body of trade unions;  
The three trade unions are gathered in the National Labour Council, which also includes employer's organisations.
  - what proportion of TU members and unions are affiliated?  
/

- o coordination of collective bargaining.
  - Does the national body of trade unions negotiate on behalf of trade unions  
Yes.
  - Can it coerce or discipline member unions to enforce agreement?  
/

- o Women and trade unions:
  - What percentage of *total* trade union membership (i.e. including unions not affiliated with national body and those that are affiliated) is female?  
(Use national Labour Force Survey. Website providing links to country LFS available from International Labour Organisation:  
<http://www.ilo.org/dyn/lfsurvey/lfsurvey.home>)<sup>149</sup>

| Trade union        | Total number members | Female members | % female members |
|--------------------|----------------------|----------------|------------------|
| ACV/CSC (2002)     | 1.500.595            | 713.842        | 47.6 %           |
| ABVV/FGTB          | 1.208.242 (2000)     | -----          | 40,3 % (2002)    |
| ACLVB/CGSLB (2002) | 229.798              | 89.723         | 39,0 %           |

- How are women organised in trade unions and the central trade union body (e.g. caucuses, separate branches, fully integrated)?

In the Catholic trade union ACV/CSC women are organised in a separate branch, called ACV/CSC Women. Most often, these separate branches are organised on a local level.

In the Socialist trade union, ABVV/FGTB women are organised in the separate branch ABVV Women. This branch is an important member of Equal Pay day, the socialist organisation that aims at closing the wage gap.

Woman and Trade Union is the name of the subdivision for women of the liberal trade union ACLVB/CGSLB.

<sup>146</sup> <http://www.aclvb.be/over-aclvb/historiek.html>, accessed on 3 June 2008.

<sup>147</sup> All data provided on Eironline: [http://www.eurofound.europa.eu/eiro/country/belgium\\_3.htm](http://www.eurofound.europa.eu/eiro/country/belgium_3.htm), accessed on 28 May 2008.

<sup>148</sup> [http://www.eurofound.europa.eu/eiro/country/belgium\\_4.htm](http://www.eurofound.europa.eu/eiro/country/belgium_4.htm), accessed on 28 May 2008.

<sup>149</sup> All data and information provided on this matter is taken from: Vanthienen, Annemie. 2002. *Vrouwen in de vakbond (Women in the trade union)*. Brussels: Rosa Factsheet. <http://www.rosadoc.be/site/nieuw/pdf/factsheets/nr20.pdf>, accessed on 14 May 2008. This article has used date from the ISERES report.

- What proportion of women are in the executive of (major) trade unions?<sup>150</sup>

| <b>ABVV/FGBT</b>    |              |            |                |
|---------------------|--------------|------------|----------------|
| <b>Organ</b>        | <b>women</b> | <b>men</b> | <b>% women</b> |
| Federal bureau      | 11           | 29         | 27,5%          |
| Federal secretariat | 2            | 5          | 28,6%          |

| <b>ACV/CSC</b>      |              |            |                |
|---------------------|--------------|------------|----------------|
| <b>Organ</b>        | <b>women</b> | <b>men</b> | <b>% women</b> |
| National bureau     | 3            | 32         | 10,5%          |
| Executive committee | 1            | 8          | 11,1%          |

| <b>ACLVB/CGSBL</b>  |              |            |                |
|---------------------|--------------|------------|----------------|
| <b>Organ</b>        | <b>women</b> | <b>men</b> | <b>% women</b> |
| National committee  | 21           | 116        | 15,3%          |
| National bureau     | 3            | 18         | 14,3%          |
| Executive committee | 0            | 8          | 0%             |

- Is gender equality high or low on the bargaining agenda?

Since the *Gender Charter* was signed by the three trade unions, in September 2004, the trade unions engaged to address gender equality at the labour market and place this issue on the table. They also aim to address gender equality within their own structures.<sup>151</sup>

- Is it seen as an issue for women, or for all trade unionists?

Gender equality is seen as an issue for the trade unions. But at the same time, women have to engage in the debate as well.

- How well organised are employers?

They are well organised in Belgium and can be found on federal, regional and local level.

Federal: Federation of Enterprises in Belgium (VBO/FEB)

Regional: Flemish Network of Enterprises (*Vlaams Netwerk van Ondernemingen*, VOKA)<sup>152</sup>, Union of Self-Employed Entrepreneurs (*Unie van Zelfstandige Ondernemers*, Unizo)<sup>153</sup>, Walloon Union of Enterprises (*Union Wallone des Enterprises*, UWE)<sup>154</sup>, UCM in the Walloon provinces<sup>155</sup>, and Brussels Enterprises Commerce and Industry (BECI)<sup>156</sup>.

Local: chambres of commerce

Next to these employers' organisations it is worth mentioning Markant. This is a non-profit network for female entrepreneurs<sup>157</sup>.

- Do they have a single (or more) national organisation?

The only national Belgian organisation for employers is the Federation of Enterprises in Belgium (*Verbond van Belgische Ondernemingen* (VBO) in Dutch, *Fédération des Entreprises de Belgique* (FEB) in French)<sup>158</sup>

- Is it powerful or not? E.g. can it control its members?

It is powerful because of its number of members. It represents 30.000 enterprises among which 25.000 SME's. Moreover, the Federation of Enterprises in Belgium is the only employers' organisation on a national level which is also Active on the European and international level.

<sup>150</sup> All data and information provided on this matter is taken from: Vanthienen, Annemie. 2002. *Vrouwen in de vakbond (Women in the trade union)*. Brussels: Rosa Factsheet. <http://www.rosadoc.be/site/nieuw/pdf/factsheets/nr20.pdf>, accessed on 14 May 2008. This article has used data from the ISERES report.

<sup>151</sup> Link to the gender charter: <http://www.aclvb.be/vrouw/gender-charter.html>, accessed on 28 May 2008.

<sup>152</sup> [www.voka.be](http://www.voka.be), accessed on 28 May 2008.

<sup>153</sup> [www.unizo.be](http://www.unizo.be), accessed on 28 May 2008.

<sup>154</sup> [www.uwe.be](http://www.uwe.be), accessed on 28 May 2008.

<sup>155</sup> [www.ucm.be](http://www.ucm.be), accessed on 28 May 2008.

<sup>156</sup> [www.beci.be](http://www.beci.be), accessed on 28 May 2008.

<sup>157</sup> [www.markantvzw.be](http://www.markantvzw.be), accessed on 28 May 2008.

<sup>158</sup> All information on VBO/FEB taken from: [www.vbo-feb.be](http://www.vbo-feb.be), accessed on 28 May 2008.

- Are they indifferent or hostile to gender equality in the workplace?

When scanning the website of the Federation of Enterprises in Belgium, the organisation appears to be indifferent to gender equality. Its strategic policy vision does not include any topic concerning women or gender equality at work.

- Do they oppose the development of gender machinery, gender equality policies and gender equality laws?

No. They do not look into gender (equality) at all.

- Do they support 'diversity management'? (e.g. policies that emphasis the gains associated with the promotion of diversity in the organisation, in contrast to an emphasis on equality / equal opportunities).

No.

- Did they lobby for a merged rather than separate equalities bodies?

No.

- Are there tri-partite or corporatist bodies including employers, trade unions and government that make important national decisions?

The National Labour Council (*Nationale Arbeidsraad*, NAR) consists of equally divided members of employers' organisations and trade unions.<sup>159</sup>

The Belgian government and the National Labour Council collaborate. This however, does not always work well (e.g. Generation pact of 2005 in which the government and the trade unions did not agree). Moreover, within the National Labour Council there are often problems too, when the representatives of the trade unions and employers' organisations do not agree.

- Are women represented in such bodies?

Not specifically, but there are female members.

- Are there EU, bilateral or other international level links for either trade union or employer organisations?

- Are these links important (e.g. in lobbying government at national level)

#### Trade unions

The three Belgian trade unions are affiliated to the International Trade Union Confederation (ITUC)<sup>160</sup>, the International Confederation of Free Trade Unions (ICFTU)<sup>161</sup>, the European Trade Union Confederation (ETUC)<sup>162</sup>, and the Trade Union Advisory Committee (TUAC)<sup>163</sup>.

#### Employers' organisations

The Federation of Enterprises in Belgium is member of (and established) BusinessEurope, the European employer's organisation<sup>164</sup>. It cooperates with the Belgian members of the Economic and Social Committee. Finally, the Federation of Enterprises in Belgium promotes its members interests in the European Parliament, the European Commission and the Council of Ministers.

The Federation of Enterprises in Belgium also works on an international level. It is member of the International Chamber of Commerce, and it is related to the Business and Advisory Committee of the Organisation for Economic Cooperation and Development (OECD) as well as to the International Labour Office (ILO).

### 7.3 Other intersecting social inequalities

#### 7.3.1 Ethnicised / racialised groupings

- What is the composition of the national population by ethnicity?

20 most important groups of foreigners in Belgium (people who are naturalized are included), 2002<sup>165</sup>:

<sup>159</sup> [www.cnt-nar.be](http://www.cnt-nar.be), accessed on 28 May 2008.

<sup>160</sup> <http://www.ituc-csi.org/spip.php?rubrique180>, accessed 11 June 2008.

<sup>161</sup> <http://www.icftu.org/addresslist.asp?Language=EN>, accessed 11 June 2008.

<sup>162</sup> <http://www.etuc.org/a/82>, accessed 11 June 2008.

<sup>163</sup> <http://www.tuac.org/en/public/tuac/affiliates.phtml>, accessed 11 June 2008.

<sup>164</sup> <http://www.businesseurope.eu/content/default.asp?pageid=415>, accessed 11 June 2008.

<sup>165</sup> Data taken from

[http://www.dofi.fgov.be/nl/statistieken/belgian%20migration%20point/De%2020%20belangrijkste%20bevolkingsgr%20oopen%20van%20buitenlandse%20afkomst%20in%20België%20\(genaturaliseerden%20inbegrepen\).pdf](http://www.dofi.fgov.be/nl/statistieken/belgian%20migration%20point/De%2020%20belangrijkste%20bevolkingsgr%20oopen%20van%20buitenlandse%20afkomst%20in%20België%20(genaturaliseerden%20inbegrepen).pdf), accessed on 26 February 2008.

| Country of origin | Number         |
|-------------------|----------------|
| Italy             | 285314         |
| Morocco           | 218388         |
| France            | 163901         |
| Turkey            | 128589         |
| The Netherlands   | 121489         |
| Spain             | 56376          |
| Germany           | 53718          |
| United Kingdom    | 32147          |
| Poland            | 31339          |
| Congo             | 31017          |
| Portugal          | 29017          |
| Ex-Yugoslavia     | 24743          |
| Greece            | 24273          |
| Algeria           | 16665          |
| US                | 13791          |
| Ex USSR           | 11919          |
| Tunisia           | 10430          |
| India             | 9210           |
| Luxembourg        | 7617           |
| China             | 7451           |
| Romania           | 7134           |
| Other             | 163565         |
| <b>Total</b>      | <b>1448093</b> |

At this moment, Belgium had a population of 9.462.991<sup>166</sup>

- o What are considered to be the most important ethnicised, racialised, and linguistic divisions politically (e.g. Roma/non-Roma, Black/White, citizen/migrant, language communities)?

- Race/ethnicity:

Especially in large cities like Brussels, Antwerp, Charleroi and so on there is a tension based on race and ethnicity. This reached a peak on several, separate occasions between 2002 and 2008. For example the riots in Antwerp after the murder of Mohammed Achrak, a young Moroccan man, in Borgerhout (Antwerp) in November 2002. This led to the rise of the AEL (Arabic European Ligue) with Dyab Abou Jahjah. A more recent event is the trial of Hans Van Themsche, who was charged with racist murders towards the end of 2007.

Other events include the political discussions concerning the vote for migrants as well as the *snel-Belgwet*, the law to become Belgian quickly, the discussions concerning headscarves in Antwerp and Ghent, the riots in Brussels based on the riots in Paris in 2007...

Next to ethnic or racial characteristics religion plays an important role here. Those problems are often rather a result from the Muslim/non-Muslim cleavage and cannot always be brought back to race/ethnicity alone.

- Linguistic and political cleavages:

There is a political cleavage in Belgium between Flanders and the Walloon provinces. Belgium is a federal country with communities and regions and has French- and Dutch-speaking (as well as German-speaking, but they are a minority) citizens.

There are tensions between the Walloon provinces and Flanders, which can be seen in the governmental conflict the country has been trapped in since the federal elections of June 2007. There are remaining conflicts between Walloon political parties and Flemish political parties. Both parties have fundamentally different opinions on federal themes such as for example justice, employment and territory (Brussels-Halle-Vilvoorde).

- o Is ethnicity considered to be intersected by religion (e.g. Islamic/non-Islamic)?

Yes, e.g. Islamic on the one hand, non-Islamic on the other.

<sup>166</sup><http://www.dofi.fgov.be/nl/statistieken/belgian%20migration%20point/Belgen%20en%20%20vreemdelingen%20op%201%20januari%202002.pdf>, accessed on 26 February 2008.

- o Prioritise the ones that have been the most important in the development of gender+ equality policies.

Race/ethnicity: race and ethnicity play an important role in a more general equality policy which includes not only gender, but also other inequalities such as race.

However the political cleavages play a role as well. Flanders for example has an elaborate equal opportunities policy, whereas the policy area is rather new in the Walloon provinces.

- o What is the citizenship status of (all or part) of each of the minoritised groups (e.g. do any groups lack the right to political participation, employment, residence, social security benefits, or visit)?

Non-EU citizens who have lived in Belgium for 5 years can only vote locally.

- o In what way are ethnicised and racialised groups organised? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

- Forum of Minorities (Minderhedenforum)<sup>167</sup>: this organisation works in Flanders and Brussels and aims to reinforce the position of ethnic-cultural minorities in Belgium as well as to promote respect between groups. The Forum has seventeen member organisations:

- *Associazioni Cristiane Lavoratori Internazionali Flanders*
  - *Associazioni Internazionali Federate*
  - *Federation World Women (Federatie Wereldvrouwen)*
  - *Federation of Progressive Women (Federatie van Vooruitstrevende Verenigingen, CDF)*
  - *Federation of Moroccan Democratic Organisations (Federatie van Marokkaanse Democratische Organisaties, FMDO)*
  - *Federation of Moroccan Associations (Federatie van Marokkaanse Verenigingen, FMV)*
  - *Federation of Self organisation in Flanders (Federatie van Zelforganisaties in Vlaanderen, FZO-VL)*
  - *Federation of Anglophone Africans in Belgium (FAAB)*
  - *International Committee*
  - *Latin-American Federation (Latijns-Amerikaanse Federatie, LAF)*
  - *National Committee of Caravan Dwellers (Nationaal Comité van Woonwagenbewoners)*
  - *Platform of African Communities (Platform van Afrikaanse Gemeenschappen)*
  - *Solidarity, Platform of Russian-speakers (Solidariteit, Platform van Russisch sprekenden)*
  - *Board of African Communities in Europe/Belgium (Raad van de Afrikaanse Gemeenschappen in Europa België, RVDAGE)*
  - *Turkish Union of Belgium (Turkse Unie van België)*
  - *Union of Turkish Associations (Unie van Turkse Verenigingen)*
- Representative of refugees

- Flemish Intercultural Centre for Migrants (Vlaams Intercultureel Centrum voor Migranten, ICCM): Flemish centre for the emancipation and participation in society of ethnic-cultural minorities.

- Office for Allochthonous Girls and Women (Steunpunt Alochtone Meisjes en Vrouwen, SAMV)<sup>168</sup>: This is an independent organisation which aims at equal opportunities for allochthonous women and girls in Flanders and Brussels

- KifKif<sup>169</sup>: This is an intercultural website that addresses media topics and current events concerning ethnic-cultural minorities.

- Flemish Centre for Minorities (Vlaams Minderhedencentrum)<sup>170</sup>: The Centre for Minorities operates in Flanders and Brussels and aims to empower ethnic minorities in Belgian society. It brings about advice to the government and aims to strengthen organisations of ethnic and cultural minorities.

- Merhaba<sup>171</sup>: This is an organisation of intersecting inequalities. It aims at LGBT people of allochthonous descent. The organisation aims to inform and it provides various Activities. Merhaba cooperates with other LGBT organisations. The key here is the importance of religion and/or tradition.

- o In what way are women engaged in these organisations?

- The Forum for Minorities plays an important role. Some of the member organisations are allochthonous women's organisations. The Forum addresses gender topics such as the headscarf.

- The Flemish Intercultural Centre for Migrants had a project on women and girls which resulted in the Office for Allochthonous Girls and Women.

- The Office for Allochthonous Girls and Women is an organisation for girls and women.

<sup>167</sup> <http://www.minderhedenforum.be/overhetforum.htm>, accessed on 27 February 2008.

<sup>168</sup> <http://www.samv.be/>, accessed on 27 February 2008.

<sup>169</sup> <http://www.site.kifkif.be/kifkif/index.php>, accessed on 27 February 2008.

<sup>170</sup> [www.minderhedenforum.be](http://www.minderhedenforum.be), accessed on 3 June 2008.

<sup>171</sup> [www.merhaba.be](http://www.merhaba.be), accessed on 3 June 2008.

- KifKif addresses topics such as female Muslims, relationships between Moroccan boys and Flemish boys and so on.

- o Do minoritised women organise separately within or outside of such organisations?

Yes, for instance the Office for Allochthonous Girls and Women (*Steunpunt Alochtone Meisjes en Vrouwen*, SAMV).

- o Are there any groups organised against certain ethnic groups?

- The Flemish political party Vlaams Belang is highly opposed to other ethnic groups and states this in slogans, for example 'Eigen volk eerst' ('Belgian people first!').

- In Flanders, an affiliation of Blood and Honour is Active. This is an extreme right wing and violent organisation which opposes allochthonous people and Jews. The Belgian police have been investigating their Activities, since they were preparing terrorist Actions within Belgium.

### 7.3.2 Religion/belief/faith

- o What is the composition of the national population by religion / faith

See below.

- o What proportion of the population are practising members of an organised religion?

As regards religion, Belgium is traditionally a Catholic country. Statistics<sup>172</sup> show that 88% of Belgian population belong to a Christian church. 81% of them belong to Roman Catholicism. Only 63% of the Belgians state they to belong to a church or religious community. 4% of the Belgian population belong to another religion. 1,8% are Muslim (180.000 people), but this remains a difficult estimation since other data talk about 350.000 to 380.000 Muslims in Belgium. Officially, 0,1% of the population is Jewish. However, estimations rather talk about 30.000 Jews in Belgium. Finally, 2,1% of Belgians belong to other religions such as Buddhism, Hinduism and Sikhism.

However, it is important to note that the law on the protection of the personal atmosphere in relation to data on persons prohibits the collection of data on political, syndical, philosophical and religious activities of persons in Belgium.<sup>173</sup>

- o What are the main religious organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

- There used to be an **Executive of Belgian Muslims** (Executieve van de Moslims van België) which represented Muslims in Belgium. Next to financial problems, there were internal struggles in the organisation on for instance the notion that Moroccan Muslims were underrepresented in the Executive. The organisation did not manage to establish a new Executive by the deadline.<sup>174</sup>

- As regards **Roman Catholicism**, there are many organisations in Belgium. The most important and well known organisations in Flanders are<sup>175</sup>:

- Broederlijk Delen
- Pax Christi
- Caritas
- Joka: provides holidays for young people staying with and taking care of disabled or older people
- Katholieke Landelijke Jeugd (KLJ): catholic organisation for youth
- Katholieke Arbeiders Vrouwen (KAV): catholic women's organisation with 110.000 members in Flanders and Brussels
- Katholiek Vormingswerk voor Landelijke Vrouwen (KVLV): separate women's organisation for farmer women
- Sint-Egidiusgemeenschap
- Sint-Michielsbeweging
- Wereldsolidariteit

And several organisations in the Walloon provinces<sup>176</sup>:

- Association chrétienne des dirigeants et cadres (ADIC): religious organisation in the field of employment and labour
- Le Conseil Interdiocésain des laïcs de Wallonie et de Bruxelles

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<sup>172</sup> All information on religion can be found on the website of the Interdisciplinary Centre for Religion and Interideological Dialogue of the Catholic University of Leuven. This site was also used for the data here: [http://www.kuleuven.be/icrid/religies/religies\\_overzicht.htm](http://www.kuleuven.be/icrid/religies/religies_overzicht.htm), accessed on 14 May 2008.

<sup>173</sup> <http://www.e-privacy.be/privacywet.pdf>, accessed on 9 June 2008.

<sup>174</sup> 'Moslimexecutieve wordt opgedoekt' (Executive of Muslims shuts down'), in *De Tijd*, 23 February 2008.

<sup>175</sup> For an overview of all Flemish religious organizations: <http://www.kerknet.be/kerkinvlaanderen/faq.php?ID=66>, accessed on 9 June 2008.

<sup>176</sup> For an overview of all Walloon religious organizations: <http://www.catho.be/>, accessed on 9 June 2008.

- Pax Christi
- Le Renouveau charismatique catholique de Belgique
  - o [How are women represented or not within them?](#)  
In the Roman-Catholic organisations women play an important role and often gather in their own organisations. The KAV and KLVL are good examples. However, Pax Christi for instance mentions gender equality as being of utmost importance.
  - o [Do they oppose gender equality in general and in our three issues?](#)  
As regards the Roman-Catholic organisations: No, in general they are in favour of gender equality. However, the opinions must be interpreted as nuanced since many of these organisations are pro life and against abortion or against gay marriage and gay adoption.
  - o [What is their preferred model of womanhood?](#)  
Difficult to generalize. But pro life, and pro heterosexual couples. The family is often seen as an important cornerstone of society in the Roman-Catholic organisations.
  - o [Do they support or oppose the other equalities issues?](#)  
They often oppose gay marriage, gay adoption and abortion.
  - o [Are they in alliance with any other inequalities or not?](#)  
Within the long list of Roman-Catholic organisations there are organisations working on other inequalities: age (Gulden Leeftijd, but also Joka), disability (Joka) and gender (KAV and KVLV).
  - o [Are there any groups organised against certain religious groups?](#)  
No

### 7.3.3 Sexual orientation

- o [Are there gay/lesbian/trans/bisexual/queer organisations? What are their main strategies \(i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research\)](#)

Yes, there are organisations based on sexual orientation in Belgium. Belgium is connected to The International Lesbian and Gay Association (ILGA) Europe, of which Belgian organisations are members.. The most important ones are:

#### - **Holebifederatie (LGB Federation)**<sup>177</sup>

This organisation targets Flanders and Brussels and gathers all LGB organisations. It supports LGB organisations and promotes equal rights for homosexuals, lesbians and bisexuals. The Holebifederatie advises the Flemish government with a policy plan (containing Actions to be taken). It organises the 'holebifoon' (a telephone service for LGB's), Holebitext and ZIZO (a magazine), and supports the Belgian Lesbian and Gay Pride as well as the Lesbian Day.

#### - **Fédération des associations gays et lesbiennes (FAGL) (Federation of Gay and Lesbian Associations)**<sup>178</sup>

This is the Walloon counterpart of the Holebifederatie.

#### - **Genderstichting**<sup>179</sup>

Genderstichting is a Flemish organisation for people who have problems with their gender identity, and more specifically transsexual people. Genderstichting provides information and advice, helps transgender people and the people around them, builds networks and joins other organisations.

- A study by Joz Motmans<sup>180</sup> gives an overview of the Flemish transgender organisations. They are Franjepoot, GenderActieGroep (GenderActionGroup), TGV West, Travestieweb, Vlaamse genderkring and Trans-Action. (p. 78-92)

- o [Do they have a national organisation?](#)

Most of the LGBT organisations are organised within the Belgian communities. They are either Flemish or Walloon. The *Holebifederatie* and *Fédération des associations gays et lesbiennes* are umbrella organisations.

- o [In what way are women engaged in and represented in these organisations?](#)

Women are not organised separately within these organisations. However, there are separate organisations for lesbian and bisexual women.

<sup>177</sup> [www.holebifederatie.be](http://www.holebifederatie.be), accessed 19 May 2008.

<sup>178</sup> [www.fagl.be](http://www.fagl.be), accessed on 19 May 2008.

<sup>179</sup> [www.genderstichting.be](http://www.genderstichting.be), accessed on 19 May 2008.

<sup>180</sup> Motmans, Joz. 2006. *De transgenderbeweging in Vlaanderen en Brussel in kaart gebracht: organisatiekenmerken, netwerken en strijdpunten. (The transgender movement in Flanders and Brussels: organisational characteristics, networks and discussion.)* Antwerpen, Hasselt: Universiteit Antwerpen, Universiteit Hasselt. p. 78-92.

- o Do they work in alliance with other inequalities or not?

*De Roze Rimpel* and *Vieux Rose* both deal with age and sexual orientation. Merhaba works on the intersection of ethnicity and sexual orientation.

- o Are there any groups organised against gay / lesbian / trans-people?

According to the *Holebifederatie* there are no groups organised against gay/lesbian/trans people. If there is opposition to LGBT's it often comes from individual people.

#### 7.3.4 Disability

- o Are there disability organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

Yes there are several disability organisations in Belgium, which are both official and independent. Since matters relating to persons are a policy area of the Belgian communities, rather than of the Belgian federal state, most of the time, they are communal and not federal organisations:

##### - **Vlaams Agentschap voor Personen met een Handicap (VAPH) (Flemish Agency for Disabled Persons)**<sup>181</sup>

This organisation targets the Flemish part of Belgium. It is an agency which has become 'internally independent', but is attached to the Flemish Ministry of Well-being, Health and Family. The VAPH aims to promote the integration and equality of people with disabilities, and wants to provide autonomy and quality of life to disabled people. It does so by subsidizing disabled persons within several domains: tools and adjustments for homes, cars; services and provisions; personal assistance budget; and work and training.

##### - **Agence wallonne pour l'intégration des personnes handicapées (AWIPH) (Walloon agency for the integration of persons with a disability)**<sup>182</sup>

This is the Walloon organisation for people with a disability. It is a public agency which resides under the Walloon Ministry of Health, Social Action and Equal Opportunities. It helps people with a disability with employment and training, and helps financially when equipment or material is needed for everyday assistance. The AWIPH also supports disability organisations.

##### - **Dienststelle für Personen mit Behinderung (DPB) (Organisation for people with a disability)**<sup>183</sup>

The DPB targets people with a disability in the German-speaking community of Belgium. It aims to provide its target group with (the provisions needed to lead) an independent daily life. The organisation helps with information, advice and individual adaptations as regards housing, freedom, mobility, accessibility, formation, employment and so on.

##### - **Service bruxellois francophone des personnes handicapées (SBFPH) (Brussels French-speaking service for people with a disability)**<sup>184</sup>

This service resides under the French Community and its Minister of People with a Disability. It informs disabled people, gives advice; it helps with material to increase independence (such as equipment for cars, houses etc.). It also helps disabled people with employment and so on.

##### - **Vereniging voor personen met een handicap (VFG)(Organisation for disabled people)**<sup>185</sup>:

This organisation is regional (Flanders) and is recognized by the Flemish government. It defends the rights of disabled, organises leisure Activities, offers information concerning disability, and supports projects in Eastern Europe. It is a pluralistic non-profit organisation with has more than 17.000 members.

- Next to these organisations, there are many smaller services/organisations for people with a disability (often based on a specific disability such as for instance blindness, autism). In Flanders they are mainly organised in the following umbrella organisations<sup>186</sup>: Federatie Vlaamse Dovenorganisaties (Fevlado), Inclusie Vlaanderen, Katholieke Vereniging Gehandicapten (KVG), Ouders voor Inclusie, Pluralistisch Platform Gehandicaptenzorg (PPG) vzw, Steunpunt Expertisenetwerken (SEN), TAU-Groep, Vereniging Personen met een Handicap (VFG), VIBEG, Vlaamse Consultatiebureaus, Vlaams Gebruiksoverleg voor Personen met een Handicap (VGPH). In the Walloon community, the following organisations play a role<sup>187</sup>: Altéo, Aptem T-21, Association Belge contre les Maladies neuro-Musculaires, Association des Parents pour l'Epanouissement des Personnes Autistes, Association des Hémophiles et Malades de Von Willebrand, Association Francophone d'Aide aux Handicapés

<sup>181</sup> [www.vaph.be](http://www.vaph.be), accessed on 19 May 2008.

<sup>182</sup> [www.awiph.be](http://www.awiph.be), accessed on 19 May 2008.

<sup>183</sup> [www.dpb.be](http://www.dpb.be), accessed on 19 May 2008.

<sup>184</sup> <http://www.cocof.irisnet.be/site/fr/sbfph/>, accessed on 19 May 2008.

<sup>185</sup> [www.vfg.be](http://www.vfg.be), accessed on 14 May 2008.

<sup>186</sup> Information provided by VAPH.

<sup>187</sup> Information provided by AWIPH.

Mentaux, Association de parents et de professionnels autour de la personne polyhandicapée, Association socialiste de la personne handicapée asbl, Entente Wallonne des Entreprises de Travail Adapté, Espace Sourds, Fédération des Institutions et Services Spécialisés d'Aide aux Adultes et aux Jeunes, Fédération Francophone des Sourds de Belgique, Grandir Ensemble, Institution Nationale pour le Bien des Aveugles et des Handicapés de la Vue - Ligue Braille, Ligue Belge pour la sclérose en plaques, Ligue d'Aide aux Infirmes moteurs cérébraux de la Région wallonne, Association Spina-Bifida Belge Francophone

- o In what way are women engaged in and represented in these organisations?

Since the focus is mainly on 'disability' as an inequality, gender does not really play an important role. Therefore, women are not mentioned specifically.

### 7.3.5 Age

- o Are there organisations of / for older people? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

There are several organisations for / of older people in Belgium. To start with, Belgium is a member of AGE, the European Older People's Platform<sup>188</sup>. The Belgian members of AGE are:

#### - Courants d'Âges asbl<sup>189</sup>

This is an intergenerational network of the French community in Belgium that works on solidarity between the generations. It wants to promote the spreading of information and aims to lobby, to inform and sensitize the Belgian governments. Courants d'Age organises round-table conferences in order to mobilize various sectors.

#### - OKRA Trefpunt 55+<sup>190</sup>

OKRA stands for *Openlijk. Kristelijk. Respectvol. Actief*, which means 'Openly. Christian. With respect. Active'. It is a Flemish organisation (also works in Brussels) for people who are older than 55 years. It takes part in initiatives which lead to a better life for older people and consequently to a better society for all. It organises social and cultural Activities. OKRA has 218.000 members.

#### - Liberale Beweging voor Volksontwikkeling (LBV) (Liberal Movement for Development of Society)

This organisation is Flemish and organises Activities to its members. In more concrete terms, this means that LBV organises social and cultural Activities, courses, study days, seminars and exhibitions. It provides health courses (fitness, memory training and so on), collects information and documentation, and establishes services.

#### - Union Chrétienne des Pensionnés (UCP)<sup>191</sup>

The UCP is a Walloon social movement for people who are retired. It aims to encourage the participation and engagement of older people in society. It combats discrimination based on age and wants to represent its members while, for instance, defending their rights.

#### - Vlaams Ouderen Overleg Komitee (OOK) vzw - Vlaamse Ouderenraad<sup>192</sup>

The OOK defends the rights of all Dutch-speaking older people. It is the contact point for both the federal and the Flemish governments and all organisations working on age.

- The other Belgian members of AGE are<sup>193</sup>: Les aînées du CdH (the older people of political party CdH), Institut Européen Interuniversitaire de l'Action Social (European Interuniversity Institute of Social Action) and Federatie Onafhankelijke Senioren (Federation Independent Seniors.; FedOS).

Next to the members of AGE, there are **other organisations** as well:

- Gulden Leeftijd is a religious organisation for seniors and retired persons. It was established in France as Vie Montante in 1962. The Flemish affiliation started in 1974. The main Activities of Gulden Leeftijd consist of joining and talking about religious or general topics.

- Netwerk van ondernemende senioren (NEOS) is an organisation for seniors who aim to be politically independent.

#### How are women engaged in and represented in these organisations?

Comparable to the disability organisations, the age organisations focus on another inequality than gender. Here age is at stake. However, some intersections are of importance here. The LBV has special provisions as regards disability.

<sup>188</sup> [http://www.age-platform.org/EN/rubrique.php?id\\_rubrique=20](http://www.age-platform.org/EN/rubrique.php?id_rubrique=20), accessed on 19 May 2008.

<sup>189</sup> [www.courantsdage.be](http://www.courantsdage.be), accessed on 19 May 2008.

<sup>190</sup> [www.okra.be](http://www.okra.be), accessed on 19 May 2008.

<sup>191</sup> <http://ucpfed.yellis.net/ucp.mc.be/spip.php?article2>, accessed on 19 May 2008.

<sup>192</sup> <http://www.vlaams-ook.be/page?&ori=3&ssn=&lng=1&pge=177>, accessed on 19 May 2008.

<sup>193</sup> Information provided by AGE.

There are also gay/lesbian organisations for older people. Here, there is a clear division between older homosexual men who are gathered in De roze rimpel (The pink wrinkle) and older lesbian women who are gathered in Vieux Rose.

In each case, are there EU, bilateral or other international links.

See in answers of every issue.

#### **7.4 Hotspots and Alliances**

Is there a history of controversies or 'hotspots' between certain of the intersecting inequalities, rather than others (if so, which)? For example is gender/religion or sexuality/religion a regular source of controversy? Is this hostility best described as endemic or constant, or as occasional and issue based?

An important point of interest in Belgian society is religion, and more specifically Islam. The discussions about – for instance – head scarves deal with the religion aspect rather than the gender aspect.

Do some organisations representing inequalities often form alliances with each other (if so, which)? For example, feminism and trade unions, or feminism and gay/lesbian groups? Are such alliances best characterised as routine and institutionalised, or as ad hoc and issue based?

It seems that organisations representing ethnic minorities more often also address the intersection with other inequalities. There is for instance an organisation for LGBT allochthonous persons.

## WIDER SOCIAL INSTITUTIONS

### 8. Wider Social Environment

The wider social environment may be important in explaining the resources, whether economic, organisational or discursive, which are available to the political groups and institutions identified above.

#### *Population, economic development, economic inequality and state welfare*

|  | Belgium         | EU        |
|--|-----------------|-----------|
| GDP per capita PPP (Purchasing Power Parity) 2006 (OECD 2006)            | 33 527.36312975 | 29,9      |
| Population size 2006 (Eurostat 2006)                                     | 10,4            | 460       |
| % of workforce in agriculture 2003 (World Bank 2006)                     | 2               |           |
| Longevity 2005 (World Bank 2005)   | 79,5            |           |
| Gini (measure of economic inequality) 2005 (Eurostat 2007)               | 28              | 31        |
| % GDP/gov. expenditure on social expenditure 2003 (OECD 2007)            | 29,7            | 27,4 EU25 |
| % GDP/gov. expenditure on Active labour market policies 2003 (OECD 2007) | 1,08            |           |
| % GDP/government expenditure on childcare (forthcoming OECD)             | 0,2             |           |
| % GDP/Government expenditure on military (World Bank 2005)               | 1,12            |           |

#### *Gender Regime*

|  |      | Female | Male |
|--|------|--------|------|
| Employment rate (2005, Eurostat) <sup>194</sup>  |      | 53,8   | 68,3 |
| Unemployment rate (2005, Eurostat) <sup>195</sup>  |      | 9,5    | 7,6  |
| Share of women in adult labour force % (2004, UN) <sup>196</sup>   | 44   |        |      |
| Women's share of part-time employment % (2004, UN) <sup>197</sup>  | 81   |        |      |
| Gender pay gap, unadjusted (gap= difference between average gross hourly earnings of male and female employees given as % of average gross hourly earnings of male paid employees, unadjusted form 2005 Eurostat) <sup>198</sup> | 7    |        |      |
| School enrolment tertiary % gross (2005, World Development Indicators) <sup>199</sup>  | 62,5 | 68,7   | 56,7 |
| Women in Parliament % of parliamentary seats in single or lower chamber occupied by women (UN 2007) <sup>200</sup>   | 34,7 |        |      |

<sup>194</sup> Employment rates:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em012](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em012)

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em013](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em013)

<sup>195</sup> Unemployment rates:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em072](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em072)

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<sup>196</sup> Share of women in adult labour force: percentage of the economically active who are women:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5a.htm>

<sup>197</sup> Women's share part-time employment:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5b.htm>

<sup>198</sup> Gender pay gap:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em030](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em030)

<sup>199</sup> World Development Indicators, World Bank (April 2007),

<http://devdata.worldbank.org/external/CPProfile.asp?PTYPE=CP&CCODE=BEL>, accessed on 26 February 2008.

<sup>200</sup> Women in parliament:

<http://unstats.un.org/unsd/demographic/products/indwm/tab6a.htm>

|  |      |       |       |
|--|------|-------|-------|
| Women's share of legislators and managers % (UN 2005) <sup>201</sup> | 32   |       |       |
| % one parent families (dependent children) <sup>202</sup>            |      | 9,5   | 3,6   |
| Mean age at first marriage (Eurostat, 2003) <sup>203</sup>           |      | 27,31 | 29,50 |
| Marriage rate (2003, UN) <sup>204</sup>                              | 4,00 |       |       |
| Divorce rate (2003, UN) <sup>205</sup>                               | 3,02 |       |       |
| Fertility rate (2005, World Development Indicators) <sup>206</sup>   | 1,7  |       |       |

<sup>201</sup> Women's share legislators and managers:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5d.htm>

<sup>202</sup> [http://www.statbel.fgov.be/figures/d24\\_nl.asp](http://www.statbel.fgov.be/figures/d24_nl.asp), accessed on 26 February 2008

<sup>203</sup> Mean age at first marriage:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=Yearlies\\_new\\_population&root=Yearlies\\_new\\_population/C/C1/C13/cab11024](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=Yearlies_new_population&root=Yearlies_new_population/C/C1/C13/cab11024)

<sup>204</sup> Marriage rate, table 23: <http://unstats.un.org/unsd/demographic/products/dyb/dybsets/2003%20DYB.pdf>

<sup>205</sup> Divorce rate:

<http://unstats.un.org/unsd/demographic/products/dyb/DYB2003/Table25.pdf>

<sup>206</sup> World Development Indicators, World Bank (September 2006)

## 9. SUMMARY

### 9.1 'Deficiencies, deviations and inconsistencies in EU and MS's gender+ equality laws'

|  | Fully transposed | Before/ after EU   | Year   | Less, equal to EU, or beyond | ECJ for CEC/Country | EU references |
|--|------------------|--|--|------------------------------|---------------------|---------------|
| <b>Issues</b>  |                  |  |  |                              |                     |               |
| <i>Example: Parental leave UK</i>                      | Yes              | After  | 1998   | Beyond 2002                  | CEC                 | No            |
| <b>1 Equal pay/equal treatment</b>                     | Yes.             | After. But already equal pay stipulated in law in 1999                                     | 2007   | Equal                        |                     |               |
| <b>2 Sexual harassment and discrimination</b>          | Yes.             | Before: first on a regional level (1995 and 1999). A general law was adopted in June 2002. | 1995 regional<br>2002 federal  |                              |                     |               |
| <b>3 Equality bodies</b>                               | Yes.             | Before and after.  | 1993 Centre for equal opportunities and opposition to racism<br><br>2003 Institute for the equality of women and men |                              |                     |               |
| <b>4 NGO/civil society dialogue</b>                    | Yes.             |  |  |                              |                     |               |
| <b>5 Parental leave</b>                                | Yes.             | After  | 1997   |                              |                     |               |
| <b>6 Organisation of working time</b>                  |                  |  |  |                              |                     |               |
|  |                  |  |  |                              |                     |               |
| <b>Gender Machinery</b>                                |                  |  |  |                              |                     |               |
| <i>Example: EOC UK</i>                                 | Yes              | Before   | 1975   | Beyond                       | No                  | Yes           |
| Centre fo equal opportunities and opposition to racism | Yes              | Before   | 1993   |                              |                     |               |
| Institute for the equality of women and men            | Yes              | After  | 2003   |                              |                     |               |

|  |     |        |      |  |  |  |
|--|-----|--------|------|--|--|--|
| Board of Equal Opportunities for Men and Women | Yes | Before | 1993 |  |  |  |
|--|-----|--------|------|--|--|--|

## 9.2 Plans and programmes

|  |      |      |          |             |    |
|--|------|------|----------|-------------|----|
| <b>National general gender equality plan (current)</b> | Yes  |      |          |             | No |
| Reference to Lisbon targets                            |      |      |          |             | x  |
| Reference to Barcelona targets                         |      |      |          |             | x  |
| Targets and indicators                                 | None | Weak | Moderate | Strong<br>X |    |

|   |          |      |          |             |    |
|---|----------|------|----------|-------------|----|
| <b>National plan: Gender-based violence (current)</b> | Yes<br>X |      |          |             | No |
| Targets and indicators                                | None     | Weak | Moderate | Strong<br>x |    |

| Focus on gender   | No | Yes: | Weak | Moderate | Strong |
|---|----|------|------|----------|--------|
| <b>Employment plan (general assessment)</b>                             |    | x    | x    |          |        |
| <b>Social protection and social inclusion plan (general assessment)</b> |    | x    | x    |          |        |
| Reference to gender based violence                                      | x  |      |      |          |        |

## 9.3 Gender machineries<sup>207</sup>

| National gender machineries                                       | Yes (specify date) |                  | No | Notes   |
|---|--------------------|------------------|----|---|
|   | Gender specific    | General equality |    |   |
| Central government gender equality body with senior minister      | X<br>1985<br>1992  |                  |    | 1985:<br>State Secretary of (Environment and) Social Emancipation<br><br>1992:<br>Minister of Employment, Labour and Equal Opportunities  |
| Independent equality body (research, monitoring, and enforcement) | X<br>1993<br>2003  |                  |    | 1993:<br><i>Raad van de Gelijke Kansen voor Mannen en Vrouwen</i> (Board of Equal Opportunities for Men and Women)<br><br>2003<br><i>Instituut voor de Gelijkheid van Vrouwen en Mannen</i> (Institute for Equality of Women and Men, IGVM) |

<sup>207</sup> The machineries named here are all federal. There are no references to regional or communal levels.

|   |           |  |  |  |
|---|-----------|--|--|--|
| National consultative / representative body linking state and women's NGOs            | X<br>1974 |  |  | <p><i>Conseil des Femmes Francophones de Belgique</i> (Council of Francophone Belgian Women, CFFB)</p> <p><i>Nederlandstalige Vrouwenraad</i> (Dutch-speaking Women's Council, NVR)</p> <p>-&gt; consultation occurs occasionally</p>  |
| Any other body / bodies (e.g. parliamentary committees)<br>Please name:<br>1.<br>2... | X<br>1995 |  |  | <p><b>Belgium:</b></p> <ul style="list-style-type: none"> <li>- <i>Adviescomité voor Gelijke Kansen van mannen en vrouwen van de Belgische Senaat</i> (Advisory Committee for Equal Opportunities of men and women of the Belgian Senate)</li> <li>- <i>Adviescomité voor de Maatschappelijke Emancipatie van de Kamer van Volksvertegenwoordigers</i> (Advisory Committee for the Social Emancipation of the Chamber of Representatives)</li> </ul> <p><b>Flanders:</b></p> <ul style="list-style-type: none"> <li>- <i>Commissie voor Wonen, Stedelijk Beleid, Inburgering en Gelijke Kansen</i> (Committee for Living, Municipal Policy, Naturalization and Equal Opportunities)</li> </ul> |

#### 9.4 Policy

|  | No -Not at all | Yes / Low | Yes / Moderate | Yes / High |
|--|----------------|-----------|----------------|------------|
| <b>General</b><br>To what extent is gender mainstreamed throughout policies?                                 |                |           |                | X          |
| <b>Non-employment (4.1)</b><br>Extent to which mothers can be legitimately non-employed                      |                |           |                | X          |
| <b>Intimate citizenship (4.2)</b><br>Extent to which women have access to abortion (in country of residence) |                |           |                | X          |
| Extent to which state policies are highly heteronormative  | X              |           |                |            |
| <b>Gender-based violence (4.3)</b><br>Extent to which policies on GBV go beyond domestic violence            |                |           | X              |            |
| Strength, resources and co-ordination of GBV policies  |                |           |                | X          |

### 9.5 Civil society and state interface

|  | Not at all | Low | Moderate | High |
|--|------------|-----|----------|------|
| Strength of national co-ordinating gender equality body (centralisation, co-ordination, representativeness, resources) |            |     |          | X    |
| Extent to which the women's NGOs participate in policy making  |            | X   |          |      |
| Extent to which women's NGOs are close to state  |            | X   |          |      |
| Extent to which women's NGOs engage with intersecting inequalities   |            |     | X        |      |
| Extent to which women's NGOs are state funded  |            |     |          | X    |
| Extent of influence of trade union body on policy making   |            |     |          | X    |
| Extent of power of women within trade union body   |            | X   |          |      |

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ACLVB (trade union): [www.aclvb.be](http://www.aclvb.be)  
ACV (trade union): [www.acv-online.be](http://www.acv-online.be)  
Agence wallonne pour l'intégration des personnes handicapées (AWIPH): [www.awiph.be](http://www.awiph.be)  
Amazona: [www.amazona.be](http://www.amazona.be)  
Belgium federal website: [www.belgium.be](http://www.belgium.be)  
Brussels Enterprises Commerce and Industry (BECI): [www.beci.be](http://www.beci.be)  
Brussels Hoofdstedelijk Gewest: [www.bruxelles.irisnet.be](http://www.bruxelles.irisnet.be)  
Centrum voor gelijkheid van kansen en racismebestrijding: [www.diversiteit.be](http://www.diversiteit.be)  
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Conseil des Femmes Francophones de Belgique: [www.cffb.be](http://www.cffb.be)  
Courants d'Âges asbl: [www.courantsdage.be](http://www.courantsdage.be)  
Dienststelle für Personen mit Behinderung (DPB): [www.dpb.be](http://www.dpb.be)  
Federale Overheidsdienst Binnenlandse Zaken-Dienst Vreemdelingenzaken: [www.dofi.fgov.be](http://www.dofi.fgov.be)  
Federale Overheidsdienst Buitenlandse Zaken, Buitenlandse Handel en Ontwikkelingssamenwerking: [www.diplomatie.be](http://www.diplomatie.be)  
Federale Overheidsdienst Financiën: <http://fiscus.fgov.be>  
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Fédération des associations gays et lesbiennes (FAGL): [www.fagl.be](http://www.fagl.be)  
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Genderstichting: [www.genderstichting.be](http://www.genderstichting.be)  
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Kerk in Vlaanderen: [www.kerknet.be](http://www.kerknet.be)  
KifKif: [www.site.kifkif.be](http://www.site.kifkif.be)  
Kind en Gezin: [www.kindengezin.be](http://www.kindengezin.be)  
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Markant: [www.markantvzw.be](http://www.markantvzw.be)  
Merhaba: [www.merhaba.be](http://www.merhaba.be)  
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Nationale Arbeidsraad (NAR): [www.cnt-nar.be](http://www.cnt-nar.be)  
Nederlandstalige Vrouwenraad: [www.vrouwenraad.be](http://www.vrouwenraad.be)  
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Payoke: [www.payoke.be](http://www.payoke.be)  
Raad van de gelijke kansen voor mannen en vrouwen: [www.raadvandegelijkheid.be](http://www.raadvandegelijkheid.be)  
Rosa Documentation Centre: [www.rosadoc.be](http://www.rosadoc.be)  
Sensoa: [www.sensoa.be](http://www.sensoa.be)  
Service bruxellois francophone des personnes handicapées (SBFPH): <http://www.cocof.irisnet.be/site/fr/sbfph/>  
Sophia: [www.sophia.be](http://www.sophia.be)  
Statistics Belgium: <http://statbel.fgov.be/>  
Steunpunt Alochtone Meisjes en Vrouwen (SAMV): [www.samv.be](http://www.samv.be)  
UCM: [www.ucm.be](http://www.ucm.be)  
Unie van Zelfstandige Ondernemers (Unizo): [www.unizo.be](http://www.unizo.be)  
Union Chrétienne des Pensionnés (UCP): <http://ucpfed.yellis.net/ucp.mc.be/spip.php?article2>  
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Vlaams Netwerk van Ondernemingen (VOKA): [www.voka.be](http://www.voka.be)  
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Eironline. European Industrial Relations Observatory On-Line: <http://www.eurofound.europa.eu/eiro>  
Employment, Social Affairs and Equal Opportunities. Gender Equality:  
[http://ec.europa.eu/employment\\_social/gender\\_equality/](http://ec.europa.eu/employment_social/gender_equality/)  
European Commission. Growth and Jobs: <http://ec.europa.eu/growthandjobs/>  
European Free Alliance (EFA): [www.e-f-a.be](http://www.e-f-a.be)  
European Green Party: [www.europeangreens.org](http://www.europeangreens.org)  
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International Confederation of Free Trade Unions (ICFTU): [www.icftu.org](http://www.icftu.org)  
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