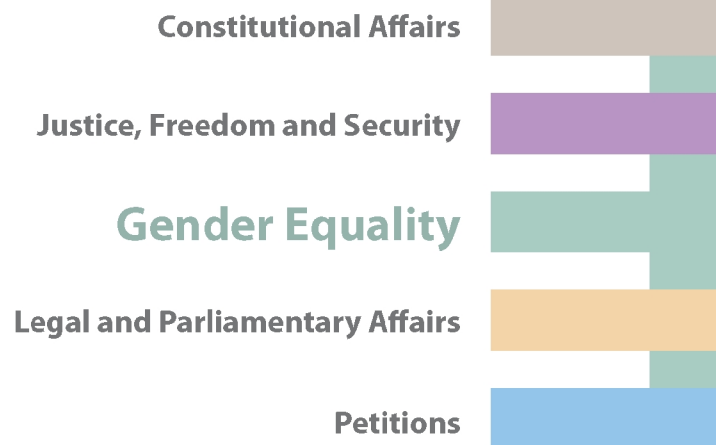


DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT **C**
CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS



The Policy on Gender Equality in Belgium - Update 2015

In-depth analysis for the FEMM Committee





DIRECTORATE GENERAL FOR INTERNAL POLICIES
POLICY DEPARTMENT C: CITIZENS' RIGHTS AND
CONSTITUTIONAL AFFAIRS

WOMEN'S RIGHTS & GENDER EQUALITY

The policy on gender equality
in Belgium

Update 2015

IN-DEPTH ANALYSIS

Abstract

Upon request by the FEMM Committee, this in-depth analysis provides an overview of the existing gender equality legislation, policies and practices in Belgium. The note discusses gender equality in decision making, employment, reconciliation of work and family life, eradication of violence against women, and breaking down gender stereotypes.

**DOCUMENT REQUESTED BY THE
COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY**

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LINGUISTIC VERSIONS

Original: EN
Translation: FR, NL

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Policy Departments provide in-house and external expertise to support EP committees and other parliamentary bodies in shaping legislation and exercising democratic scrutiny.

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European Parliament, manuscript completed in June 2015.
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LIST OF ABBREVIATIONS

COCOM/GGC The Common Community Commission

EIGE European Gender Equality Institute

EU European Union

IEWM/IEFH Institute for Equality between Women and Men

1. GENERAL INFORMATION

KEY FINDINGS

- Gender equality policies in Belgium are implemented by both federal and regional authorities, in their respective competence domains and governance level.
- Despite some legal measures promoting gender equality since the 1980s, it is only since 2002 that the Constitution explicitly affirms the principle of equality between men and women (article 10, amended in 2002).
- The Gender Act 2007 (10 May 2007, B.M. of 9 June 2007) is the main law of reference in Belgium, modified in 2014.
- A further decisive step was the adoption in 2007 of the 'law on gender mainstreaming' (federal level).
- There are specific agencies and institutions at national and regional level dealing with gender equality.

1.1. Background

Belgium is a federal constitutional monarchy made up of a **federal level, three Communities** (the French-speaking, Flemish-speaking and German-speaking Communities) and **three Regions** (Wallonia, Flanders and Brussels-Capital). In Flanders the competencies of the community and regional levels are merged, while they remain separated for the rest of the country. In matters constitutionally defined as 'community competences', the Flemish Community has authority in Flanders, the French Community in Wallonia, and both are competent in Brussels, where a common institution deals with all community matters for which both the French and Flemish communities are competent (the Common Community Commission (COCOM/GGC)). This means that in Brussels, for community matters, both Flemish and French-speaking Community law applies. Gender equality policies, which by definition pertain to many areas, are thus implemented by both central and federal authorities, in their respective competence domains and at their respective governance level.

From a general perspective, **legal measures** to promote gender equality and equal opportunities in both the private and the public sectors have been introduced at both federal and regional level, mainly since the late 1980s. But it is only since 2002 that the Constitution explicitly affirms the principle of equality between men and women (article 10, amended in 2002). In 1985, the office of the Secretary of State for Social Emancipation was established with two main missions: promoting equal opportunities between men and women and advising the government on these matters. Today, equal opportunities are among the competences of Elke Sleurs, who, as of 2014 is the Undersecretary of the Finance Ministry for the Fight Against Poverty; for Equal Opportunities; for Persons with Disabilities; for the Fight Against Fiscal Fraude, and for Scientific Policy. Gender equality issues have also been incorporated in the portfolio of several regional and community ministers (Michielsen, 2010).

In the Gender Equality Index (GEI) of the European Gender Equality Institute, Belgium ranges slightly higher than the EU-27 average (54.0) with 59.6.¹

The first part of this in-depth analysis outlines transversal legislative acts and policies adopted at the central (federal) and sub-central (regional and community) levels. The second section consists of a more detailed and thematic presentation of the numerous initiatives promoting gender equality in Belgium.

1.2. An overview of gender equality in law and social policy

1.2.1. Gender Law Reform

With regard to the fight against gender-based discrimination, the main law of reference in Belgium is the **Gender Act 2007**² (10 May 2007, B.M. of 9 June 2007). This law relates to discrimination on the basis of gender and assimilated grounds, i.e. maternity, pregnancy and transsexualism³. It transposes the European Directives and establishes a coherent reference framework with regards to gender discrimination. With the exception of Communities and Regions' competences, the law covers gender discrimination in the access to services and goods, and in public services provision; social protection, social advantages, complementary social protection schemes (notably pensions); employment relations and access to any other form of economic, social, cultural and political rights. Some of the specific features of this law are detailed in the second section of this note. It should be noted that ancillary Royal Decrees are necessary for the proper application of the Law (e.g. concerning positive action). In 2014 the Gender Act was modified in order to equate discrimination on the basis of 'gender identity' and 'gender expression' to discrimination on the basis of gender. Another modification in 2014 was aimed at making sexist behaviour prosecutable.

A complementary but decisive step for the promotion of equal opportunities at federal level in a more integrated way has been the adoption in 2007 of a **wide reaching law aiming at the mainstreaming of gender issues** in all policy fields⁴ (the so-called 'law on gender mainstreaming'). This fundamental legislative act transposes the resolutions of the 1995 World Conference on Women, providing for: (i) the evaluation of all draft laws and regulations undertaken by the central authorities in order to prevent and correct any deleterious effects on the situation of women and in order to take into consideration their specific needs; (ii) a "gender budgeting" procedure implying that each draft of the general budget must be accompanied by a note showing each department's financial contribution to actions supporting gender equality; (iii) a break down by gender of the statistics published by the public administration and the establishment of gender indicators; (iv) the inclusion of gender equality objectives in the new term of office declaration, in the appointed government and in the general policy documents of each minister, as well as the monitoring of progress achieved; (v) the improvement of the system of reporting to the Parliament on the implementation of the Beijing platform of action; (vi) the creation of an interdepartmental coordination group composed of high-ranking members of ministerial cabinets and representatives of federal administrations, in order to institutionalize the integration of the gender dimension; and finally (vii) the Institute for the equality of women

¹ EIGE: Gender Equality Index of Belgium: <http://eige.europa.eu/content/gender-equality-index#/country/BE>.

² http://www.legislationline.org/download/action/download/id/3506/file/Belgium_Anti_Discrimination_2007_fr.pdf.

³ This Act is one of the three components of the 2007 General Anti-discrimination Act, the two other Acts relating to racial and general discrimination issues.

and men to follow and support the integration of the gender dimension into law, public policy and action programmes (United Nations, 2007). This focus on mainstreaming is also reflected in Regional and Community policies. Since 2005, the Flemish Community has used the Open Method of Coordination to foster the mainstreaming of equality issues in all policy domains. Furthermore, other entities at the Regional and Community level have adopted legislative acts similar to the federal law.

In the **Flemish Community/Region**, the Framework Decree on equal opportunities and equal treatment policy of 10 July 2008 is the main legislation of reference (B.M. of 23 September 2008). Its scope relates to the same fields as the federal law and sets up a general framework for the implementation of a proactive and preventive policy on equal opportunities. The Flemish equal opportunities policies simultaneously take into account differences between social groups (diversity), the need for personal development (emancipation) of these groups' members, with no one being excluded (non-discrimination) and everyone feeling responsible for mutual well-being (solidarity). It seeks to counteract discrimination, whether it is based on gender, disability, sexual orientation, inaccessibility or ethnicity. For this term of office of the Flemish government (2014-2019), several priority areas have been defined with regards to gender equality, among which a balanced participation of women and men in political and economic decision-making; the fight against violence against women; closing the gender pay gap; and the fight against stereotypes⁵. The Flemish Framework Decree also insists on mainstreaming gender equality in all Flemish policies. The 2008 Decree anchors the OMC process as the transversal element of equal opportunity policies in the Flemish Community.

In the **French-speaking Community**, equal opportunities policies are governed by the Decree of 12 December 2008 on the fight against certain forms of discrimination (B.M. of 13 January 2009), which addresses the same grounds for discrimination as those covered by the 2007 Federal Law. The governmental action program promoting gender equality operationalises gender mainstreaming by allowing each minister to promote gender equality through concrete initiatives. This programme encourages each minister to promote gender equality in three areas pertaining to his/her portfolio, and to pursue the following objectives: fight sexist stereotypes and violence, promote overall equality and balanced gender ratios in education, reinforce social and cultural integration, oppose all forms of discrimination, guarantee equal access for all to various services (education, health, etc.), etc. (French Community, 2005). The Decree establishes six general objectives with regard to the promotion of gender equality: the fight against sexist stereotypes and domestic violence, balanced sex ratios in compulsory and higher education, the promotion of gender studies and research, the equal participation of men and women in decision-making and the break up by gender of all official statistics.

On 6 November 2008, the **Walloon Region** adopted a similar Decree concerning the fight against certain forms of discrimination, including discrimination between women and men in the fields of economy, employment and vocational training (B.M. of 19 December 2008). It covers discrimination on the same grounds as those covered at the federal level, but also addresses vocational guidance, socio-professional integration, placement of the unemployed, employment promotion funding, and funding for employment and financial services. The paper "Oser, Innover, Rassembler 2014-2019"⁶ includes a clear reference to

⁴ The law of 12 January 2007 on verifying the application of the resolutions of the global conference on women held in Beijing in September 1995 and integrating the dimension of gender within the totality of federal policies, Belgian monitor of 13 February 2007.

⁵ <http://www.vlaanderen.be/nl/publicaties/detail/beleidsnota-2014-2019-gelijke-kansen>

⁶ <http://gouvernement.wallonie.be/sites/default/files/nodes/story/6371-dpr2014-2019.pdf>

the mainstreaming of gender equality in all policy fields. Emphasis is laid on several specific priorities aiming to reinforce social and cultural integration, to fight all forms of discrimination and to combat domestic violence (Walloon Region, 2014).

As mentioned above, in the **Brussels-Capital region**, the legal frameworks of both the Flemish and French-speaking Communities apply. The "(Projet) d'accord de majorité", issued by the regional government in 2014⁷ explicitly refers to policies fighting discrimination, also on the ground of sex, and all forms of violence against women.

1.2.2. Specific agencies or Institutions

Specific agencies or institutions have been developed to support the implementation of gender equality policies at the national and sub-national levels. Founded in 2002, the federal **Institute for Equality of Women and Men** is an autonomous public agency monitoring the situation with regard to equality between men and women. It fights all forms of discrimination and inequalities based on sex and develops integrated tools and strategies to pursue this objective. The Institute carries out and coordinates research, issues recommendations to public authorities, and offers legal assistance to victims of sex discrimination. In addition, this public agency supports associations that are active in the area of gender equality with the aim of elaborating a larger network. Furthermore, since 1993, the federal *Equal Opportunities Council* acts as an advisory body for ministries and other organisations (such as the National Labour Council), as well as for groups and individuals. It prepares reports, undertakes research, proposes measures, and provides references and information regarding the equal opportunities policy. Regions and Communities have also created specialised bodies whose missions with regards to gender equality are more or less equivalent to those of the federal agencies. In Flanders, the Unit on Equal Opportunities in Flanders operates as an administrative unit in the horizontal department 'Services for General Government Policy'. In the French-speaking Community, the Directorate for Equal Opportunities handles the issues concerning gender equality falling within the French Community competences. In the Walloon Region, the Directorate General for Local Authorities, Social Action and Health coordinates and monitors Walloon equal opportunity policy and the Walloon Council for Equality between Women and Men advises regional authorities and promotes gender equality. An Equal Opportunities and Diversity Cell and an Advisory Council for Equal Opportunities between Men and Women fulfil a similar role in the Brussels-Capital Region (United Nations, 2007).

⁷ <http://be.brussels/files-fr/a-propos-de-la-region/competences-regionales/accord-de-gouvernement-2014-2019>

2. GENDER EQUALITY POLICY AREAS

KEY FINDINGS

- For women in decision-making, the 'Smet-Tobback' Law of 1994 was the first one aiming at gender balance on electoral lists. A law on quotas on corporate boards of enterprises was adopted in 2011. The Royal Decree of June 2012 introduced a quota for the first two levels of the federal administration.
- The Gender Act of 2007 tackles gender discrimination in several fields, while the Collective Agreement n° 95 of October 2008 aims at equal treatment in employment. However, a significant part of the gender pay gap can be attributed to discriminatory practices. In addition to other initiatives of the past, the April 2012 law aims at achieving equal pay for work of equal value.
- There is maternity and paternity leave, parental leave, and career breaks/time-credits. The rules of the private and the public sector can differ.
- Care and early childhood education are separated. Despite having reached the Barcelona targets, problems persist in the access to childcare outside school hours.
- An interdepartmental group coordinated by the IEWM is in charge of implementing a NAP tackling violence against women. The legal framework is comprehensive and the so called Istanbul Convention was signed in September 2012. Presently, the Belgian Parliaments are working on the ratification.
- Belgium adopted a multidisciplinary approach integrating the suppression and the humanitarian dimension for combating human trafficking. Its NAP against Trafficking in Human Beings sets out objectives in five areas from 2012-2014.
- Belgium has, since 2000, a law that condemns FGM and punishes those who perform and enable this practice, among others through travelling abroad. It includes the support and strengthening of the capacities of civil society organisations for prevention and awareness (FGM prevention kit).
- The Communities actively fight against gender stereotyping, in particular through innovative text books and raising awareness among teachers. Through the 2013 law, the federal government and the Communities promote non-stereotypical representation of men and women in the media. Furthermore, the 'Action plan for equality and diversity in audiovisual media' of 2009 helped to develop a database of experts, and a bill was adopted in April 2014 to fight sexist behaviour.
- The Law of March 2013 on international cooperation insists on the importance of gender equality in development programs. Belgium has two action plans: The Belgian Action Plan for the implementation of UN Security Council Resolution 1325 and the Action Plan 2013-2016 monitored by the IEWM.
- Since April 2013, the 'Advisory Council on Gender and Development' and 'Be-Gender Platform' advice the Belgian Minister for Development and Cooperation on gender equality issues.

2.1. Equal participation in decision-making

Since January 2002, the Belgian Constitution formally guarantees equality between men and women (article 10) and enjoins the legislator to adopt measures designed to guarantee this equality, in particular measures which foster equal access of men and women to elective and public offices (article 11 bis) (IEFH, 2006).

The first Belgian legal tool aimed increasing female political participation was the 'Smet-Tobback' Law of 24 May 1994 (B.M. of 1 July 1994), adopted after a lengthy and stormy parliamentary debate. This law renders illegal electoral lists with more than two-thirds of same-sex candidates (IEFH, 2007). Subsequently, after amending the Constitution, several laws were adopted at the federal level with the aim of increasing the presence of female members of **federal, regional and European legislative assemblies**⁸. These laws prohibit political parties from putting forward electoral lists on which the difference between the number of male and female candidates (incumbents or challengers) is greater than one. Belgian law also forbids electoral lists on which the first two candidates are of the same sex. Non-conforming electoral lists are invalidated. Similar provisions apply at local level in Flanders, Wallonia and in Brussels⁹.

Measures aimed at increasing women's parliamentary representation have been adopted in parallel with dispositions designed to guarantee the representation of both sexes in the country's **governments**. The presence of both men and women within the federal government is even guaranteed in the Constitution itself¹⁰.

The law of 3 May 2003 on the **balanced participation of men and women** in advisory bodies establishes an official list of agencies falling within its scope. In addition it created an advisory committee for the evaluation of policies designed to promote gender balance within consulting bodies. Similarly, the government of the French-speaking Community adopted a decree promoting the equal participation of men and women in advisory bodies (B. M. of 13 September 2002). This decree stipulates that for each vacancy within an advisory body, there must be at least one candidate of each sex, and that such bodies must be made up of at least 35% members of each sex. This decree was replaced on 12 March 2014 by a decree that improved the nomination procedures and the control on the equal representation.

In Brussels, the Commission of the Flemish-speaking Community also voted for an ordinance on a more balanced representation of men and women on advisory bodies. Similarly, in 2007, the Flemish Parliament adopted on 13 July a decree on the equal representation of men and women in the **Flemish administration's advisory and**

⁸ The law of 17 June 2002 guarantees an equal presence of men and women on the list of candidates for elections to the European Parliament (B.M. of 28 August 2002); the law of 18 July 2002 guarantees an equal presence of men and women on the list of candidates for elections to the federal legislative houses and to the Council of the German-Speaking Community (B.M. of 28 August 2002); the special law of 18 July 2002 guarantees an equal presence of men and women on the list of candidates for elections to the regional Walloon Council, the Flemish Council, and the Council for the Brussels-Capital Region (B.M. of 13 September 2002).

⁹ Decree of 10 February modifying the Municipal electoral Act, the Provincial electoral Act, the act on Automated Voting and the Flemish parliament act on the monitoring of Election expenditure (B.M. of 10 March 2006); Ordinance of 17 February 2005 guaranteeing the equal presence of men and women in municipal elections (Belgian Monitor of 9 March 2005); Decree of 2005 modifying the Code of local Democracy and of Decentralization, (B.M. of 2 January 2006).

¹⁰ Special law of 5 May 2003 guaranteeing the presence of persons of the opposite sex in the Flemish Government, the Government of the French Community, the Walloon Government, the Government of the Brussels-Capital Region, and among the regional secretaries of state of the Brussels-Capital Region (B.M. of 12 June 2003); Law guaranteeing the presence of persons of the opposite sex in the Government of the German-Speaking Community (B.M. of 12 June 2003).

administrative bodies. The decree foresees that such bodies cannot be composed of more than two-thirds of members of the same sex.

In May 2009, the Ministry of Equal Chances of the Flemish region created a programme with the aim of increasing the presence of women in higher management positions. The programme includes coaching initiatives and the establishment of a publicly available list of female and male director candidates. The 'Wo_Mentoring' project aims to provide mentoring for women who have the ambition to become managers.

In June 2012, a Royal Decree was adopted installing quota for the first two levels of the **federal administration**. At least one in three higher management positions has to be occupied by a woman. To reinforce the presence of women at the higher levels of the federal public administration, several initiatives have been started. The project 'Top Skills' aims to stimulate women to apply for managerial functions, while the 'Felink' network gathers women working in the federal administrations.

In the framework of its action plan to fight discrimination and promote diversity in its services, the French-speaking Community foresees in actions to **stimulate the presence of women in high functions**.

On 28 July 2011, three separate laws (the law of 21 March 1991 with regards to the reform of certain economic state enterprises, the Belgian Company Code and the law of 19 April 2002 with regards to the National Lottery) were amended to increase the presence of **women in top management positions**. With regards to the 2011 reform of the Belgian Company Code, a new article (518 bis) was inserted requesting that at least one-third of the board of directors of state owned and publicly traded companies should represent a gender different from the other members of the board of directors. Since the adoption of the law, the presence of women in the boards of directors of enterprises from the BEL 20 has passed from the 10.5% it had been for years to 22.4%, which is an increase of 11.9% in 4 years.

In the Walloon Region, a decree from 2014 has a similar goal.

2.2. Women in the labour market

As in the vast majority of EU countries, gender equality in Belgium is traditionally considered through the lense of differences between women and men in the employment and labour markets. Belgian legislation contains an important arsenal of laws dedicated to gender equality, mainly elaborated at national level, given that **labour law is a federal competence**. Several topics are also directly ruled through the social dialogue at inter-sectoral or sectoral levels¹¹. There are three broad axes for gender policies and laws in relation to the economic independence of women: ensuring equal treatment in employment, tackling the gender gaps and increasing the participation of women in the labour market. It should be noted that these axes mutually reinforce one another to encourage both the entrance and permanence of women in the labour market.

¹¹ Collective agreements are binding and apply generally to all employers and employees of the private sector represented by the signatory parties. Their coverage is usually extended to all workers and employers through a Royal Decree, at the demand of signatory parties.

2.2.1. Equal treatment provisions and anti-discrimination measures

In 2007, **two main legal frameworks** were introduced at national level to integrate and reinforce the current legislation and collective agreements on non-discrimination in general and on gender based discrimination in particular¹². The first is the aforementioned "**Gender Act**" of 2007, presented in the first section of this note. The 2007 Act fixes a general framework to tackle gender discrimination in several fields, including those related to working life of women. These fields are: conditions of access to employment (recruitment procedures, job announcements), career progression, partnership in associations of practitioners, working conditions (including employment status regimes, wage and earnings setting procedures (equal pay), working time, night and Sunday work), health and safety and well-being at work, holidays and leaves (thematic leaves, time-credit scheme), contract termination procedures and severance pay and also access rules to complementary social security schemes. The second piece of legislation is the **Collective Agreement n°95** of 10 October 2008 concerning the equality of treatment in all phases of the employment relationship, which thereby covers the full range of items already expressed in the Gender Act (Institute for the Equality of Women and Men, IEFH, 2008, 2010c).

2.2.2. Employment rate

Participation of women in the labour market is undoubtedly the **principal area of policy and legislative actions underpinning gender equality** in Belgium. In the framework of this brief the numerous policies and practices implemented to encourage women to remain or enter in the labour market cannot be described. A large number of measures and laws described in other sections of this note also have an impact on the labour market participation of women. Equal treatment and non-discrimination, equal and gender neutral access to training or fight against gender stereotypes in education and occupational choices are also important in this perspective.

Similar to other Member States, Belgium has shifted the focus of its labour market policies towards a more 'active' approach. Several schemes of "**activation**" can be considered as relevant for gender equality, as women are generally predominant in the groups targeted by these policies (unemployed and especially long-term unemployed, low-skilled, older workers, etc.) These "activation" policies have also been completed by a tax-credit and specific reductions of personal social security contributions explicitly aimed at improving labour market participation of (low income) women. However, the tax-credit scheme has been abandoned for employees given its counterproductive effects for women, especially those living in couples for whom the financial incentive was insufficient. The scheme has been maintained for self-employed workers, as they do not benefit from the possibility of reduced social security contributions. Since 2005, a new system of decreasing reductions in social security contributions for employees has been implemented and progressively developed (Employment Bonus). Employees working full time are entitled to the full reduction, while part-time employees receive only half of the maximum reduction. Flanders topped up the system in 2007 by granting an extra flat-rate tax reduction.

Nevertheless, while **reductions in social security contribution** may improve the financial situation of working women, they are less efficient in terms of job creation. In this respect, the introduction in 2004 of a system of subsidised service vouchers destined to create employment in the social economy deserves to be highlighted. The service vouchers have a positive effect on the employment in the social economy, a low paid sector where women are over-represented. First, it allows them to improve their working time and job

¹² French speaking Community Decree of 19 May 2004 implementing the equal treatment principle; Walloon Decree of 27 May 2004 on equal treatment in employment and vocational training.

stability as employers are obliged after a number of months to offer a contract of unlimited duration for at least a half-time job. The service vouchers system gives the opportunity for women, notably of a migrant background, to trade in their precarious status and income of their previous activity in the black economy for an acknowledged, protected and secure employment contract. The system equally benefits working women by offering them the possibility to access reasonably priced household services to alleviate the traditional burden of unpaid work and possibly increase their own working time as a result (Meulders et alii, 2007).

In Belgium several projects have been dedicated to the development of **female entrepreneurship**. These have mainly taken the form of information and training programmes for women who desire to start their own business. The most noticeable one is a project called DIANE, started in 2000 under the European Social Fund EQUAL programme, and continued until 2008.

The Gender Act of 2007 includes several provisions aimed at **improving the level of social protection of women**, notably in providing help to the spouses of self-employed persons. A (limited) scheme of maternity leave has been implemented, but of more importance is the affiliation of self-employed spouses to the whole system of social security is now compulsory for self-employed persons. Since the 2003 Act on occupational schemes, equal access to occupational pension schemes - which in Belgium may only supplement the statutory social security schemes - is guaranteed, but only for employees. An amendment to the Gender Act of 2007 extends this guarantee to self-employed workers.

2.2.3. Tackling the gender gaps

The issue of gender gaps (occupations, economic sectors, career development and essentially wages) is the object of several laws in Belgium. Since 2006, the IEWM has published each year a **report** on the state of play concerning the wage gap in Belgium. It also includes recommendations.

The attention is mainly focused on the central question of **pay differentials**, although several non-binding initiatives have also been taken to improve female participation in traditionally male-dominated sectors. Wage setting is traditionally ruled through social dialogue. Two Collective agreements signed in 1951 and 1975 specifically refer to the equality of remuneration between women and men. Other aspects concerning equal pay are also fixed in laws concerning the general protection of workers' remuneration and night work or working time in the public sector. The gender wage gap can be explained by various factors, notably including the vertical and horizontal gender segregations¹³ on the labour market. Several initiatives have been taken at policy level to reduce these segregative effects. However, despite the possible 'objective' explanations, a significant part of the gap can be attributed to discriminatory practices that are difficult to detect as they are hidden behind many practices and rules. These aspects are tackled through the general legislation on non-discrimination and equal treatment in employment mentioned earlier, but reducing gender gaps proves to be a long standing fight (Meulders et alii, 2008a).

A significant explanation of the gender wage and career gaps lies in the way that jobs are classified in the grid used for the wage-setting procedures in the social dialogue. In Belgium a noteworthy initiative in this field was the **EVA project**, set up by the Federal Public

¹³ Horizontal segregation refers to the concentration of women in certain sectors of the economy. Vertical segregation refers to the over-representation of women in certain levels of the professional hierarchy.

Service for Employment, Labour, and Social Dialogue in collaboration with the social partners and with the financial support of the European Social Fund for the period of 2001-2006 (IEFH, 2010b). Its goal was to bring the social partners and the industries a step closer to a gender-neutral system and to convince them of the importance of an analytical system to achieve equal pay for work of equal value. In 2006, the IEWM became responsible for the project, leading to the publication of several studies, training programmes, an implementation guide and a check-list of gender neutrality that could be used by private and public employers. Furthermore, the **Cross-industry Agreement for 2007-2008** encouraged social partners to integrate this gender neutral approach of job classification into their current practices. Social partners at the regional level have also been encouraged to adopt a similar approach. The decrees on equal opportunities introduced by the Flemish and the French-speaking Communities, mentioned above, also make reference to the tackling of wage and career gaps among their axes of action. Equal access to training is essential to reduce wage and career gaps. Several regional laws are aimed at ensuring that no differences are made between women and men regarding access to training¹⁴. Here, the Gender Act of 2007 again plays a central role in consolidating the existing legislation.

In April 2012 a **law to fight the wage gap** has been adopted. This law aims to improve information about the wage gap and to fight it at every level: there are different obligations for the interprofessionnel level (social partners), the sectoral level and the level of the enterprises. The IEWM has also established a 'Pay Gap Task Force' to monitor this legislation with the various services.

2.3. Reconciliation of private and professional life

2.3.1. Maternity, paternity, and parental leave

In Belgium, **provisions for leave** are relatively generous and time spent out of the labour market is in most cases compensated directly by the employer or by the social security institute. These are strongly regulated. We mainly distinguish maternity and paternity leave, parental leave and career break/time credit.

Regarding the **protection of pregnancy and maternity**, the Working Conditions Act of 16 March 1971 (applicable to all private and public employers and employees in the country) provides for 15 weeks of maternity leave. Maternity leave is paid at 82% of earnings during the first month of leave by the employer. The remainder of the leave is paid by the mutual insurance scheme at 75% of previous earnings. Tenured staff members in the public services remain entitled to their normal remuneration. An employee who is pregnant or has given birth may only be dismissed on grounds which are unrelated to her physical condition. The right to return to the same job is not formally guaranteed, but the employer's failure to reinstate the employee is seen as being equivalent to her dismissal. Self-employed mothers have a right to 6 weeks of paid maternity leave.

According to the 2001 law on employment and quality of life, Belgian employers are obliged to grant **paternity leave**. The length of paternity leave is 10 working days to be taken during the month that follows the birth. These ten days can be taken all at once or in parts. The first 3 days are paid by the employer at a 100% of earnings. The remaining 7 days are paid by the social security agency at 82% of the employee's gross wage. This is a personal

¹⁴ Walloon Decree of 27 May 2004 on the equal treatment in employment and vocational training / Brussels Capital Decree of 22 March 2007 on equal treatment in vocational training.

right which is non transferable. Since 30 July 2011, employees on paternity leave benefit from a protection against dismissal.

Full-time salaried workers in the private sector who have worked for the same employer for at least 12 months have a right to **parental leave**¹⁵ if they have a child under 12 years of age (since 2009). Since 2012, parental leave can be taken at a full-time rate during 4 months and can also be taken at a half-time rate or at a 1/5-rate. The worker is protected against dismissal during the leave.

Career breaks/time-credits were introduced by the federal government in 1985. Every employee can stop working or can reduce his/her working time for a certain period of time. The employee needs the consent of his/her employer. He/she receives a compensatory allowance from the government on condition that he/she is replaced by a previously unemployed person. This measure serves a double purpose: in a period of high unemployment, the obligation to replace a worker during a career break is meant to create a redistributive labour effect. Moreover, the career break aims at improve the **balance between work, family and personal life**. In 1994, the Flemish government granted an extra 'incentive premium' to Flemish workers taking a career break.

In 2002, the obligation to replace a worker taking a career break was cancelled and the social partners elaborated in a **collective agreement** a new career break for employees working in the private sector. This new system was called "time credit" and replaced the basic federal system (still applicable in the public sector)¹⁶.

Since 2015, the career break system in the private sector gives employees the possibility to suspend, for a maximum of 4 years, their professional activity entirely, half time or 1/5th of the time for a certain number of reasons, such as taking care of children and following trainings. The possibility to decrease the working time with 1/5th or 1/2nd in the framework of time credit is attributed to workers older than 60 who have had a career of 25 years¹⁷.

In the public sector there are similar rights available in most services, where the same provisions are available, but for a longer duration than in the private sector: five years of complete suspension and five years of work-time reduction (1/2, 1/3, 1/4 or 1/5). There is no threshold regarding the amount of people taking a career break at the same time. However, the statutes can ask for certain limitations in order to avoid organisational problems.

2.3.2. Barcelona targets on childcare facilities

One of the main arguments for developing **childcare** is the promotion of female employment. The provision of childcare is a key factor allowing mothers to remain in the labour market. The lack of adequate structures often forces them to leave the market or to take on part-time work (with negative effects on their life-cycle income).

In Belgium the responsibility for childcare falls within the **competences** of the Communities. The Federal Government intervenes with regard to minimum requirements for diplomas, beginning and end of compulsory education, pensions, tax benefits for child

¹⁵ Collective agreement 64 of 29 April 1997 of the National Work Council creating a right to parental leave; Royal Decree of 29 October 1997 introducing a right to parental leave in the framework of a career break (M.B. of 7 November 1977).

¹⁶ Collective agreement 77bis of 19 December 2001 replacing the collective agreement 77 of 14 February 2001 introducing time credit, career reduction and reduction of working time.

¹⁷ Collective agreement n° 103

care costs, parental leave and career breaks. Employment policy falls under the competences of the regions. In both Communities, a **distinction** is made between care (from 2.5 years of age) and early childhood education (children from 2.5 or 3 years of age until 6 years of age).

Belgium is one of the eight Member States that **reached the Barcelona targets**¹⁸ aiming to provide childcare to at least 90% of children between 3 years old and the mandatory school age and to at least 33% of children under 3 years of age.

In the Flemish Community, parental **fees** for children aged 0-2 are income-related. In exceptional cases reduced fees or attendance free of charge is possible. Childcare costs are tax deductible until the child reaches 12 years of age. In the French Community, parental fees are computed on the basis of the parents' net monthly income, taking into account reductions to which they may be entitled and effective frequentation (full day/half day).

For children aged between 2.5-3 and 6 years, access to school is free during the opening hours and during school days. The enrolment rate is 90% at 2.5 years and almost 100% of the children aged 3 years. As highlighted by Meulders, the **main difficulty** for this age category is access to care outside of school hours and school days (Meulders et al, 2008b).

Both Communities have developed action plans aimed at **improving the supply of child care**. In the Flemish Community, an action plan was launched in 2007 to develop flexible and occasional child care by the permanent recruitment of additional staff and by increasing staff's flexibility (pooling, service vouchers, and so forth). In 2014, a Flemish decree was adopted that foresees that at least half the children below the age of 3 have a place by 2016 and that from 2020 on each family can find a quality place that is financially accessible and within a reasonable distance. The French Community put into practice the so-called Plan Cigogne II which was supposed to create 8.000 additional child care places for 0-2 year olds by 2010 (FPS Social Integration, 2008). Despite the implementation of the plan, the high demand for child care could not be met. Therefore in 2013 the then Minister of Childhood Jean-Marc Nollet presented the Plan Cigogne III which includes the creation of 16.000 new spaces available by 2022 in accordance to the predicted demographic increase.

¹⁸ European Commission, Use of childcare in the EU Member States and progress towards the Barcelona targets, Short statistical report No.1, April 2014.

2.4. Eradication of gender based violence

2.4.1. Domestic violence and intimate partner violence

The fight against **intimate partner violence and other forms of domestic violence** is a horizontal issue which requires an integrated approach. Cooperation between all partners through institutional coordination is essential to efficiently implement all the measures.

For that purpose, the IEWM has been charged with the mission to guide, coordinate and evaluate the implementation of a **National Action Plan**. This mission is carried out thanks to an interdepartmental group coordinated by the Institute. Moreover, the Justice Ministry has also adopted several legislative and administrative measures reinforcing the existing mechanisms to fight this type of violence. A law of 28 January 2003 reinforces the aggravating circumstances taken into account in cases of violence against partners mentioned in article 410 of the Penal Code and adapts the Civil Code, making **family housing** for victims of physical violence perpetrated by their spouse or legal partner possible.

Two other documents reinforce the legal arsenal fighting domestic violence: the circular No. COL 3/2006 of 1 March 2006 from the Association of General Prosecutors associated with the Courts of Appeal (**definition** of intra-familial violence and of extra-familial child abuse, **identification and recording of cases** by the public prosecutor and the police); and the joint circular COL 4/2006 of 1 March 2006 of the Ministry of Justice and of the Association of General Prosecutors regarding the **policy on spousal violence**.

The COL 3/2006 renders the **registration of facts** of intra-familial violence obligatory. The COL 4/2006 promotes the following four objectives: (i) define the lines of force within the crime policy with regard to spousal violence; (ii) develop a uniform system of identification and record-keeping for the police and public prosecution services; (iii) establish minimum measures to be applied by all jurisdictions within the country; (iv) provide officials within the police and judiciary with tools and references to help them in their work.

In 2001, following the decision of the inter-ministerial conference on equal opportunities that took place on 14 November 2000, Belgium launched its first **National Action Plan (NAP) Against Spousal Violence**. This plan was the Government's first attempt at coordinating actions in this domain. It provided for a better coordination between federal ministries and levels of governance. This practice has been continued, leading up to the fourth national action plan for the period of 2010-2014. The NAP 2010-2014 has been updated in June 2013 in collaboration with the different stakeholders and after the organization of a large consultation within the civil society. This NAP has been improved with new measures coming from the different levels of government, in every field of action. A fifth National Action Plan is being prepared. A workgroup has been created in order to prepare the integration of a section « sexual violence » in this following long-term NAP. A fifth National Action Plan is being prepared. Next to violence between partners, the scope of the action plans has been extended to include forced marriages, honour-related violence and female genital mutilation.

Two **new laws** were adopted in 2012. The first law stipulates that persons who are bound by professional secrecy can inform the legal authorities when they are confronted with a victim of partner violence, including in situations where potential victims must be

protected. The second law provides the possibility, as a preventive measure, of **removing the perpetrator** of domestic violence from the family home.

Belgium also launched several new innovative local **pilot projects** on domestic violence and violence within the family. In one project social services for perpetrators and social services for victims are closely working together. With this unique collaboration, both services can build up the best possible long term care-solution to stop violence and to help both victim and perpetrator. Another new project, in one of the biggest cities of Belgium, has installed a complete integral collaboration between all sectors involved.

On 11 September 2011, Belgium signed the **Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)**, which was adopted by the Council of Europe Committee of Ministers on 7 April 2011. The Convention regards violence against women as a violation of human rights and a form of discrimination and is legally binding. It focuses on **four major themes**: prevention, protection, prosecution and monitoring of violence against women. Several actions are provided in terms of prevention, including the training of professionals who are in contact with victims, running awareness campaigns, developing education material and creating treatment programmes for perpetrators. It also focuses on protection by drawing attention to obstacles that could prevent victims from reporting a crime, granting police the power to remove perpetrators from their home and the provision of services to survivors. To guarantee the prosecution of perpetrators, the Convention defines and criminalises forms of violence against women as well as domestic violence. As of 2014, the Convention has been signed by 33 states and ratified by eight Council of Europe states. The different Belgian Parliaments are working on the ratification.

Belgium has an active policy on the fight against **marriages without free consent** of one or both spouses. Forced marriages are prohibited by law, just as attempts to conclude such marriages. In this case, Belgium chooses to pay particular attention to **prevention**. Sensitization and education programs specifically developed for young girls and boys are organized in schools. Several information tools and thematic activities enable us to explain what to do, to avoid forced marriage, or what to do whenever someone is married off without his or her consent. Professionals, such as the police, justice, health, education and social sectors, are sensitized and receive special trainings. These trainings tackle the legal, cultural and other difficulties of these young girls and women. Different studies are also carried out in order to adapt the prevention and the support to the specific needs of the victims."

2.4.2. Sexual violence

Based on consultations with civil society and concerned departments, the IEWM has published in February 2014 a **detailed note addressing both gaps and recommendations** concerning sexual violence. These gaps and recommendations will be taken into account in the fifth NAP. However, certain actions have already been undertaken. New tools and trainings concerning sexual violence have been made available for police officers in order to improve the reception and hearing of victims. In February 2014 a **campaign** has been launched to encourage victims of sexual violence to file a complaint with the police. Trainings for doctors concerning the correct use of the Sexual Aggression Set have also been organized in certain hospitals.

The Belgian state intends also to insist resolutely on the need to reassert the fact that **so-called honour-related violence** is a flagrant violation of human rights and fundamental freedoms, founded on unfair traditions and cultures. Local projects have been set up in

order to develop an approach based on prevention and, when there are violations, to ensure adequate follow-up by the police and judiciary. This phenomenon is still largely unknown in Belgium. Therefore a first study of the phenomenon of so-called honour-related violence in Belgium has been carried out. The objective is now to define a policy on this issue through a strategic and multidisciplinary plan involving all the actors concerned.

At federal level and in the communities, the regions, the provinces and the municipalities, considerable efforts have been made to **raise the awareness of the general public and specific target groups** and to provide victims with information and support through the implementation of new prevention and awareness campaigns, the creation of helplines, the launch of new websites, the dissemination of brochures, etc.

Belgian magistrates have been given **training** courses on violence toward women and, in particular, partner violence, and police officers have received special training. Furthermore, advanced training campaigns in the area of domestic violence have been implemented within hospitals and among general practitioners. Training courses have also been given to professionals who work in reception centres for asylum-seekers and to professionals working in the fields of psycho-social support and education.

Additionally, a **support centre** was opened in 2014 in Wallonia that focuses on the fight against partner violence. The aims of this centre include the prevention of violence, the processing and harmonisation of statistical data, the development of research initiatives, studies and analyses and the training of field workers.

2.4.3. Trafficking in human beings

Another component of the fight against gender based violence is the elimination of human trafficking. Over the last 15 years, Belgium has adopted a **multidisciplinary approach** integrating both a suppression and humanitarian dimension for combatting human trafficking.

The Law of 10 August 2005 (B.M. of 2 September 2005) draws a clear distinction between human trafficking and the transport of migrants. Both crimes are clearly defined. It also extends the **definition** of human trafficking, so that in addition to transnational trafficking, the law also condemns national trafficking, which does not involve the crossing of borders. Furthermore, the law condemns the abuse and exploitation (sexual exploitation, exploitation through work or begging, illegal trafficking in organs, and the commissioning of crimes). However, it should be noted that human trafficking is not always accompanied by exploitation. In order to establish an intention to exploit, it is necessary to prove that some form of exploitation was intended at the moment of recruitment, transport or lodging. This law also defines various aggravating circumstances.

The **National Action Plan** against Trafficking in Human Beings **2008-2011** was prepared by the federal Ministry of Justice and adopted in July 2008. It defines objectives to be achieved in 5 main areas: (1) the legal realm; (2) in terms of prevention; (3) assistance to victims; (4) investigation and prosecution; and (5) with regard to the collecting and coordination of information. In the 2008-2011 period, the plan aimed to: (i) develop a common approach of human trafficking; (ii) collect interdisciplinary information on what is done by all departments, services and institutions involved in the fight against human trafficking; (iii) develop a coordinated strategic approach towards human trafficking based on prevention, the protection of victims, and the search for, prosecution and condemnation of human traffickers. Other objectives included the mobilisation of public authorities at all levels around this issue and the support of new initiatives and new projects in the short

run. Medium-term (2012-2016) measures include offering quality social assistance to all potential victims of human trafficking; the reduction of the 'social demand' which create certain forms of human trafficking; and clear social disapproval of all forms of exploitation.

A second **National Action Plan against Trafficking in Human Beings** was adopted for the **2012-2014** period, which as the previous plan sets out objectives in five areas. In the area of legislative initiatives, it provides for a review of anti-trafficking legislation with a view to supplementing and clarifying it. It also provides for measures aimed at prevention, awareness-raising and information, such as the setting up of an ad hoc group within the Inter-departmental Unit tasked with implementing projects in this field. In the area of victim protection, the Action Plan envisages devising simplified information tools for victim referral that are adapted to the specific features of each service concerned. The Action Plan also envisages updating the indicators of trafficking used in investigations and prosecutions and focusing on financial investigations analysing the cash-flows of human trafficking networks. Further, it sets the objective of reviewing the composition of the Inter-departmental Unit and finding solutions for optimum data collection enabling strategic analyses (Council of Europe, 2013).

In 2013, **three laws** were adopted to combat human trafficking and the exploitation of the prostitution of others. First and foremost, the **definition** of sexual exploitation (one of the possible constituent elements of the offence of human trafficking) was extended. In this regard, it should perhaps be noted that the Belgian law on human trafficking also gives a broad definition of economic exploitation that includes, among other forms, domestic servitude. Secondly, **heavier penalties** were imposed according to the number of victims of exploitation of begging and prostitution and of the sale and trafficking of human beings. Thirdly, the **confiscation of buildings** that have been used for the perpetration of human trafficking or the exploitation of the prostitution of others is now explicitly enshrined in law.

The government also adopted specific measures towards assisting victims (FPS Justice, 2008). **Residence permits** are granted to survivors of exploitation, if they cooperate with the judiciary, and accept care from a specialized care centre (Circular of 1 July 1994 and 1997 directives, as amended in 2003)¹⁹. Legal protection is granted both to citizens of the European Union and third country nationals (IEFH, 2007).

2.4.4. Female genital mutilation

In line with its international commitments and obligations, and considering the number of women who have undergone Female Genital Mutilation (FGM) or are at risk of undergoing FGM, Belgium has, since 2000, **a law criminalizing the use of these practices**. The law condemns FGM and punishes those who perform and enable this practice, among others through traveling abroad. Therefore politicians are called upon to implement an integrated strategy with all the different government structures and levels enabling actors in the field to work together, whether they are medical, social, policy or judicial actors. Belgium actively supports and strengthens the capacities of civil society, as they are key actors in raising awareness and prevention. Special attention is also given to better training of health, paramedical and social actors, in order to sensitize them and to persuade them of the fact that they are the first in line to fight against FGM. In 2014, an **"FGM prevention kit"** was made available to professionals by the associations specialized in the fight against FGM.

¹⁹ http://www.diversitybelgium.be/sites/default/files/documents/publication/jv-mh_2013_en.pdf

2.5. Gender stereotypes

The Communities actively fight against gender stereotyping, in particular through innovative text books and raising awareness of the issue among **teachers**, both in the course of initial training and during continuing **courses**.

Flanders has primarily been working on improving women's access to **vocational training**, training on science and technology and continuing education, and has implemented an online database of available courses and training programmes (www.wordwatjewil.be). Other initiatives include the publication of the *Gen-BaSec* manual for schools willing to implement a gender policy covering a wide array of **educational aspects**, with suggestions for further steps and good practices. Gender-sensitive instruments for human resources planning and management have also been developed by/for universities in order to increase the number of female academics/professors (Flemish Community, 2010). Furthermore, a sensibilisation campaign called 'Genderklik' (www.genderklik.be) was launched with the aim of showing the influence of gender as an organisational mechanism with a concrete impact on the concrete situation of women and men.

In 2005, the French Community adopted an action plan fostering equality and gender diversity at all educational levels, with strategic objectives including more gender equality in access to education and in performance levels. Primary and secondary school teachers' education now includes 30 hours of theoretical and practical training 'on cultural diversity and the gender dimension'. Since 2006, **school text books** are screened for gender stereotypical content and schools can obtain subsidies when purchasing manuals regarded as free from gender stereotypes (French Community, 2008).

Both the federal government and the Communities have adopted measures promoting non-stereotypical representation of men and women **in the media**, encouraging the latter to take part in breaking down gender discrimination and stimulating public debate on the role that mass communication should play in the fight against sexism (Van den Bulck, 2009). The 2003 Law on the fight against discrimination forbids the dissemination of all discriminatory content.

In the French Community, the broadcasting of illegal content, content that is contrary to the general interest, which violates human dignity or inspires discrimination, hatred or violence is forbidden. In 2009, it also adopted an '**Action plan for equality and diversity in audiovisual media**'. Public authorities have also sponsored studies (« Jeunes, sexisme et Médias ») and public awareness campaigns (« Stéréotype toi-même ») on sexist content and gender stereotypes in the media. In the Flemish Community, a study published in by the University of Antwerp (financed by the Flemish Equal Opportunities Minister) set up a theoretical framework and elaborated tools in order to raise awareness towards gender issues among media and advertisement professionals. The Flemish public broadcaster continues to use this study today.

Several initiatives have also been directed at media actors. The Flemish authorities have developed a **database** (www.expertendatabank.be) to simplify the search of journalists for experts coming from underrepresented groups, such as women. A brochure to inspire journalists to transcend stereotypes and clichés was published in 2012.

The French-speaking Community finances since 2010 a project of the Association of Professional Journalists that has led to the participation in the **Global Media Monitoring Project** and subsequently to sensibilisation campaigns, trainings and a didactic toolkit.

In 2006, the Senate adopted a resolution on the representation of women and men in advertisement, asking the government to **reinforce the profession's disciplinary code**, notably by inviting the Jury on Ethical Publicity (JEP) to commit to 'be particularly vigilant' with regard to advertisements that could potentially cause sex discrimination. Since July 2009, the Institute for Equality of Women and Men is represented in the JEP in order to ensure that the gender perspective is taken into account during the treatment of complaints.

In March 2014, the then vice prime minister and minister of equal opportunities, Joëlle Milquet, submitted a draft bill to fight **sexist behaviour**²⁰ to the Chamber's committee of justice²¹ which sought to reinforce the fight against discriminations and sexism. This occasion marked also the first time that the concept of sexism had been legally defined. 'Sexism' has been defined as 'any gesture or behaviour which has the objective of expressing disdain towards a person for reason of their sexual orientation, or considers them as inferior or essentially reduces them to their sexual dimension, which infringes on their dignity'. The bill was adopted on 23 April 2014.

2.6. The promotion of gender equality in third countries

The Law of 19 March 2013 on international cooperation sets forth the Belgian priorities in terms of development aid and insists on the importance of gender equality as one of the two dimensions that have to be mainstreamed in all development programs, irrespective of the sector covered (B.M. of 12 April 2013)²².

The first **Belgian Action Plan for the implementation of UN Security Council Resolution 1325** was the result of a collaboration between the Foreign Affairs, Defense, Internal Affairs and Justice Ministries, together with the Institute for the equality of women and men and the 'Women and Development' Committee (see below). This plan aimed at executing UN Security Council Resolution 1325 by ensuring women's security and fostering empowerment in Belgian peace and security policies. The plan underscored the importance of the fight against all forms of violence directed at women and children (in particular sexual violence), as well as the importance of conflict prevention and peace-building (FPS Foreign Affairs, 2009). The second **Action Plan for the 2013-2016 period** was presented in July 2013. The Institute for the equality of women and men plays a stronger role in monitoring and evaluating this action plan. A major improvement of this plan is the new structure and methodology developed around six objectives: (1) the international normative framework; (2) the integration of the gender dimension into the framework of the 1325 resolution; (3) the protection of women and girls against all forms of violence, including sexual violence; (4) women's participation in peace processes; (5) support for the implementation of the 1325 resolution and the national action plan; (6) follow-up, reporting and monitoring.

The '**Commission Women and Development**' was created in 1993 to issue advice to the Belgian Minister for Development Cooperation on gender equality issues. In April 2013, the Commission was replaced by the 'Advisory Council on Gender and Development' and the 'Be-Gender Platform' that is coordinated by the two Belgian umbrella organisations for development cooperation.

²⁰ "Projet de loi pour lutter contre les comportements sexistes".

²¹ Commission de la Justice de la Chambre.

²² A new gender strategy note is being developed and will probably be ready in September 2015.

3. CONCLUDING REMARKS

KEY FINDINGS

- Despite the laws and policies applied promoting gender equality, Belgium has a complex institutional structure that fragmentates gender equality policies and causes gender gaps to remain.
- Two significant improvements for gender equality in Belgium were the "Gender Act" and the law on the integration of gender mainstreaming in law (2007) and the creation of the Federal Institute for Equality between Women and Men (2002).

Belgium has a wide range of laws and policies aimed at promoting gender equality. Nevertheless, gender gaps are still prevalent and women remain disadvantaged in comparison with their male counterparts. The **complex institutional structure** of the Belgian State contributes to a certain fragmentation of gender equality policies through the different levels of powers. However, some positive signs can be noted in the long road towards gaining gender equality.

2007 marked an important year for the advancement of gender equality with the adoption of the "Gender Act" which clarified and unified the legal framework and the integration of gender mainstreaming through the "mainstreaming law" introducing specific mainstreaming units in nearly all political institutions. The creation of the federal Institute for Equality between Women and Men marks a significant improvement for gender equality in Belgium. However, cultural and political barriers still need to be tackled before a fully implemented gender mainstreaming approach will be achieved in Belgium.

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ISBN 978-92-823-7315-6
doi: 10.2861/78960