

Briefing document | UPR Belgium

UPR 38th SESSION: BELGIUM



The **Belgian French-speaking Youth Forum** (Forum des Jeunes) is the official advisory body representing Belgian youth in the French-speaking Community. Founded in 1977, the Forum des Jeunes brings the vision of the young people to decision-makers and defends their interests and rights at the national and international level.

The **Flemish Youth Council** (Vlaamse Jeugdraad) is the official advisory body of the Flemish government on all matters concerning children and young people. Founded in 2002 the VJR represents the children, young people and youth organisations in Flanders and promotes their interests and reinforces their voice so they are heard and can actively influence policy.



The **European Youth Forum** (YFJ) is an independent platform of 104 youth organisations in Europe. Founded in 1996 and bringing together National Youth Councils and International Non-Governmental Youth Organisations, YFJ represents the common interests of tens of millions of young people in Europe.

I. EDUCATION IN BELGIUM

There are still **glaring educational inequalities** in Belgium. The socio-economic situation of children plays an important role in education and their results. The right to education is recognized under the Belgian Constitution in article 24. Despite legislation at national and international level, chances and opportunities in the educational system of the Flemish and French Community still seem to be very **unequally divided**. Students from disadvantaged groups have to redo their year more often, are less present in so-called “higher appreciated” study branches, often leave school without a diploma and are less likely to start higher studies after high school.

Results from **PISA research**, both in Flanders and the Wallonia-Brussels federation show that children from middle-class families and children with **lower socio-economic backgrounds** do not reach their full potential through education. For illustrative purposes PISA research shows that the **performance gap** between the top 25% of 15-year-old students in socio-economic terms and the 25% most disadvantaged is equivalent to three years of schooling. When it comes to higher education only one fourth of children with a mother with a lower level of education start their studies, compared to 83% for children whose parents have a higher level of education. The **cost of education** is also a real challenge, as costs differ greatly from one high school to another, which can be a source of discrimination. The COVID-19 pandemic has had a negative impact on children and young people’s right to education in Belgium and only aggravated the existing inequalities.

Mentions in UPR key documents	Recommendations in 2016 on education made by Angola, Israel, Australia, Dominican Republic, Benin, Russian Federation and Mexico.
Suggested advance questions to ask during the UPR dialogue	What are the governments in Belgium doing to address the performance gap between students from different socio-economic backgrounds?
Suggested recommendations	<ul style="list-style-type: none"> Examine the root causes of the disproportionate representation of children belonging to minorities and children from disadvantaged backgrounds in special education and invest adequate resources in the education system to ensure it is fully inclusive. Establish a consistent long-term strategy to improve access to quality education for all and examine the actual cost(s) of education in all levels; taking into account the necessities of students created by the COVID-19 pandemic.

II. YOUTH EMPLOYMENT IN BELGIUM

Based on art. 23 of the Belgian Constitution, reaffirmed by the Universal Declaration on Human Rights, everyone has a right to live a decent life, specifically the right to work with a free choice of a profession, good work conditions and protection against unemployment.

The latest data from Eurostat indicates **unemployment rates have been rising to 15.7%** in May/June 2020 compared to the 13% unemployment rate in August 2019. **Especially young people** who leave school earlier and do not have a high school diploma are more vulnerable than others.

Measurements taken by the government are not consistent with the reality of young people today, because it only focuses on a specific group: only people between 21-25 years old can receive an integration allowance and this exclusively for three

years. Young people who leave high school earlier (and are mostly younger than 21 years) and young people who are over 25 years old, are not eligible.

Furthermore, the transition from education to employment keeps posing challenges for young people. **Discriminatory challenges**, such as unpaid internships, are still commonplace. Other discriminatory challenges also remain a big problem in Belgium such as young people being discriminated based on personal characteristics even though they have the same competencies as other young people.

Mentions in UPR key documents	Recommendations in 2016 on youth employment made by Sweden and the Russian Federation.
Suggested advance questions to ask during the UPR dialogue	What will Belgian governments do to stop the increase of unemployment rates, especially in the post-covid19 crisis period?
Suggested recommendations	<ul style="list-style-type: none"> • Improve support measures for young people transitioning from education to employment, including by banning unpaid internships and to increase the access to integration allowances • Ensure inspections by public authorities are carried out, also through the use of practical tests, to tackle all forms of discrimination

III. GENDER EQUALITY AND WOMEN'S EMPOWERMENT IN BELGIUM

Nowadays, the intersection of gender and young age results in women being structurally disadvantaged on many grounds in Belgium. Even though the right to freedom from gender-based discrimination is recognized under the Belgian Constitution (arts. 10, 11 and 11bis) and numerous human rights instruments the Belgian State has ratified, these legal frameworks and the laws adopted in Belgium do not provide the right tools tackling this double prejudice.

On one side, evidence shows the 2015-2019 **Belgian National Action Plan**, which aimed at fighting against all forms of violence covered by the scope of the Istanbul Convention, **did not provide the right tools for tackling gender-based violence** against young women and did not address specifically the characteristics and peculiarities of young women. On the other side, the burden of care, being mostly young women's responsibility, results in young women being structurally disadvantaged in Belgium. As the EU Council Directive (2019) on work-life balance shows, efforts to promote an equal distribution of domestic care tend to focus on employment. The **lockdown has only exacerbated already existing inequalities** between men and women concerning work-life balance.

Furthermore, even though the Belgian State committed to achieving gender equality and women's and girls' empowerment in line with the Agenda 2030 for Sustainable Development, **efforts to achieve gender equality do not address specifically the characteristics and peculiarities of young women**. Thus, young women and their rights are not prioritized as such, even if they fall under the scope of SDG5. Therefore, there is an urgent need for a more youth-friendly and youth-focused legal framework regarding gender-based violence and the gendered division of domestic work.

Mentions in UPR key documents	Recommendations in 2016 on gender equality and/or women's empowerment made by Bolivarian Republic of Venezuela, Malaysia, Algeria, Panama and Japan.
Suggested advance questions to ask during the UPR dialogue	Which concrete measures will the Belgian governments adopt for tackling the double prejudice young women face today by being young and a woman?
Suggested recommendations	<ul style="list-style-type: none"> • Address gender-based violence by ensuring the existing legal framework complies with the requirements of the Istanbul Convention. • Update National Action Plans and policies at all political levels to better tackle gender-based violence beyond intimate partner violence, and address the specific situation of young women. • Address the current lack of disaggregated data to promote a better understanding of the impact of gender-based violence by age group.