



## UNIVERSAL PERIODIC REVIEW 38TH SESSION: BELGIUM

### Submission to the UN Office of the High Commissioner for Human Rights

#### Joint Submission by the Flemish Youth Council-Vlaamse Jeugdraad, the Belgian French-speaking Youth Forum-Forum des Jeunes, and the European Youth Forum (YFJ)

*Key words: youth, inequality, education, youth unemployment, gender equality*

#### **Introduction**

1. Since its last Universal Periodic Review in 2016, Belgium has made a genuine effort to fully implement the recommendations it accepted<sup>1</sup>. However there are still some important youth-focused inequalities that need to be addressed and improvements to be made. The Flemish Youth Council (Vlaamse Jeugdraad) and the Belgian French-speaking Youth Forum (Forum des Jeunes) wish to convey to the Universal Periodic Review working group the following comments regarding the challenges young people in Belgium face in accessing and enjoying their right to education; right to work; right to equality and non-discrimination (with a focus on gender equality).<sup>2</sup>
2. Given Belgium's political and institutional structure, different public authorities are responsible for the above mentioned rights. The three Communities (The Flemish, the French and the German-speaking community) have competence over the education system, the three Regions (The Flemish, the Walloon and Brussels Capital Region) have competence over employment-related issues, and gender equality is covered by both federal and federated authorities. They are all equal from a legal perspective, but they have powers and responsibilities for different matters<sup>3</sup>.

#### **Education in Belgium**

*Recommendations accepted by Belgium during the 2nd UPR cycle:*

*139.20 Review the legislation and adopt measures to ensure equal access to education for disabled children, children with special education needs, children of foreigners or from poor families and/or minorities (Mexico);*

*141.8 Ratify the United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education (Tunisia) (Benin) (Côte d'Ivoire) (Ghana) (Honduras) (Portugal);*

<sup>1</sup> See <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/253/22/PDF/G1525322.pdf?OpenElement>

<sup>2</sup> In Belgium, the Flemish and French Communities define youth as 0 to 30 years old.  
[https://www.youthpolicy.org/national/Belgium\\_2010\\_Youth\\_Policy\\_Overview.pdf](https://www.youthpolicy.org/national/Belgium_2010_Youth_Policy_Overview.pdf)

<sup>3</sup> See <https://wwwpr.belgium.be/fr/node/10199>

3. There are still glaring educational inequalities in Belgium.<sup>4</sup> Belgium is one of the countries where education is among the least egalitarian and where student's academic results are strongly linked to their social origin. According to official indicators from 2014, students are sent to different streams, on the basis of their socioeconomic status, starting very early in their schooling.<sup>5</sup> Children of ethnic and cultural minorities and children from families living in poverty are more heavily represented than children of Belgian origin in special education, a system designed for children with disabilities.<sup>6</sup>
4. The Report Card 15<sup>7</sup> published<sup>8</sup> by the UNICEF research centre states that the socio-economic situation of children in Belgium plays an important role in education. Children of professionals score higher in reading tests. The average difference regarding the reading scores between children of 15 whose parents exercise a profession with a higher status and with a lower status is remarkable.<sup>9</sup>

### *Context and evidence*

5. The right to education is recognized under the Belgian Constitution<sup>10</sup> in article 24. This article protects the freedom of education and the parents' right to choose. Moreover, at international level, both the Universal Declaration of Human Rights of 1948 and the International Covenant of Economic, Social and Cultural Right of 1966 (CESCR), ratified by Belgium on the 21st of April 1983, recognise that education is a fundamental human right for everyone. It, inter alia, states that education shall be free, at least in the elementary and fundamental stages.<sup>11</sup>
6. 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.
7. Concerning the educational system of the Flemish and the French Community, a tool that assesses the evolutions in the educational systems is the Programme for International Student Assessment (PISA).<sup>12</sup> PISA research shows that 10% of the poorest youngsters in Flanders are in the ASO (general study branch) compared to 88% in the richest category.<sup>13</sup> At the start of high school approximately 90% of children from Belgian descent are on track, whilst for children with a migrant background that

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<sup>4</sup> See <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/251/45/PDF/G1525145.pdf?OpenElement>

<sup>5</sup> *Idem supra*

<sup>6</sup> See <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/251/45/PDF/G1525145.pdf?OpenElement>

<sup>7</sup> See <https://www.unicef.be/content/uploads/2018/10/Report-Card-15-ENG.pdf>

<sup>8</sup> published on 30-1\_2018

<sup>9</sup> See <https://www.unicef.be/nl/onderwijsongelijkheid-nog-steeds-erg-aanwezig-in-rijke-lander/>

<sup>10</sup> Article 24 of the Belgian Constitution

<sup>11</sup> Article 26 Universal Declaration of Human Rights, article 10 CESCR.

<sup>12</sup> See <https://onderwijs.vlaanderen.be/nl/programme-for-international-student-assessment-pisa>

<sup>13</sup> See [https://www.pisa.ugent.be/uploads/assets/146/1511253341044-DEFINITIEF\\_Vlaams\\_rapport\\_samenwerkend\\_probleemoplossen\\_PISA\\_2015.pdf](https://www.pisa.ugent.be/uploads/assets/146/1511253341044-DEFINITIEF_Vlaams_rapport_samenwerkend_probleemoplossen_PISA_2015.pdf)

number is only 71 to 73%.<sup>14</sup> 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.<sup>15</sup>

8. Concerning the Wallonia-Brussels Federation, in contrast to Flanders, the databases do not include socio-economic variables of students, such as the parents' level of education. However, according to PISA survey (2015) it appears that pupils from lower socio-economic backgrounds are more likely to be in a disadvantageous position at school. According to the PISA survey (2015), 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.<sup>16</sup> These results show us that children from a middle-class family and children with a lower socio-economic background do not reach their full potential through education.
9. The cost of education is also a real challenge. Under the Belgian Constitution access to education is free until the end of compulsory education. This means that everyone should be able to register his child for free in pre-primary, primary and secondary education.<sup>17</sup> This means that schools are forbidden to ask for a registration fee, however they ask to pay for didactic material, a visit to the theatre, meals, the school bus etc.<sup>18</sup> These costs differ greatly from one high school to another, which is a source of discrimination.
10. The COVID-19 pandemic has had a negative impact on children and young people's right to education in Belgium. According to a survey of the Kinderrechtencommissariaat<sup>19</sup> children and young people experience the most stress because of their schoolwork. 42,5% of the children and 55,4% of the young people surveyed expressed experiencing more stress than before the pandemic. The percentage is even higher for children and young people living in a household with a more difficult financial situation. The biggest stress factors include: not being able to follow-up on schoolwork, too much hustle and bustle at home to be able to do schoolwork properly; and not having the required material to do schoolwork properly (eg. owning a pc, access to a decent internet connection, lack of a printer etc.). The COVID-19 pandemic risks increasing existing inequalities.

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<sup>14</sup>Diversity barometer UNIA 2018:

[https://www.unia.be/files/Documenten/Publicaties\\_docs/1210\\_UNIA\\_Barometer\\_2017\\_-\\_NL\\_AS.pdf](https://www.unia.be/files/Documenten/Publicaties_docs/1210_UNIA_Barometer_2017_-_NL_AS.pdf)

<sup>15</sup> Diversity barometer UNIA 2018 ,

[https://www.unia.be/files/Documenten/Publicaties\\_docs/1210\\_UNIA\\_Barometer\\_2017\\_-\\_NL\\_AS.pdf](https://www.unia.be/files/Documenten/Publicaties_docs/1210_UNIA_Barometer_2017_-_NL_AS.pdf)

<sup>16</sup> « les compétences des jeunes de 15 ans – Résultats de PISA 2015 ». Cahier des Sciences de l'éducation – Uliège (aSPe) – 37/2017.

<sup>17</sup>See [https://onderwijs.vlaanderen.be/nl/wat-kost-naar-school-](https://onderwijs.vlaanderen.be/nl/wat-kost-naar-school-gaan#:~:text=Volgens%20de%20grondwet%20is%20de,dan%20in%20het%20secundair%20onderwijs.)

[gaan#:~:text=Volgens%20de%20grondwet%20is%20de,dan%20in%20het%20secundair%20onderwijs.](https://onderwijs.vlaanderen.be/nl/wat-kost-naar-school-gaan#:~:text=Volgens%20de%20grondwet%20is%20de,dan%20in%20het%20secundair%20onderwijs.)

<sup>18</sup>See <http://www.enseignement.be/index.php?page=26778&navi=3512>; [https://onderwijs.vlaanderen.be/nl/wat-kost-naar-school-](https://onderwijs.vlaanderen.be/nl/wat-kost-naar-school-gaan#:~:text=Volgens%20de%20grondwet%20is%20de,dan%20in%20het%20secundair%20onderwijs.)

[gaan#:~:text=Volgens%20de%20grondwet%20is%20de,dan%20in%20het%20secundair%20onderwijs.](https://onderwijs.vlaanderen.be/nl/wat-kost-naar-school-gaan#:~:text=Volgens%20de%20grondwet%20is%20de,dan%20in%20het%20secundair%20onderwijs.)

<sup>19</sup> See

[https://www.kinderrechtencommissariaat.be/sites/default/files/bestanden/20200525\\_rapport\\_jongeren\\_over\\_corona.pdf](https://www.kinderrechtencommissariaat.be/sites/default/files/bestanden/20200525_rapport_jongeren_over_corona.pdf)

### Recommendations:

- 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, including through increased support for students with disabilities, accessible school buildings, transport, knowledge and learning methods.
- Ensure that education policies include training for teachers to better engage with children and young people from more disadvantaged backgrounds, with an emphasis on recognising signs of poverty and fostering diversity as a value.
- Examine the actual cost(s) of education in all levels, fix a maximum cost applicable for high-schools and raise the student grant to the actual cost(s) of studying, especially in higher education.
- Improve access to online learning material by investing in online tools and open source databases for students, and providing financial support to cover for IT costs, to reduce the costs of public transport from and to school and teaching materials.

### Youth employment in Belgium

*Recommendations accepted by Belgium during the 2nd UPR cycle :*

*138.131 Make further efforts to enhance integration in general through, inter alia, addressing unemployment among young and foreign-born citizens, and in particular to prevent radicalization (Sweden);*

*138.115 Adopt measures to ensure the employment of youth and also other vulnerable groups of the population, including persons with disabilities and migrants (Russian Federation);*

### *Context and evidence*

11. Article 23 of the Belgium Constitution states that everyone has a right to live a decent life. This also concerns cultural, economic and social rights and corresponding duties with specifically the right to work<sup>20</sup>. The Universal Declaration of Human Rights also reaffirms in article 23 the right to work, the free choice of a profession, good work conditions and protection against unemployment<sup>21</sup>.
12. Youth employment lies within the general employment policy. While both the Regions and the Federal State are both competent for employment policies, initiatives to support youth employment are mainly taken at the regional level. The employment Agencies, Forem (Wallonia), VDAB (Flanders) and Actiris (Brussels), offer support measures to young people.

<sup>20</sup> Article 23 of the Belgium Constitution

<sup>21</sup> Article 23 of the Universal Declaration of Human Rights

13. When we look at the unemployment rates in Belgium, unemployment amongst young people has been declining. Between the last quarter of 2019 and the first quarter of 2020, unemployment declined with a 2.2 percentage point, with a youth unemployment rate of 12.4%<sup>22</sup>. This promising trend, however, has been affected by the socio-economic impact of the COVID-19 pandemic. According to the latest Eurostat data on the youth unemployment rate in the Euro area, in Belgium youth unemployment rates have been rising up to 15.7% during May and June 2020. This is a significant difference compared to August 2019, when the youth unemployment rate in Belgium was 13%<sup>23</sup>.
14. Barriers to young people's access to their right to work increase when taking into account the situation of vulnerable groups. Indeed, the Flemish bureau for employment and vocational training service (VDAB) states that specific groups of young people have a higher risk of unemployment and are more vulnerable on the job market than others. Especially young people who leave school earlier and don't have a high school diploma. In their 2020 report on job-seeking school leavers, the VDAB concluded that 30% of the young people who do not have a diploma are still looking for a job after one year, while 97% of the young people who do have a diploma are employed after one year<sup>24</sup>.
15. Belgian legislation envisages special assistance for unemployed youth after schooling. It allows young people under the age of 25, who are still unemployed after one year to receive an integration allowance. All young school-leavers having completed sufficiently qualified studies<sup>25</sup> have to be registered as job seekers to enter into an integration period of 310 days. After this period they can qualify for the allowance. During the integration period, two positive evaluations are needed to qualify for the allowance. Only people under the age of 25 can qualify. The allowance has a limited duration of 3 years (can be extended under certain conditions). The conditions mean that young people who are already 25 years old when they leave school, as well as young people under 21 years old who have not graduated, are not entitled to integration benefits. These measures are not consistent with the reality of young people today (longer higher education, gap year, personal experiences that make the study period longer, etc.). Excluding young people over 25 from the integration allowance conditions contribute to young people's precariousness<sup>26</sup>.
16. Furthermore, transitions from education to employment continue to pose challenges for young people in Belgium, as discriminatory practices such as unpaid internships

<sup>22</sup> See [www.statbel.fgov.be/nl/themas/datalab/maandelijkse-cijfer-over-de-arbeidsmarkt](http://www.statbel.fgov.be/nl/themas/datalab/maandelijkse-cijfer-over-de-arbeidsmarkt)

<sup>23</sup> See <https://ec.europa.eu/eurostat/documents/2995521/10663603/3-01102020-AP-EN.pdf/f45c24be-3304-e6b7-80c8-04eae7529519>

<sup>24</sup> See [www.vdab.be/sites/web/files/doc/schoolverlatersrapport2020.pdf](http://www.vdab.be/sites/web/files/doc/schoolverlatersrapport2020.pdf)

<sup>25</sup> If the young person is under 21 years of age, they must have obtained the requested degree or a school leaving certificate.

<sup>26</sup> Situation that can be changed? On March 25, 2019, the *ONEM* was ordered to pay integration benefits to a person registered as unemployed after his 25th birthday. The student had registered as a job seeker at the end of her studies, one month after her 25th birthday. According to the Court of Labour (of Liège), the measure lacks proportionality and is not sufficiently justified in terms of the general interest. See <https://www.lalibre.be/belgique/allocation-d-insertion-la-condamnation-de-l-onem-remet-en-cause-la-limite-des-25-ans-5ca780d67b50a60b458ab68e>

are still commonplace. According to a 2013 Eurobarometer survey, only 18% of the internships in Belgium were paid.<sup>27</sup> According to the same survey, within the EU, Belgium has the highest percentage of unpaid internships, which is very harmful for young people seeking a job<sup>28</sup>. In 2017, the Flemish Youth Council<sup>29</sup> also conducted research on this issue. While the results are not statistically representative, they showed some general trends: many young people undertake unpaid internships as they believe gaining more experience is crucial to enter the job market. However, low quality, unpaid internships restricts access to employment opportunities only to those who can afford to undertake them. Even though Belgium issued legislation on several types of internships (internships for students and conventions d'immersion professionnelle – professional immersion agreements) and different types of volunteer work, the current legal framework does not cover and/or officially ban unpaid internships (ie unpaid placements undertaken outside of secondary or post-secondary education). As such, unpaid internships have evolved as a hiring malpractice in the labour market, whereby young people are taken advantage of as cheap or free labour, instead of being offered either professional immersion agreements or paid contractual positions. These practices are discriminatory and exploitative and put young people in a vulnerable and disadvantaged position in the labour market.

17. Discrimination on the labour market is also a big problem in Belgium, daily people are being discriminated based on personal characteristics eventhough they have the same competencies. This type of discrimination occurs when people want to apply for a job or inside the organisation. For example: based on gender, migration roots, skin colour or disabilities. When we look at numbers of discrimination based on migration roots, for example with origins in the Near/ Middle East, only 14.3% found a job in the first trimester of 2016 after registration. Although this number has been declining over time, only one year later this group is overrepresented in the category of social welfare beneficiaries. One year after registration 65.2% still haven't found a job<sup>30</sup>. Discrimination based on age is often considered a neutral and justified distinguishing criterion. In reality, a survey conducted by the French-speaking Youth Forum shows that 'young people' are regularly discriminated against in employment. In 2018, Unia (*independent public institution that combats discrimination and promotes equal opportunities*) received 433 reports on age issues and opened 152 files on this topic<sup>31</sup>. Gender is also a big issue concerning discrimination on the labour market. There is still a big gap between young women and men when it comes to employment. While the youth unemployment rates for women increased between 2019-2020, the unemployment rate for young men decreased in the same period<sup>32</sup>.

18. To address the problem of discrimination on the labour market, the Flemish Youth Council is a member of the platform: Praktijktesten Nu. This is a platform who wants

<sup>27</sup> See [https://ec.europa.eu/comfrontoffice/publicopinion/flash/fl\\_378\\_en.pdf](https://ec.europa.eu/comfrontoffice/publicopinion/flash/fl_378_en.pdf)

<sup>28</sup> See [https://ec.europa.eu/comfrontoffice/publicopinion/flash/fl\\_378\\_en.pdf](https://ec.europa.eu/comfrontoffice/publicopinion/flash/fl_378_en.pdf)

<sup>29</sup> See <https://vlaamsejeugdraad.be/nl/adviezen/onbetaalde-stages-buiten-de-opleiding>

<sup>30</sup> [https://www.unia.be/files/Documenten/Publicaties\\_docs/UNIA\\_Monitoring\\_2019\\_-\\_ENG\\_-\\_AS.pdf](https://www.unia.be/files/Documenten/Publicaties_docs/UNIA_Monitoring_2019_-_ENG_-_AS.pdf)

<sup>31</sup> [https://www.unia.be/files/Documenten/Brochures/Brochure\\_discrimination\\_age\\_2019.pdf](https://www.unia.be/files/Documenten/Brochures/Brochure_discrimination_age_2019.pdf)

<sup>32</sup> [www.statbel.fgov.be/nl/themas/werk-opleiding/arbeidsmarkt/werkgelegenheid-en-werkloosheid](http://www.statbel.fgov.be/nl/themas/werk-opleiding/arbeidsmarkt/werkgelegenheid-en-werkloosheid)



to use practical tests and mystery calling/shopping to tackle the problem of discrimination on the labour- and housing market. Those types of tests are juridical and scientifically validated instruments to proof a suspicion of discrimination.

#### **Recommendations:**

- Improve support measures for young people transitioning from education to employment, including by banning unpaid internships.
- Increase access to integration allowances for unemployed youth, by ensuring that the legal conditions and age requirements to access financial support reflect young people's reality.
- Ensure inspections by public authorities are carried out, also through the use of practical tests, to tackle all forms of discrimination, including on the grounds of age, and ensure that equality and anti-discrimination legislation is respected by all employers.

#### **Gender equality and women's empowerment in Belgium**

*Recommendations accepted by Belgium during the 2nd UPR cycle:*

*140.28 Guarantee women effective access to justice in cases of harassment and sexual and domestic violence, and adopt legislation against gender violence (Bolivarian Republic of Venezuela);*

*138.113 Enforce legislation that prohibits discrimination, particularly based on gender, race and belief, to improve the economic opportunities and conditions of work for women and minority groups (Malaysia);*

*138.111 Consolidate the gender equality in the professional field by applying the principle "equal pay for equal work" in the pay system, to reduce wage gaps linked to gender, which consequently leads to differences on retirement pensions between men and women (Algeria);*

*138.112 Adopt concrete measures to eliminate differentiation at work and reduce inequality by ensuring the strict implementation of the 2012 Law aimed at reducing wage inequality based on sex (Panama);*

*138.54 Increase efforts to promote gender equality in the economic and political fields (Japan);*

*138.110 Enhance gender mainstreaming activities with a focus to increase women's participation in decision-making and address the gender pay gap (Malaysia)*

#### *Context and evidence*

19. In 2002, the principle of gender equality was affirmed for the first time in the Belgian Constitution. Following articles 10, 11 and 11bis, the Constitution of Belgium now states three important principles regarding gender equality, namely the equality of Belgians before the law, the guarantee of non-discrimination and the equality between men and women.

20. While Belgium has no federal action plan for achieving gender equality, in 2007 the Belgian state adopted two important laws for tackling gender inequalities: the so-called

Gender Act who aims at fighting discrimination between women and men and the Gender Mainstreaming Law. The latter intends to integrate a gender dimension into all federal policy. At the international level, the Belgian state ratified numerous human rights instruments that recognize the right to freedom from gender-based discrimination.

21. Unfortunately, however, efforts to end all forms of gender-based discrimination do not prioritize young women and their rights. The above-mentioned legal frameworks do not provide the right tools for tackling the double prejudice young women face today by being *young* and *a woman*. Such intersection of gender and young age results in women being structurally disadvantaged on many grounds in Belgium.
22. The scale of gender inequalities among young people is difficult to quantify because of the lack of disaggregated data. However, consultations carried out by civil society organizations with young people have highlighted the main forms of gender-based discrimination young women face today in Belgium<sup>33</sup>. The selected set of issues that need urgent attention are the following ones: gender-based violence and the gendered division of domestic work. These issues have also been pointed out in a research conducted by the French-speaking Youth Forum in August 2020<sup>34</sup>.

#### *Gender-based violence against young women*

23. The vast majority of young women face gender-based violence on a daily basis, both in public and private life. Data collected by different civil society organizations, including the French-speaking Youth Forum, show that the most frequent forms of violence against young women in Belgium are public sexual harassment and domestic/intimate partner violence.
24. Firstly, with regard to sexual harassment, several studies conducted in Belgium over the last few years have highlighted the fact young women do not feel safe in public spaces. For instance, results from a survey carried out by Plan International in 2017 have shown that 9 out of 10 young women have already experienced public sexual harassment in three of Belgium's biggest cities, namely Brussels, Antwerp and Charleroi<sup>35</sup>. Secondly, the exposure of young women to domestic or intimate partner violence is a worrying issue in Belgium. A study conducted by the IEFH in 2010 has shown that young people are more often the victims of violence committed by a (former) partner than older people<sup>36</sup>. The significant link between age and this form of violence is worrying all the more since the COVID-19 pandemic and the evidence-based increase of domestic violence observed during the lockdown.

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<sup>33</sup> Details consultations: Forum des Jeunes (2020), <https://forumdesjeunes.be/wp-content/uploads/2020/08/Avis-Droits-des-Femmes-final.pdf>, Plan International (2017), <https://www.planinternational.be/fr/blog/sondage-discrimination-contre-les-filles-realite-quotidienne-en-belgique>.

<sup>34</sup> Consultation Forum des Jeunes (2020), <https://forumdesjeunes.be/wp-content/uploads/2020/08/Avis-Droits-des-Femmes-final.pdf>

<sup>35</sup> Report Plan International (2017), <https://drive.google.com/file/d/0BzXeJPqHZ2rEb3d4cnV2WkV0VVU/view>

<sup>36</sup> Report IEFH (2010), [https://igvm-iefh.belgium.be/sites/default/files/downloads/41%20-%20Dark%20number\\_FR.pdf](https://igvm-iefh.belgium.be/sites/default/files/downloads/41%20-%20Dark%20number_FR.pdf)



25. While Belgium ratified the Istanbul Convention in 2016, the ratification did not have a significant impact on tackling sexual harassment and domestic violence against young women. The Istanbul Convention requires the establishment of effective, comprehensive and coordinated national policies, including all relevant measures to prevent and combat all forms of violence covered by its scope. On one side, some progress has been made thanks to the so-called “sexism law” (Law of 22 May 2014), adopted by the Belgian State on the amendment of the Gender Act and condemning sexism in the public space. In 2017, for the first time, a man was convicted of sexism in the public space. On the other side, it is important to note that the Belgian National Action Plans (NAPs) focus mainly on intimate partner violence since 2004<sup>37</sup>. Also, in 2020, the French-speaking Community adopted the 2020-2024 Women’s Rights’ Plan in which violence against women is one of the 4 priority themes<sup>38</sup>.
26. However, evidence shows that sexual harassment and intimate partner violence against young women are still major issues in Belgium. Therefore, it seems the 2015-2019 Belgian NAP, 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.
27. Here, an important issue is the fact there is a lack of transparency in the elaboration, the implementation and the evaluation of such NAPs. Indeed, the access to information on the financial means deployed to fight violence against women is quite difficult and available data on gender-based violence remains few and far between<sup>39</sup>. One can also observe such a data gap at the European level. As the EIGE last report (2019) shows, violence is not taken into account in the national score index of European countries regarding gender equality<sup>40</sup>. This lack in data collection is crucial and better data disaggregated by age is urgently needed to have better understanding of gender-based violence in Belgium, and especially gender-based violence against young women.

#### *A gendered division of domestic work*

28. Nowadays, the vast majority of young women, schoolgirls, students and young workers all together, still have to deal with a gendered division of domestic work. Several studies conducted in Belgium have demonstrated that young women have a higher total workload than young men<sup>41</sup>. As the EIGE’s report states, “Belgium’s score is 65.3, with persisting gender inequalities in the distribution of time spent on care activities and a lower involvement of women and men in social activities”<sup>42</sup>.

<sup>37</sup> See [https://igvm-iefh.belgium.be/sites/default/files/downloads/grevio-inf-2019-4\\_fre.docx.pdf](https://igvm-iefh.belgium.be/sites/default/files/downloads/grevio-inf-2019-4_fre.docx.pdf)

<sup>38</sup> Plan droits des femmes 2020-2024, Fédération Wallonie-Bruxelles

<sup>39</sup> Rapport alternatif de la coalition « Ensemble contre les violences » (2019), <https://rm.coe.int/rapport-alternatif-belgique-shadow-report-belgium/1680931a73>

<sup>40</sup> EIGE report (2019), <https://eige.europa.eu/publications/gender-equality-index-2019-belgium>

<sup>41</sup> See [http://socjpc1.vub.ac.be/torwebdat/publications/t2003\\_35.pdf](http://socjpc1.vub.ac.be/torwebdat/publications/t2003_35.pdf)

<sup>42</sup> EIGE report (2019), <https://eige.europa.eu/publications/gender-equality-index-2019-belgium>

29. Gender differences are noticeable from girls' teens and they tend to get worse over time. At school, young women have less free time than young men since they are more likely to do the bulk of care work. Evidence has shown this impacts negatively young women's participation in activities outside the home, such as sports, cultural and leisure activities<sup>43</sup>. Later on, such differences, closely linked to the continuation of traditional gender roles, "lead (young) women to spend 8.5 hours a week more than men on non-paid occupations such as taking care of the household or children"<sup>44</sup>. Data provided by Statbel show that the gendered use of time results in the economic field in men working on average 1h23 more than women, because the latter spend 1h20 more on domestic work<sup>45</sup>. Besides having a negative impact on young women's engagement in social activities, the gendered division of domestic work also means young women generally allocate less time to paid work than young men.
30. Domestic and care work are still not valued enough and unequally distributed between young women and men. The burden of care, being mostly young women's responsibility, results in young women being structurally disadvantaged in Belgium. In 2020, the French-speaking Community decided to address that issue by adopting the 2020-2024 Women's Rights' Plan in which the gendered division of domestic work is one of the four pillars<sup>46</sup>. At the European level, some progress has been made thanks to the EU Council Directive (2019) on work-life balance for parents and carers which aims to promote gender equality by imposing all Member States to ensure their legislation complies with international obligations within three years. This is a step forward, but since the EU directive focuses on employment, young women who are not in the labour market do not fall under the scope of this legal tool. There is an urgent need for a more youth-friendly and youth-focused legal framework regarding the gendered division of domestic work.

### *Slow progress towards achieving SDG5 towards young women in Belgium*

31. In 2015, the Belgian State committed to achieving gender equality and women's and girls' empowerment in line with the Agenda 2030 for Sustainable Development. Now the Decade of Action has started, it seems Belgium is lagging behind in implementing SDG5 at national level. Firstly, the achievement of SDG5 is not mentioned in the 6 priority themes of Belgium's national sustainable development strategy established in 2017<sup>47</sup>. Furthermore, the issue of gender equality has only been addressed in a superficial way in the common vision of the Belgian's national strategy for the Agenda 2030<sup>48</sup>. Secondly, with regard to the implementation of SDG5, Belgium had first selected two relevant indicators: the wage gap and the participation of women in public

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<sup>43</sup> *Id.*

<sup>44</sup> See <https://www.mo.be/en/analysis/female-empowerment-big-steps-belgium-small-steps-women>

<sup>45</sup> [https://iqvm-iefh.belgium.be/fr/activites/emploi/conciliation\\_vie\\_privee\\_vie\\_professionnelle](https://iqvm-iefh.belgium.be/fr/activites/emploi/conciliation_vie_privee_vie_professionnelle)

<sup>46</sup> Plan droits des femmes 2020-2024

<sup>47</sup> See [https://sustainabledevelopment.un.org/content/documents/15721Belgium\\_English.pdf](https://sustainabledevelopment.un.org/content/documents/15721Belgium_English.pdf)

<sup>48</sup> See

[https://www.sdgs.be/sites/default/files/content/20161019\\_texte\\_cadre\\_strategie\\_national\\_developpement\\_durabl\\_e.pdf](https://www.sdgs.be/sites/default/files/content/20161019_texte_cadre_strategie_national_developpement_durabl_e.pdf)

and political life. Later on, a third indicator was added, namely women's unemployment because of family responsibilities<sup>49</sup>. Despite the fact those 3 indicators are current issues which urgently need to be addressed, these do not reflect the situation of young women and are, therefore, not youth-friendly/inclusive. Unfortunately, efforts to achieve gender equality in line with the Agenda 2030 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.

#### **Recommendations:**

- 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.
- Implement evidence-based measures to promote a fair distribution of domestic work, also by gathering more disaggregated data to better understand the impact on different groups, including young women.

#### **About the contributing organisations**

<sup>49</sup> See <https://www.indicators.be/fr/g/SDG-I/>



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.

*Rue du Commerce, 68A, 1040 Brussels, Belgium. Contact person: Louise Lebichot, [louise.lebichot@cfwb.be](mailto:louise.lebichot@cfwb.be), [www.forumdesjeunes.be](http://www.forumdesjeunes.be)*



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.

*Leopoldstraat 25, 1000 Brussels, Belgium. Contact person: Sara De Potter, [sara.depotter@ambrassade.be](mailto:sara.depotter@ambrassade.be), [www.vlaamsejeugdraad.be](http://www.vlaamsejeugdraad.be)*



The **European Youth Forum (YFJ)** is the platform of youth organisations in Europe. Founded in 1996 and bringing together National Youth Councils and International Non-Governmental Youth Organizations, the European Youth Forum represents over 100 youth organisations, and advocates for the interests of tens of millions of young people from all over Europe.

*Rue de l'Industrie 10, 1000 Brussels, Belgium. Contact person: Flavia Colonnese, [flavia.colonnese@youthforum.org](mailto:flavia.colonnese@youthforum.org), [www.youthforum.org](http://www.youthforum.org).*