

BELGIUM

ACCESS TO GOODS AND SERVICES

In January, non-binary model and make-up artist Haron Zaanen was denied service in a restaurant in Brussels, allegedly due to their outfit. The incident was widely condemned.

ASYLUM

The Prisme Federation, focusing on the Wallonia region, launched a new website to inform and support LGBTQIA migrants and facilitate cooperation among CSOs.

Civil society provided emergency shelter to some asylum seekers due to a lack of available shelters provided by the government. CSOs reported that some of the most vulnerable asylum seekers have had to sleep on the streets.

BIAS-MOTIVATED SPEECH

Flemish right-wing politicians continue to use hateful speech towards LGBTI+ people, for including by alleging that so-called ‘gender ideology’ is forced upon “normal people”, that trans women threaten cisgender women in safe spaces, sports, and prisons, that LGBTI+ organisations indoctrinate children in schools.

BIAS-MOTIVATED VIOLENCE

Following the 2021 parliamentary resolution on violence and discrimination against LGBTI+ people, the government commissioned a study on violence towards the LGBTI+ community. Wel Jong and çavaria were tasked with creating tools to work towards safe(r) spaces and making policy recommendations to the government. Civil society continued to advocate for a interfederal action plan to make Belgium a safe place for the community.

Hate crimes continued to be a serious issue. Two men were physically assaulted and robbed outside a gay bar in Liège in March. In May, a boy and his family were assaulted in Brussels after leaving the city’s Pride event. The attackers burnt the rainbow flag the boy was carrying, causing burn injuries. A rainbow flag hung on the Aubange City Hall was burnt in May. These are just a handful of examples.

The Interfederal Centre for Equal Opportunities (Unia) shared that the number of homophobic hate crimes had been on the rise and continued to grow between 2020-2021.

A study based on 42 testimonies from LGBTQIA+ people was published in May, revealing that underreporting is extremely common in the Brussels region, that the anti-LGBTQIA+ motif of attacks is often unregistered by the police, and investigations rarely yield results. The study was jointly prepared by civil society and local monitoring bodies.

In August, a study in Flanders found, on the basis of over 400 responses from LGBTQ+ people, that one in four have been subject to threats or physical assault.

The Belgian hate crime legislation was amended to include gender identity, gender expression and sex characteristics as protected grounds. Additionally, anti-SOGIESC motives are from now on recognised as aggravating factors for all crimes, not just for a selection of crimes.

BODILY INTEGRITY

The parliament is yet to ban non-consensual surgeries performed on intersex children, in line with the 2021 parliamentary resolution on intersex people’s rights. Civil society continued to lobby for a ban, and also for sanctions, better access to healthcare for intersex people throughout their lives, and access to their own medical history. In October, the UN Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) called on Belgium to ban intersex surgeries.

Belgium changed its criminal sexual law, which is now consent-based. The law also recognises that consent can be revoked during a sexual act.

DATA COLLECTION

On behalf of the city of Ghent, the Transgender Infopunt developed a model for inclusive gender registration that all official surveys will have to use. The model will be continuously evaluated.



EDUCATION

In June, the Constitutional Court struck down the so-called 'attainment targets' for second and third-grade secondary education, which might jeopardise the inclusion of sexual orientation and gender identity in the curriculum. The targets set out what students need to know by the end of each academic year. Civil society found the ruling alarming and a step back.

EQUALITY AND NON-DISCRIMINATION

The federal government presented its new Action Plan for LGBTQ Equality 2021-2024 on IDAHOBIT, which sets out over 130 targeted actions. LGBTI+ civil society was consulted in the process, but not in a coordinated way. Civil society has highlighted that many actions lack budget allocation and timelines, and called the state secretary for Equal Opportunities to monitor implementation.

The Wallonia government adopted an LGBTQIA+ Inclusion Plan (2022-2024), containing anti-discrimination measures, plans for research, and improvements in healthcare access, among others. The Plan tripled the budget available to address LGBTQIA+ issues.

The Brussels-Capital Region adopted a Plan for the inclusion of LGBTQIA+ persons (2022-2025), with 35 concrete actions, including measures to tackle prejudice, support young LGBTQIA+ people, and make public spaces safe.

Municipalities continued to raise the rainbow flag on the occasion of IDAHOBIT in May.

FAMILY

In September, Roman Catholic bishops from Flanders issued a statement endorsing that should be able to marry same-sex couples.

FREEDOM OF ASSEMBLY

After two years of a break due to the COVID-19 pandemic, Belgium Pride was held in Brussels in May and attended by over 120,000 people.

HEALTH

Despite the emergence of new gender teams in several regions, for instance, Limburg, West Flanders, and Antwerp, waiting times for gender-affirming care remained between 12-18 months. On a positive note, up to 40 consultations with a psychologist at UZ Gent or CHU Liege are covered by the public healthcare system - civil society is advocating for cost coverage to be extended across the country. Civil society also reported that more and more trans people make use of the Transgender Infopunt's interactive care map to create their own care path, instead of waiting for intake at the gender teams.

In April, the High Council of Health (CSS) announced that the 12-month abstinence period for men who have sex with men who want to donate blood is no longer justifiable. The Ministry of Health introduced a four-month deferral period in May. Civil society has advocated for the complete removal of the discriminatory restriction for years.

INSTITUTIONAL SUPPORT

The federal government made available the largest sum to date, 450,000 euro to support organisations working on LGBTQI+ rights.

The city of Brussels supported the opening of an LGBTQIA+ health centre and cultural hub, Grand Carmes, established by Rainbow House Brussels, Ex Aequo, Genres Pluriels and Tels Quels.

LEGAL GENDER RECOGNITION

Non-binary persons continue to find no gender marker options that would match their identity. The number of LGR procedures increased slightly.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

RainbowHouse Brussels supported the football federation and courts to tackle discrimination in football competitions.

POLICE AND LAW ENFORCEMENT

The General Directorate of Penitentiary Institutions developed internal guidelines for the treatment of trans prisoners and organised trainings for prison



staff on LGBTQIA+ issues in October. The trainings were delivered by Transgender Infopunt and Face à Toi-Même.

Transgender Infopunt is developing a self-help toolkit for trans detainees and training materials for prison staff, on the basis of a study on the experiences of trans prisoners in Belgium.

SEXUAL AND REPRODUCTIVE RIGHTS

In March, Belgium became the first country in Europe to decriminalise sex work. Civil society has called for additional measures against stigma and for social inclusion.

In February, free access to contraceptives for people under the age of 25 was extended to include trans men. Civil society continued advocating for reimbursement for all sexual and reproductive health services for trans people.

SOCIAL SECURITY AND SOCIAL PROTECTION

The NGO Rainbow Ambassadors called for measures to protect LGBTQIA+ seniors through legal provisions.

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