

2024 Country Reports on Human Rights Practices: Belgium

EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in Belgium during the year.

Significant human rights issues included credible reports of threats of violence motivated by antisemitism.

The government took credible steps to identify and punish officials who committed human rights abuses.

Section 1.

Life

a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2.

Liberty

a. Freedom of the Press

The constitution and law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

Holocaust denial, defamation, sexist remarks, behavior that targeted a specific individual, and incitement of hatred were all criminal offenses, punishable by a minimum of eight days (for Holocaust denial) or one month (incitement of hatred and sexist remarks or behavior), and up to one year in prison and fines, plus a possible revocation of the right to vote or run for public office. If the incitement of hatred was based on racism or xenophobia, the case was tried in the regular courts. If the incitement stemmed from other motives, including religious bias, a longer and more

costly trial by jury was generally required. The government prosecuted and courts convicted persons under these laws. These laws also applied to print and broadcast media, books, and online newspapers and journals.

b. Worker Rights

Freedom of Association and Collective Bargaining

For companies with more than 50 employees, the law provided workers the right to form and join independent unions of their choice without previous authorization or excessive requirements and to conduct legal strikes and bargain collectively. Workers in smaller companies were able to choose representatives to affiliate with a union but did not enjoy the same level of protection. Apart from the armed forces, civil servants in general, including members of the police force, and all private-sector employees were entitled to engage in strikes. The law prohibited antiunion discrimination and provided for reinstatement of workers fired for union activity. Workers exercised these rights. Citizen and noncitizen workers enjoyed the same labor rights. Work council elections were mandatory in enterprises with more than 100 employees, and safety and health committee elections were mandatory in companies with more than 50 employees. Essential workers were required to declare their intention to participate in strike actions at least 72 hours in advance, which unions stated exposed workers to undue pressure from employers.

Employers sometimes resorted to the courts when strikes were announced, and courts sometimes preemptively prohibited strikes. Employers could fire union representatives if they paid a penalty. The penalty amount was based on the targeted worker's seniority: two years' salary for less than 10 years of service, three years' salary from 10 to less than 20 years of service, four years' salary for 20 or more years of service. If the targeted worker requested reinstatement and was denied, the worker was also entitled to the salary until the expiration of the mandate as union representative. Union representatives were seldom reinstated, as employers chose to pay penalty severance instead. Penalties were regularly applied.

The government effectively enforced the law, and penalties for violations of freedom of association, collective bargaining, and the right to strike were commensurate with those for analogous violations such as civil rights violations. Penalties were regularly applied.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

There was a monthly national minimum wage, and it was higher than the official poverty income level.

The standard workweek was 38 hours, and workers were entitled to four weeks of annual leave. Departure from these norms could occur under a collective bargaining agreement, but work could not exceed 11 hours per day or 50 hours per week. A rest period of at least 11 hours was required between work periods. The Employment and Labor Relations Federal Public Service generally enforced wage and hour regulations effectively.

Occupational Safety and Health

Occupational safety and health (OSH) standards were appropriate for the main industries. Inspectors from both the Ministry of Labor and the Ministry of Social Security enforced labor regulations. These ministries jointly worked to enforce standards in all sectors and provide for wages and working conditions consistent with collective bargaining agreements. Inspectors had the authority to conduct unannounced visits and levy sanctions. Workers could remove themselves from situations that endangered health or safety without jeopardizing their employment. The primary responsibility for identifying unsafe conditions remained with inspectors and not with the worker. The Employment and Labor Relations Federal Public Service protected employees in this situation. Wage, overtime, and occupational safety violations were most common in the restaurant, construction, and logistics industries. Some employers still operated below legal standards.

Employers with a nontraditional workforce, such as temporary or seasonal workers, often considered those workers as self-employed and therefore not benefiting from the rights and protection to which they would be entitled as employees.

Wage, Hour, and OSH Enforcement

The government effectively enforced minimum wage, overtime, and OSH laws. Penalties for violations were commensurate with those for similar crimes, such as fraud or negligence, and were regularly applied against violators.

Different departments from the social security office organized the health and safety standard controls in the field, according to risk analysis. Inspectors had the authority to make unannounced inspections and levy fines. The number of labor inspectors was sufficient to enforce compliance with wage, hour, and OSH laws.

While estimates of the size of the informal labor market varied, some studies suggested it could make up as much as 15 percent of the country's GDP, particularly in the hospitality and construction sectors. Workers in the informal economy were covered by the same wage, hours, and safety regulations as workers in the formal economy, but regulations were not consistently enforced.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

Under the constitution, an individual could only be arrested while committing a crime or by a judge's order, which had to be carried out within 48 hours of the issuance of the order. The law provided detainees the right to question the legality of their detention, and authorities generally respected this right. Authorities promptly informed detainees of charges against them and provided access to an attorney (at public expense if necessary). Alternatives to incarceration included conditional release, community service, probation, and electronic monitoring. There was a functioning bail system, and a suspect could be released by meeting other obligations or conditions as determined by a judge.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3.

Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibited such practices, and there were no credible reports government officials employed them.

b. Protection of Children

Child Labor

The law prohibited the worst forms of child labor. The minimum age of employment was 15. Persons between ages of 15 and 18 participated in part-time work and study programs and could work full time up to a limited number of hours during the school year. The Ministry of Employment regulated industries that employed juvenile workers to enforce labor laws; it occasionally granted waivers for children temporarily employed by modeling agencies and in the entertainment business. Waivers were granted on a short-term basis and for a clearly defined performance or purpose that had to be listed in the law as an acceptable activity.

The law clearly defined, according to the age of the child, the maximum allowable amount of time worked daily and the frequency of performances. A child's earnings had to be paid to a bank account under the name of the child; the money was inaccessible until the child reached age 18. There were laws and policies to protect children from exploitation in the workplace, which reportedly occurred mainly in restaurants. The government generally enforced these laws with adequate resources and inspections. Persons found in violation of child labor laws faced penalties commensurate with those for other serious crimes, such as kidnapping. Penalties were regularly applied against violators. There were no confirmed reports during the year of the worst forms of child labor.

Child Marriage

The law provided that both (consenting) partners had to be at least age 18 to marry. Authorities effectively enforced the law.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, as well as other persons of concern.

Provision of First Asylum

The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees. Refugee status and residence permits were limited to five years and could become indefinite if extended.

The country's asylum situation remained strained throughout the year. According to officials, in 2023, more than 35,000 asylum seekers and approximately 15,000 refugees from Ukraine strained the country's asylum system, which was unable to meet its obligation to provide shelter to all asylum seekers. This resulted in as many as 8,000 individuals without shelter. In response, Belgian courts fined the government a total of €278.5 million (\$299 million) as of March 2023, little of which had been collected. The European Court of Human Rights ruled against the country in more than 1,000 cases. Despite efforts to expand shelter capacity, process asylum requests more quickly, and expel individuals ruled unqualified for asylum, the government lacked a structural solution to keep pace with asylum seekers.

Through the implementation of the EU's Temporary Protection Directive, extended through March 4, 2026, the country granted Ukrainians temporary legal residence for one year almost immediately after their arrival, with the option of renewing their status for an additional year in two six-month increments. Upon gaining residence, Ukrainians could request accommodation, which the Federal Agency for the Reception of Asylum Seekers coordinated with the regional governments. Ukrainians granted protection in the country were entitled to the same benefits local citizens received, including a work permit, access to public schooling, unemployment benefits, and a monthly stipend of €800 (\$864) for single persons and €1,400 (\$1,510) for cohabitating adult family members, plus €250 (\$270) for every child. By midyear, there were more than 80,000 Ukrainian refugees registered, but it was unclear how many were in the country.

Resettlement

The country accepted refugees for resettlement through UNHCR, including persons located in Italy and Greece, under the EU Emergency Relocation Mechanism.

d. Acts of Antisemitism and Antisemitic Incitement

There were an estimated 35,000 individuals in the Jewish community. There were several reports of antisemitic incidents, mainly in Antwerp and Brussels. While most cases were not prosecuted as criminal offenses, there were instances of assault and property damage targeting Jews in the country following Hamas' October 2023 terrorist attack on Israel. In response to increased threats and a growing sense of insecurity within the Jewish community, the federal government enhanced security measures to protect Jewish institutions. The government generally enforced laws against antisemitism.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.