



REFERENCE: 2024-9/CESCR/FU

18 March 2024

Excellency,

On behalf of the co-Rapporteurs for the follow-up to concluding observations and in my capacity as Chair of the Committee on Economic, Social and Cultural Rights, we have the honour to refer to the examination of the fifth periodic submitted by Belgium at its 6th and 7th meetings, held on 19 and 20 February 2020. In the concluding observations (E/C.12/BEL/CO/5), the Committee requested Belgium to provide, within 24 months, written information on the steps undertaken to implement the recommendations contained in paragraphs 31, 37, and 41 of the concluding observations.

The Committee welcomes the follow-up report (E/C.12/BEL/FCO/5) received in October 2023 under its follow-up procedure. The Committee examined the report at its seventy-fifth session, held from 12 February to 01 March 2024, and wishes to communicate the following assessment:

Paragraph 31: Domestic work - Evaluation: Lack of sufficient information to make an assessment

While acknowledging the information provided, the Committee notes that much of this information outlines measures taken which preceded the adoption of the concluding observations in 2020. The Committee regrets that the State party has not provided detailed information on recent measures taken to ensure that all domestic workers, particularly domestic workers not covered by the Act of 3 July 1978, are protected from exploitation and abuse, and enjoy the same conditions as other workers. The Committee also notes the lack of information on recent measures taken to improve complaint mechanisms and ensure the effective monitoring of the working conditions of domestic workers.

The Committee expresses concern over the State party's indication that the immunity enjoyed by persons with diplomatic status significantly hampers the fight against abuse and economic exploitation of domestic workers, as demonstrated by several concrete cases, despite the establishment of a special prevention system aimed to address such exploitation. In this regard, the Committee emphasizes the need for additional information regarding measures taken and their effectiveness in adequately preventing and addressing such cases.

His Excellency
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The Committee thus concludes that there is a lack of sufficient information by the State party to make an assessment. The State party is requested to provide, in its next periodic report, comprehensive information as to the implementation of the recommendation and the progress made thereby.

Paragraph 37: Poverty - Overall assessment: Partial progress

Para 37 (a) - Assessment: Lack of sufficient information to make an assessment. The Committee acknowledges the regional plans adopted for poverty reduction. However, it regrets the lack of detailed information about how the Fourth Federal Poverty Reduction Plan specifically targets the most marginalized, especially children, which impedes a thorough assessment of its efficacy.

Para 37 (b) - Assessment: Sufficient progress. The Committee welcomes the information that demonstrates that the Fourth Federal Poverty Reduction Plan was developed with the participation of persons living in poverty and the associations that represent them.

Para 37(c) - Assessment: No response. The Committee regrets that the State party did not provide information on whether the Fourth Federal Poverty Reduction Plan has taken into account the evaluation of the Third Federal Poverty Reduction Plan.

Para 37 – Minimum income benefits and access to high-quality public services for children living in poverty- Assessment: Partial progress. The Committee notes the progress made by the State party with regard to the increase of the minimum income benefits above the at-risk-of-poverty threshold. However, while the State party mentions increases in welfare budgets, it does not provide information on access to high-quality public services for children living in poverty.

Accordingly, the overall assessment of the recommendations contained in paragraph 37 is partial progress. The Committee requests the State party to provide, in its next periodic report, information on the measures taken to implement the recommendations contained in paragraph 37 and the progress made thereby.

Paragraph 41: Forced evictions - Overall assessment: Partial progress

Para 41 – Evictions as a last resort. Assessment: Partial progress. While noting that some efforts have been made to ensure that evictions are carried out only as a last resort in the Flemish Region, the Committee regrets that there is limited information on effective measures taken in this regard in the other regions of the State party.

Para 41 (a) – Assessment: Partial progress. While the Committee notes the progress made to evaluate the legislation related to the right to housing, including modifications to the Brussels Housing Code, it notes that measures taken to effectively prohibit forced evictions without the allocation of alternative housing are not clearly outlined in the information provided by the State party. In this regard, the Committee looks forward to the information that the State party will provide concerning measures taken in the context of the Committee’s Follow-up to views adopted concerning communication No. 61/2018 (Walters v. Belgium).

Para 41 (b) – Assessment: Insufficient progress. While there has been progress through efforts towards the creation of residential sites for Roma families in the Flemish Region, the implementation of the recommendation requires not only the creation of residential

sites in all three regions but particularly to intensify efforts towards equipping these sites for Roma families.

Para 41 (c) – Assessment: Partial progress. While according to the information provided by the State party, caravans are protected as a place of residence in the Flemish Region, there is limited information in this regard and a lack of information concerning measures taken in the other regions of the State party.

Para 41 (d) – Assessment: Partial progress. The Committee welcomes the information provided on efforts made to systematically record cases of evictions in the Flemish Region. However, there is no information regarding the implementation of this recommendation in the other regions of the State party.

Accordingly, the overall assessment of the recommendations contained in paragraph 41 (a-d) is partial progress. The Committee requests the State party to provide, in its next periodic report, information on the measures taken to implement the recommendations contained in paragraph 41 (a-d) and the progress made thereby.

The Committee looks forward to continuing its constructive dialogue with the State party, with a view to providing it with guidance in its efforts to ensure the effective implementation of the Covenant.

Please accept, Excellency, the assurance of our highest consideration.



Asraf Caunhye

co-Rapporteur for follow-up

Committee on Economic, Social and
Cultural Rights



Laura-Maria Crăciunean-Tatu

Chair

Committee on Economic, Social and
Cultural Rights