

# Belgium

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>90.0</b>	<b>69.2</b>	<b>90.0</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women's economic empowerment in three areas: women's legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Belgium, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Brussels). The scores for Belgium are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	50.0	100.0	75.0	100.0	100.0	100.0	75.0	100.0	100.0	100.0
Supportive frameworks score	75.0	66.7	100.0	100.0	100.0	66.7	100.0	33.3	0.0	50.0
Expert opinions score	50.0	100.0	100.0	87.5	100.0	100.0	75.0	100.0	100.0	87.5

In summary, the **WBL 2.0 legal frameworks score** for Belgium (90.0 out of 100.0) is higher than the global average (64.2) and higher than the High income: OECD regional average (84.9). When it comes to constraints on freedom of movement, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, constraints on women starting and running a business, laws affecting women's property and inheritance and laws affecting the size of a woman's pension, Belgium obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Belgium is on the indicator measuring laws affecting women's safety. To improve on the Safety indicator, Belgium may wish to consider adopting comprehensive legislation on sexual harassment and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Belgium (69.2 out of 100.0) is higher than the global average (39.5) and higher than the High income: OECD regional average (68.1). When it comes to supportive frameworks affecting women's decisions to work, supportive frameworks affecting women's pay, supportive frameworks related to marriage and supportive frameworks affecting childcare, Belgium obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest

scores for Belgium is on the indicator measuring supportive frameworks affecting women's property and inheritance. To improve on the Assets indicator, Belgium may wish to consider putting in place mechanisms or incentives to encourage women to register immovable property, putting in place awareness measures to improve women's access to information about marital and inheritance rights and publishing anonymized sex-disaggregated data on property ownership on a regular basis.

The **WBL 2.0 expert opinions score** for Belgium (90.0 out of 100.0) is higher than the global average (65.7) and higher than the High income: OECD regional average (82.9). When it comes to expert opinions on freedom of movement, expert opinions on women's decisions to work, expert opinions on marriage, expert opinions on women's work after having children, expert opinions on women starting and running a business and expert opinions on women's property and inheritance, Belgium obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Belgium is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Loi du 28 janvier 2003; Loi du 15 mai 2012; Loi du 13 juillet 2023, Art. 4; Code Pénal, Arts. 410 et 417/19; Loi du 21 mars 2022, Art. 21
Is there legislation on femicide?	Yes	Code Pénal, Art. 405quater
Is there comprehensive legislation on sexual harassment?	No	No applicable provisions could be located
Is there legislation on child marriage?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Arrêté ministériel du 19 avril 2014 concernant la délivrance de passeports
Can a woman choose where to live in the same way as a man?	Yes	Code civil, Arts. 213 et 214
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Code de la nationalité, Arts. 8(1) et 12bis(3)
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	Code civil, Art. 216
Does the law prohibit discrimination in employment based on gender?	Yes	Loi du 10 Mai 2007, Arts. 3 et 6
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	Yes	Loi sur le Travail, Art. 20ter; Convention Collective du Travail No. 85, Art. 6. 2
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	Yes	Convention Collective de Travail No. 25, Art. 1
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Code civil, Art. 213
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Code civil, Art. 213
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Code civil, Art. 230

Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Loi sur le Travail, Art. 39; Arrêté Royal Relatif à l'Introduction d'un Droit au Congé Parental dans le Cadre d'une Interruption de la Carrière Professionnelle, Art. 2
Are leave benefits for mothers paid solely by the government?	Yes	Arrêté Royal Portant Exécution de la Loi Relative à l'Assurance Obligatoire Soins de Santé et Indemnités, Titre III
Is there paid leave available to fathers?	Yes	Loi relative aux contrats de travail, Art. 30 (2); Arrêté Royal Relatif à l'Introduction d'un Droit au Congé Parental dans le Cadre d'une Interruption de la Carrière Professionnelle, Art. 2
Is dismissal of pregnant workers prohibited?	Yes	Loi sur le Travail, Art. 40
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Décret de 21 Février 2019, Arts. 1(9°) et 3; Ordonnance de 23 mars 2017, Art. 2; Decree of 20 April 2012, Arts. 2-4; Official Website of Brussels Capital
Does the law establish any form of support to families for childcare services?	Yes	Decree of 27 April 2018, Art. 51; Decree of 7 December 2018, Ch. 2; Official Website of the Flemish Organization Growing Up; Arrêté du Gouvernement de la Communauté française du 21 novembre 2008, Arts. 1-4; Official Website of the Office de la Naissance et de l'Enfance; Income Tax Code 1992, Art. 145/35; Official Website of the Service Public Fédéral de Finances
Does the law establish any form of support to non-state childcare providers?	Yes	Subsidy Decision of 22 November 2013, Arts. 11, 17 and 37; Decree of 20 April 2012, Arts. 7-11; Arrêté de 2 mai 2019, Arts. 87-88; Income Tax Act 1992, Art. 52bis; Official Website of the Flemish Organization Growing Up
Does the law establish quality standards for the provision of childcare services in center-based settings?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Civil Code, Arts. 212, 218 and 1124
Does the law prohibit discrimination in access to credit based on gender?	Yes	Loi du 10 mai 2007 tendant à lutter contre la discrimination entre les femmes et les hommes, Arts. 5, 6(1)(1) et (8)
Does the law prescribe a gender quota on corporate boards?	Yes	Loi du 28 juillet 2011 modifiant la loi du 21 mars 1991, Arts. 2 et 4; Code des sociétés et des associations, Art. 7:86
Does the law include gender-sensitive procurement provisions for public procurement processes?	Yes	Loi du 12 janvier 2007, Art. 3(3)
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Code civil, Arts. 2.3.16-2.3.39
Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Code civil, Arts. 4.10 and 4.16
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Code civil, Arts. 4.10 and 4.17-4.20
Does the law provide for the valuation of nonmonetary contributions?	Yes	Code civil, Arts. 2.3.16-2.3.25
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Arrêté Royal du 23 décembre 1996, Art. 2
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Arrêté Royal du 23 décembre 1996, Art. 4
Is the mandatory retirement age for men and women equal?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Arrêté Royal du 23 décembre 1996, Art. 4(2)(2)

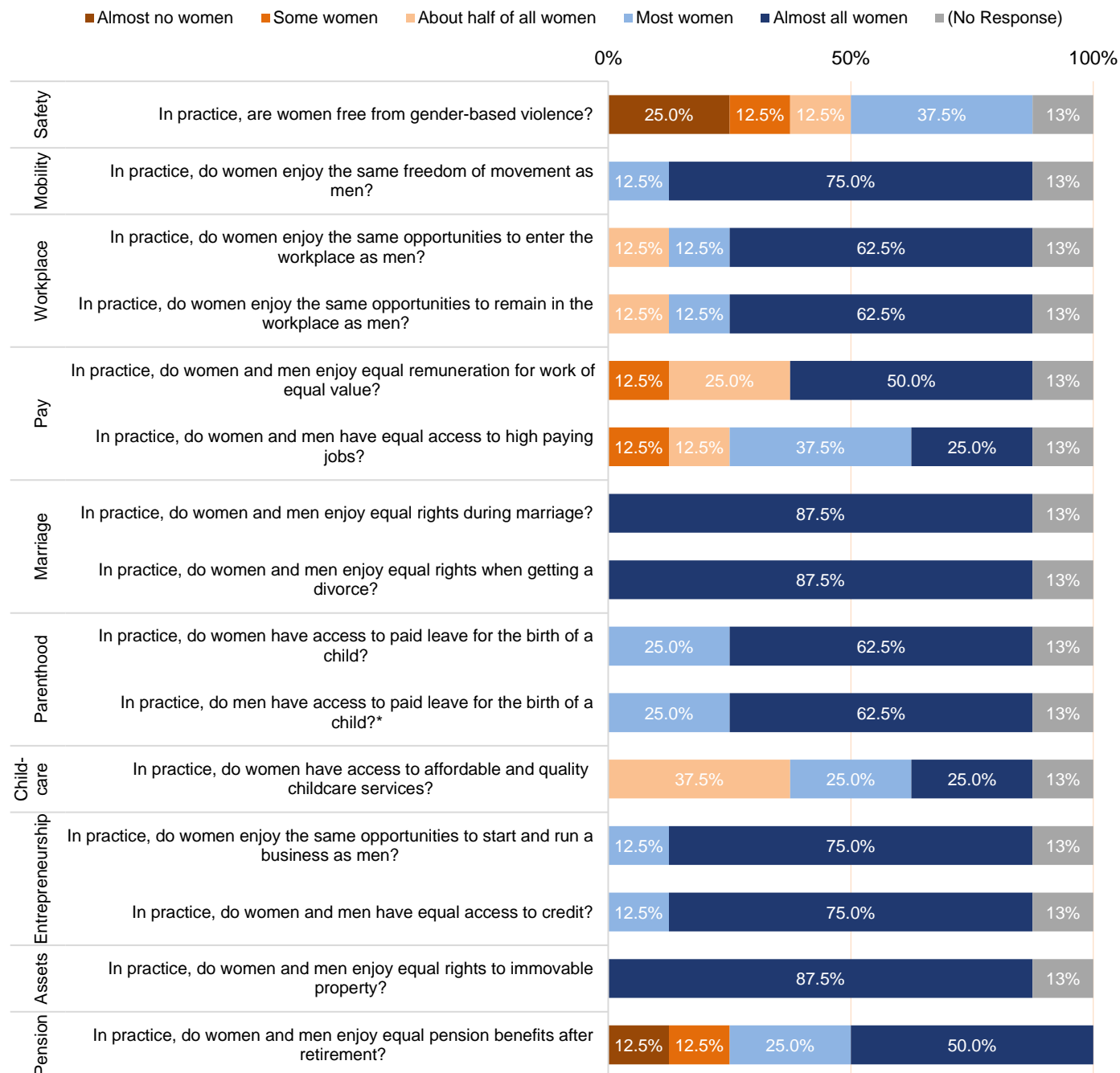
QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Centres de prise en charge des violences sexuelles; Introduction générale au thème des violences sexuelles et intrafamiliales
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	Institut pour l'égalité des femmes et des hommes
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	Yes	Budget 2023
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Passport application procedures
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	Yes	European Network of Equality Bodies: Comment constituer un dossier pour demander l'égalité salariale ? Un manuel d'Equinet
Has the government published guidelines on flexible work arrangements?	Yes	Q&A on Telework - Ministry of Labor
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	Loi créant l'Institut pour l'Egalité des Femmes et des Hommes, Arts. 3 et 4
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	Yes	Act on reducing the gender pay gap of 22 April 2012
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	Institut pour l'Egalité des Femmes et des Hommes: L'écart salarial entre les femmes et les hommes en Belgique Rapport 2021; STATBEL– Belgian Statistical Office: Labour Market by Gender -Workers by group of occupations in 2022
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Loi modifiant le code judiciaire en ce qui concerne la médiation, Art. 11
Are there specialized family courts?	Yes	Code judiciaire, Art. 572bis
Is legal aid available for family law disputes?	Yes	Bureau d'Aide Juridique; Commission d'Aide Juridique
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Loi coordonnée du 14 Juillet 1994, Art. 111
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	Yes	Loi sur le Travail, Art. 30(4)
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of the Flemish Community Commission; Official Website of Flemish Organization Growing Up; Official Website of the Office de la Naissance et de l'Enfance
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Official Website of the Flemish Organization Growing Up (childcare allowance/kinderopvangtoeslag); Official Website of the Office de la Naissance et de l'Enfance
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	Yes	Decree of 20 April 2012, Art. 12; Official Website of the Flemish Organization Growing Up; Circulaire de May 2023 de l'Office de la Naissance et de l'Enfance; Official Website of the Office de la Naissance et de l'Enfance
Has the government published any reports on quality of childcare services within the last 3 years?	Yes	Official Website of the Flemish Government (Department of Care)
<b>Entrepreneurship</b>		



Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	Yes	Belgian statistical office; Ministry of Economy
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	No	Insufficient evidence located
Is there a current national government plan or strategy with a focus on women's access to financial services?	No	Insufficient evidence located
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	No	Insufficient evidence located
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located
<b>Pension</b>		
Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Règlement d'ordre intérieur du Collège des Médiateurs pour les Pensions, Art. 7



## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.