

# **Contribution to the Focus chapter of the Fundamental Rights Report 2022: Social rights and equality in light of the recovery from the COVID- 19 pandemic.**

**Belgium**

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**Contractor: Fundamental Rights Research Centre (FRC),  
Vrije Universiteit Brussel**

**Authors: Júlia Zomignani Barboza, Prof. Dr. Paul de Hert**

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# 1 Measures implemented to foster social rights and equal treatment in the recovery from the pandemic

<b>Name of the measure in English</b>	Fight against discrimination in the job market
<b>Name of the measure in the national language(s)</b>	Lutte contre la discrimination sur le marché de l'emploi / Bestrijding van discriminatie op de arbeidsmarkt
<b>Reference document for the measure</b> <i>Include an url, where available</i>	Office of the Secretary of State for Recovery and Strategic Investments, in charge of Scientific Policy (2021), National Plan for Recovery and Resilience – Belgium ( <a href="#">Plan National Pour La Reprise Et La Résilience - Belgique</a> / <a href="#">Nationaal plan voor herstel en veerkracht</a> ) [last accessed 28 October 2021]
<b>Social rights covered by the measure</b> <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i>	<ul style="list-style-type: none"> <li>- equality between women and men (Article 23),</li> <li>- integration of persons with disabilities (Article 26),</li> <li>- right to fair and just working conditions (Article 31)</li> </ul>
<b>Population group(s) covered by the measure</b> <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i>	<ul style="list-style-type: none"> <li>- LGBTIQ people;</li> <li>- Members of ethnic minority groups;</li> <li>- Older people;</li> <li>- People with a migrant background: migrant workers, especially non-EU nationals;</li> <li>- Persons with disabilities;</li> <li>- Women.</li> </ul> <p>The measure seeks to address discrimination at the workplace. When defining the problem that is to be addressed, the plan focuses more specifically on migrants workers (mainly those from outside the EU) but also mentions that discrimination occurs due to other reasons,</p>

	including gender, age or disability. LGBTIQ and ethnic minority groups were left in the table as they may be included in the migrant workers or gender categories.
<b>Summary description of how the measure applies to the population group(s)</b>	<p>The measure focuses mainly on employers, however, it aims to put an end to structural discrimination in the workplace. Consequently, if its aim is achieved, the target population should have easier access to the job market.</p> <p>The measure's goal is to be reached through different initiatives. First, an academic monitoring of the diversity and discrimination in different sectors of the economy will be put in place. This will be done by academics developing data mining tools to identify if and when discrimination occurs in the labour market. Second, discrimination tests will be improved by the adaptation of the regulatory framework, the development of available tools and databases as well as the training and strengthening of the services responsible for overseeing the application of social laws.</p> <p>Once the monitoring has been established and the discrimination tests improved, targeted checks will be carried out alongside awareness-raising campaigns. Checks will be carried out by social inspectors (public workers) but the Plan does not define how these checks will take place in practice. The objective is to make stakeholders (e.g. employers, workers) aware of existing structural discrimination and thus work to curb this phenomenon in all stages of the employment relationship.</p> <p>In a final stage, the results gathered during the phase of targeted controls will be compared with the results of the academic monitoring. In consultation with partners, points of attention are identified for the continuation of the tests and controls.</p>
<b>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</b>	<p>The measure aims to tackle discrimination at the workplace. Consequently, the measure should facilitate access to the labour market to those who are often in a position of disadvantage and lead to more equality and inclusion of these groups.</p> <p>In its opinion 2021-A/014 on the recovery plan, the institute for equality of men and women (IEFH), however, noted that such measure must be accompanied by actions to promote the presence of girls and women in the economic sectors of the future, especially in sectors related to science, technology, engineering and mathematics (STEM) and information and communication technology (ICT).</p>
<b>Summary description of the extent to which the measure</b>	Not foreseen in the plan.

<b>foresees the provision of enabling social services</b>	
<b>Entity or organisation responsible to implement the measure</b>	The Federal Public Service (employment, work and social concertation) is responsible for the first two phases, while the last two phases are done together with Unia and IEFH.
<b>Duration of the measure</b>	Until the end of 2023.
<b>Budget allocated to implement the measure</b>	A total of 166 million euros is foreseen to be used for measures regarding training and employment of vulnerable groups. There are 8 measures in total, including the one described here. The plan does not include how much of that budget will be applied to this measure in particular.
<b>Summary description of how any foreseen impact assessment of the measure will be carried out</b>	Not foreseen in the plan.

<b>Name of the measure in English</b>	Digital platform for detainees
<b>Name of the measure in the national language(s)</b>	Plateforme digitale pour les détenus / Digitale platforms voor gevangenen
<b>Reference document for the measure</b> <i>Include an url, where available</i>	Office of the Secretary of State for Recovery and Strategic Investments, in charge of Scientific Policy (2021), National Plan for Recovery and Resilience – Belgium ( <a href="#">Plan National Pour La Reprise Et La Résilience - Belgique</a> / <a href="#">Nationaal plan voor herstel en veerkracht</a> ) [last accessed 28 October 2021]
<b>Social rights covered by the measure</b> <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to</i>	- right to education (Article 14)

<p><i>measures that apply to one discrete right</i></p>	
<p><b>Population group(s) covered by the measure</b></p> <p><i>Delete as appropriate</i></p> <p><i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i></p>	<p>- Others: detainees</p>
<p><b>Summary description of how the measure applies to the population group(s)</b></p>	<p>The aim of the measure is to develop and deploy a digital platform to all prisons in Belgium. The platform should allow prisoners to follow distance learning courses, have access to prison services (especially those geared towards reintegration), benefit from restricted and secure access to the Internet (and via this means look for or apply for a job), have access to digital resources (libraries for example), manage their accounts and purchases in the prison canteen, have access to digital press or benefit from specific training developed for detainees (Mindfulness, for example). Overall, the measure aims to reduce recidivism.</p>
<p><b>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</b></p>	<p>The measures aims to facilitate detainees' access to education and to employment (upon release), increasing the chances of their successful reintegration and decreasing the risk of recidivism. In this regard, the Consultation of Active Associations in Prison (Concertation des Associations Actives en Prison) informed through a written communication that according to them this measure has great potential to facilitate emancipation of detainees as well as facilitate their access to education and information and better prepare them for life in society. They noted, however, that such measure must go hand in hand with the improvement of detention in all penitentiary establishments, which must be made more constructive for all those detained. The Consultation stressed that proportion of prisoners of foreign origin is around 43% according to the latest statistics from the Council of Europe: these people very often do not speak or understand the national languages of Belgium. Also, according to research carried out in 2013 by the Consultation, it appears that nearly 30% of those detained</p>

	are illiterate. As such, this digital platform does not seem very accessible to them, and no solution is proposed in the project.
<b>Summary description of the extent to which the measure foresees the provision of enabling social services</b>	The measure foresees that the platform will allow access to external services such as training/learning programs, aid programs, and job seeking tools.
<b>Entity or organisation responsible to implement the measure</b>	General Directorate of Penitentiaries Establishments (Direction Générale Etablissements Pénitentiaires) (through public tender).
<b>Duration of the measure</b>	2021-2024
<b>Budget allocated to implement the measure</b>	12,4 million euros
<b>Summary description of how any foreseen impact assessment of the measure will be carried out</b>	Not foreseen in the plan.

<b>Name of the measure in English</b>	Digital jump
<b>Name of the measure in the national language(s)</b>	Digisprong
<b>Reference document for the measure</b> <i>Include an url, where available</i>	Office of the Secretary of State for Recovery and Strategic Investments, in charge of Scientific Policy (2021), National Plan for Recovery and Resilience – Belgium ( <a href="#">Plan National Pour La Reprise Et La Résilience - Belgique</a> / <a href="#">Nationaal plan voor herstel en veerkracht</a> ) [last accessed 28 October 2021] See also: Vlaanderen is onderwijs & vorning, <a href="#">Digisprong</a> [last accessed 11 January 2021]
<b>Social rights covered by the measure</b>	- right to education (Article 14)

<p><b>Delete as appropriate</b></p> <p><i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i></p>	
<p><b>Population group(s) covered by the measure</b></p> <p><b>Delete as appropriate</b></p> <p><i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i></p>	<p>Children and youth</p>
<p><b>Summary description of how the measure applies to the population group(s)</b></p>	<p>This measure aims to achieve four main objectives: reform programs schools to improve knowledge of ICT, promote a more efficient framework for school's ICT policy, improve the digital skills of teachers and set up an ICT knowledge and advice center for education.</p>
<p><b>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</b></p>	<p>By promoting curriculum reforms in ICT, media education and computational thinking, the measure aims to promote youth inclusion by ensuring that each student has the digital skills necessary for personal development and future participation in the labour market.</p>
<p><b>Summary description of the extent to which the measure foresees the provision of enabling social services</b></p>	<p>Not foreseen in the plan.</p>
<p><b>Entity or organisation responsible to implement the measure</b></p>	<p>Flemish government</p>

<b>Duration of the measure</b>	2021-2022
<b>Budget allocated to implement the measure</b>	189 million euros (see Vlaanderen is onderwijs & voring Digisprong ordinary and special nursery, primary and secondary education and the HBO5 Nursing course ( <a href="#">Digisprong gewoon en buitengewoon kleuter-, lager en secundair onderwijs en de HBO5-opleiding Verpleegkunde</a> ) [last accessed 11 January 2021])
<b>Summary description of how any foreseen impact assessment of the measure will be carried out</b>	Not foreseen in the plan.

## 2 Tools or mechanisms to monitor the effectiveness of national schemes to foster social rights and equal treatment in the recovery from the pandemic

<b>Name of the monitoring tool or mechanism in English</b>	Interministerial Conference "Recovery and Strategic Investments"
<b>Name of the monitoring tool or mechanism in the national language(s)</b>	Conférence interministérielle « Relance et Investissements Stratégiques »

<p><b>Reference document for the monitoring tool or mechanism</b> <i>Include an url, where available</i></p>	<p>Office of the Secretary of State for Recovery and Strategic Investments, in charge of Scientific Policy (2021), National Plan for Recovery and Resilience – Belgium (<a href="#">Plan National Pour La Reprise Et La Résilience - Belgique</a> / <a href="#">Nationaal plan voor herstel en veerkracht</a>) [last accessed 28 October 2021]</p>
<p><b>Organisation(s) involved in the monitoring tool or mechanism</b> <i>Delete as appropriate</i> <i>Multiple answers possible</i></p>	<p>- National authorities</p> <p>The Conference is chaired by the Federal Government (State Secretary for Economic Recovery and Strategic Investment) and composed of representatives of the Federal State, Regions and Communities. It is a political monitoring body and does not include members of human rights institutions.</p>
<p><b>Summary description of how these organisation(s) are involved in the monitoring tool or mechanism</b></p>	<p>Based on the report of the Committee, the Federal Government convenes an Interdepartmental Conference to approve the payment plan as well as each payment request.</p>
<p><b>Summary description of the functioning of the tool or mechanism used to monitor the effectiveness of schemes adopted to foster social rights and equal treatment in the recovery</b></p>	<p>The Conference is not a tool to monitor effectiveness of the measures with regards to social rights and equal treatment. Instead, it is responsible for the inter-federal coordination of the monitoring of the Plan at the political level.</p> <p>The work of the Interministerial Conference will be prepared by the Interfederal Monitoring Committee (see below), created as part of the development of the Plan, upon invitation</p>

	of the State Secretary for Economic Recovery and Strategic Investment. As mentioned above, based on the report of the Committee, the Federal Government convenes an Interdepartmental Conference to approve the payment plan as well as each payment request.
<b>Summary description of the obligations, standards and benchmarks against which the effectiveness will be evaluated</b>	Not applicable.
<b>Summary description of what the tool or mechanism foresees when non-compliance with obligations and standards is identified, with a particular emphasis on enforcement and remedial action</b>	The Conference takes the necessary actions to ensure the proper implementation of the Plan. If there is a risk that the milestones / targets for a particular measure will not be achieved, the Conference takes the necessary actions in order not to hinder the payment of European payments.

<b>Name of the monitoring tool or mechanism in English</b>	Interfederal Monitoring Committee
<b>Name of the monitoring tool or mechanism in the national language(s)</b>	Comité de suivi interfédéral

<p><b>Reference document for the monitoring tool or mechanism</b> <i>Include an url, where available</i></p>	<p>Office of the Secretary of State for Recovery and Strategic Investments, in charge of Scientific Policy (2021), National Plan for Recovery and Resilience – Belgium (<a href="#"><i>Plan National Pour La Reprise Et La Résilience - Belgique / Nationaal plan voor herstel en veerkracht</i></a>) [last accessed 28 October 2021]</p>
<p><b>Organisation(s) involved in the monitoring tool or mechanism</b> <i>Delete as appropriate</i> <i>Multiple answers possible</i></p>	<p>- National authorities</p> <p>The Interfederal Monitoring Committee is composed of representatives of all the entities that are responsible for the reporting and administrative monitoring of projects under their responsibility. Representatives will be appointed from among the structures of each government who are responsible for monitoring the plan’s milestones and targets. The Committee of Interfederal monitoring is chaired by the Permanent Secretary (Federal Public Service – Policy and Support).</p>
<p><b>Summary description of how these organisation(s) are involved in the monitoring tool or mechanism</b></p>	<p>The Committee follows the progress of the implementation of the plan and prepares reports to the Conference (above).</p>
<p><b>Summary description of the functioning of the tool or mechanism used to monitor the effectiveness of schemes adopted to foster social rights and equal treatment in the recovery</b></p>	<p>The Committee is not a tool to monitor effectiveness of the measures with regards to social rights and equal treatment. Instead, it is responsible for the inter-federal coordination of the monitoring of the Plan at the administrative level.</p> <p>The tasks of the Committee are as follows:</p> <ul style="list-style-type: none"> <li>• Control the implementation of measures at the global level of the plan and ensure the follow-up of the achievement of milestones and targets. To this end a methodology and indicators will</li> </ul>

	<p>be established during the establishment of the committee and a digital monitoring tool will be developed in consultation with the federal entities.</p> <ul style="list-style-type: none"> <li>• Coordinate the preparation of each payment request and corresponding management declarations.</li> <li>• Identify at an early stage projects for which there is a risk that the milestones / targets are not reached within the deadlines set by the European funding decision.</li> <li>• Propose solutions to the political Conference (see above).</li> </ul> <p>The Interfederal Monitoring Committee meets between each payment request to be updated on the implementation of Plan's measures. The reporting of each entity to the Interfederal Monitoring Committee is aligned with reporting, twice a year, to the European Commission. At least one month before each payment request, the Interfederal Monitoring Committee sends a full progress report and the necessary documents for the payment to the coordinator who then forwards them to the political Conference. Complementary meetings of the Interfederal Committee for follow-ups can be arranged at the request of a member.</p>
<p><b>Summary description of the obligations, standards and benchmarks against which the effectiveness will be evaluated</b></p>	<p>Not applicable.</p>
<p><b>Summary description of what the tool or mechanism foresees when non-compliance with obligations and standards is</b></p>	<p>As mentioned above, if the Committee notes that milestones / targets may not be met, it proposes solutions to the Conference. The Plan does not specify further the actions the Committee may take.</p>

<b>identified, with a particular emphasis on enforcement and remedial action</b>	
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