



INSTITUUT VOOR  
DE GELIJKHEID  
VAN VROUWEN  
EN MANNEN



INSTITUT  
POUR L'ÉGALITÉ  
DES FEMMES  
ET DES HOMMES



# Towards Guaranteeing Equal Access of Women to Justice *Good practices Belgium*

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1. The Institute for the Equality of Women and Men
2. Create rights
3. Make laws effective
4. Make access to justice effective
5. Conclusions



# 1. Introduction

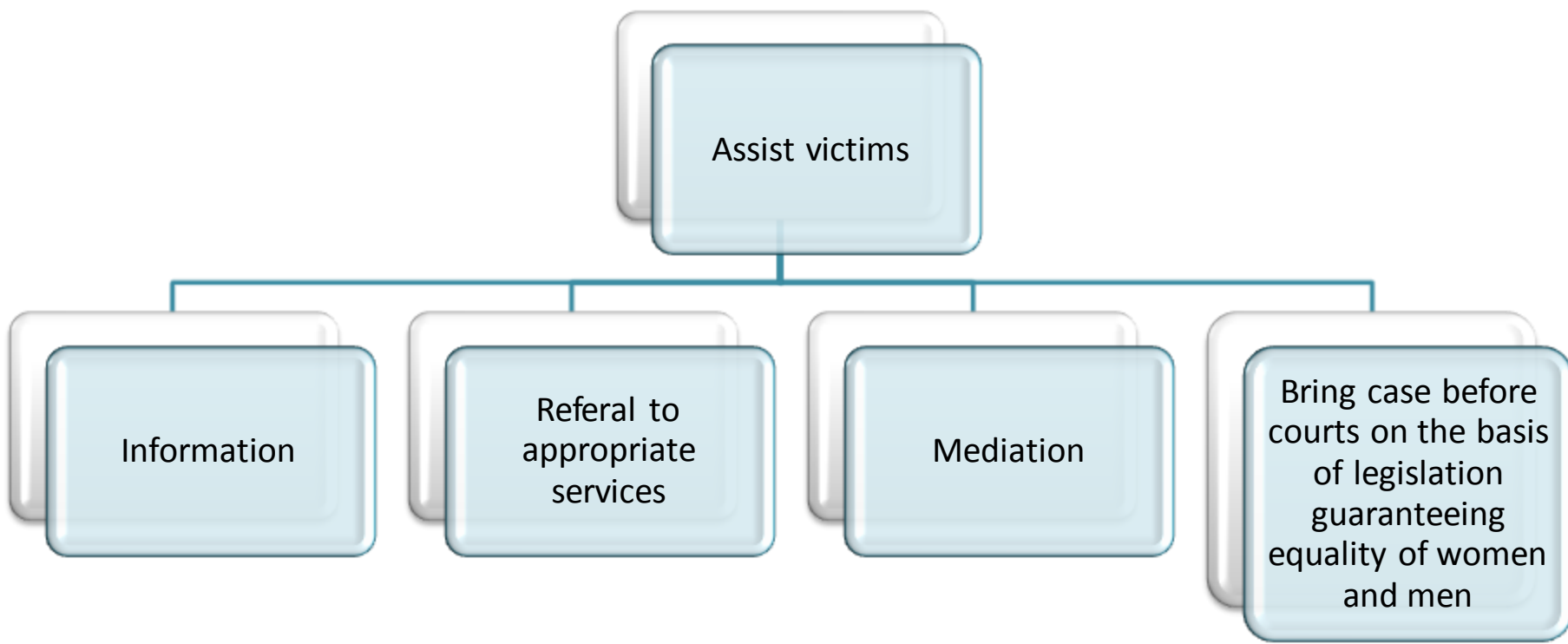
The Institute for the Equality of Women and Men : an Equality Body specifically dedicated to gender discrimination



# Three missions

- Assist victims of gender discrimination
- Conduct independant surveys
- Publish independant reports and make recommendations







## 2. Create rights

Law of 22 May 2014 against sexism in public spaces



"WHAT MAKES YOU THINK YOU WOULD  
BE A GOOD BUTT FOR OUR SEXIST JOKES?"



Drawing on the experiences of women, render specific types of behaviour punishable

A first at international level

Signal = clear rejection of sexist behaviour





# Legal definition punishable sexism

“... sexism is defined as any gesture or behaviour which, in the circumstances as described in article 444 of the Criminal Code, is clearly intended to express contempt for a person because of her/his gender, or regards her/him as inferior for the same reason, or reduces her/him to her/his sexual dimension, and which causes a serious violation of her/his dignity”



# Sanction

Sexism is punishable

“ by a prison term from one month up to one year and a fine of fifty to one thousand euros, or only one of these penalties,...”



## « Gesture or behaviour »

### In public circumstances

For instance : in a public place, in the street, in the workplace, in the presence of several people, in the media, on social networks

Has to **explicitly address**  
**one person or more who**  
**can be identified**



The law does not apply to  
unidentified groups, such  
as « women » or « men »

Does not apply to  
advertising



## Gesture or behaviour has to

- express **contempt** for a person because of her/his **gender**
- regard her/him as **inferior** because of their gender
- **reduce** her/him mainly to her/his **sexual dimension**

Non-cumulative criteria



## Intentional behaviour which is sufficiently serious

The author knows that his/her behaviour can affect, harm, denigrate, hurt the person.



The judge evaluates the gravity of the violation of dignity, taking into account **objective facts** and the **context**.

No joke or humorous video



# Conclusion

Law is criticized

The merit to set the limits of what is acceptable or not.

A clear message : sexism cannot be tolerated in our society.

**Now we have to make the law effective**



## 3. Make legislation effective

- 3a. Circular of 2006 concerning criminal policy with regard to intimate partner violence (COL4/2006)
  
- 3b. Circular of 2013 concerning investigative policy towards discriminations and hate crimes (including gender-based discriminations) (COL13/2013)





## 3a. Circular «intimate partner violence»

A uniform criminal policy concerning intimate partner violence intended for police and public prosecution services



Guidelines criminal  
policy

Uniform system for  
identification and  
registration

Aims

Minimum measures  
to apply in each  
district

Reference tools for  
justice and police



## Specifically

- Action plans concerning prosecution for this type of violence per district
- Public prosecutors and police officers who act as contact points
- Guidelines to handle situations of intimate partner violence
- Measures to ensure the protection of victims



## Conclusion

- Good tool to protect victims and approach perpetrators : not only repressive, it also prevents recidivism.
- Positive change in mentalities
- Systematic consideration by the police
- More of a priority for the legal system



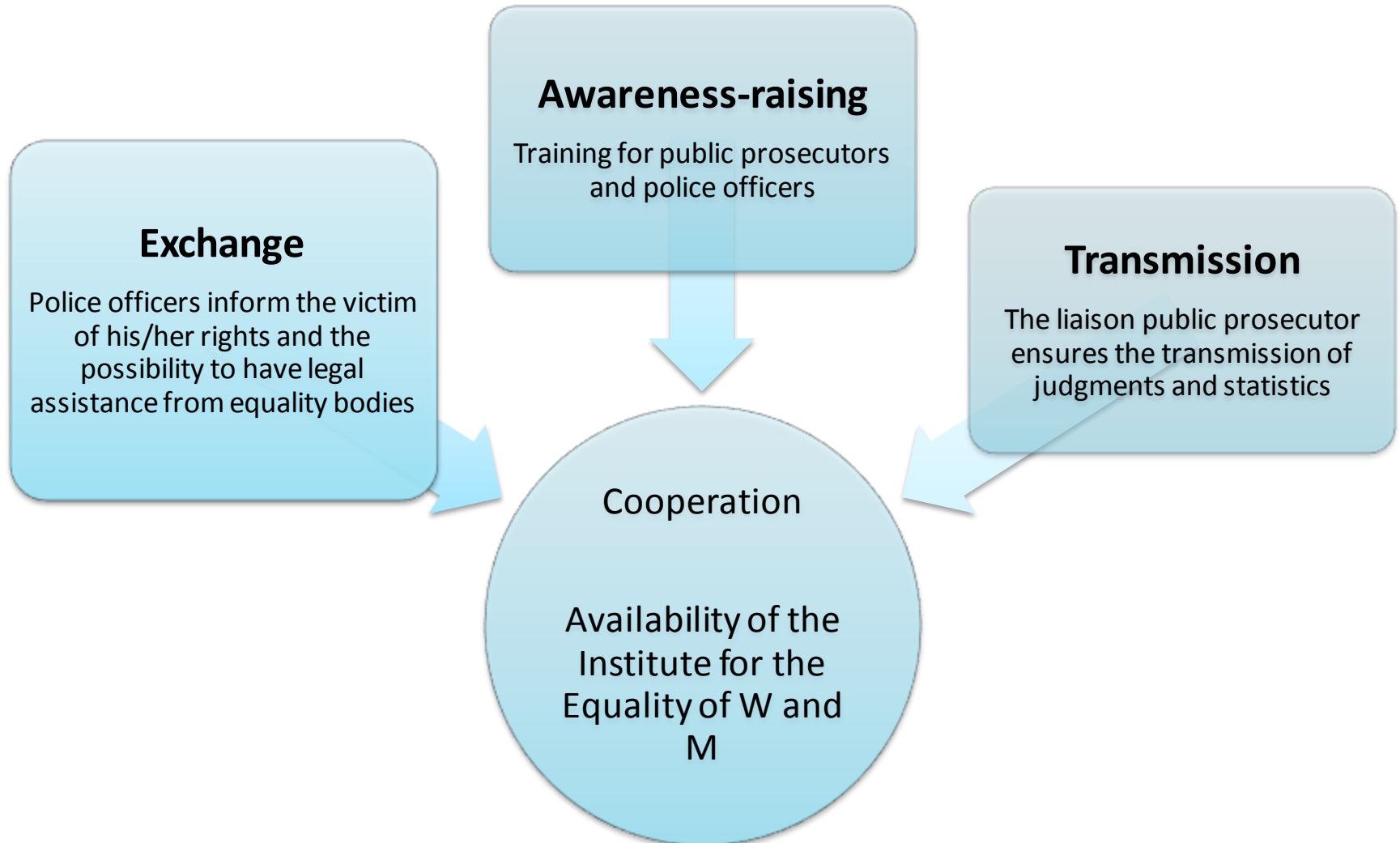
## 3b. Circular « discrimination »

- Ensure a uniform investigative and prosecution policy concerning discriminations and hate crimes
- Set up a structure to support the cooperation between different actors



# Actors

- Police
- Public prosecutors
- Labour law inspection services
- Equality bodies





## 4. Make access to justice effective

Leaflet « Break the silence before it breaks you »





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<p><b>BREAK THE SILENCE BEFORE IT BREAKS YOU!</b></p>	<p><b>ROMPIAMO IL SILENZIO PRIMA CHE CI SPEZZI</b></p>	<p><b>СОКРУШИМ МОЛЧАНЬЕ, ПОКА МОЛЧАНЬЕ НАС НЕ СОКРУШИЛО</b></p>	<p><b>ΣΠΑΣΤΕ ΤΗ ΣΙΩΠΗ ΠΡΙΝ ΑΥΤΗΣ ΣΑΣ</b></p>	<p><b>أكسر الصمت قبل أن تنكسر</b></p>
<p><b>BRISONS LE SILENCE AVANT QU'IL NE NOUS BRISE</b></p>	<p><b>ROMPAMOS EL SILENCIO ANTES ANTES QUE ESTE NOS DESTRUYA.</b></p>	<p><b>PRZEŁAM CISZĘ, ZANIM ZŁAMIA CIĘBIE</b></p>	<p><b>KOLUNUZ KANADINIZ KIRILMADAN ÖNCE SESSİZLİĞİ AŞIN</b></p>	<p><b>BOMBA, BOMBA ? MABE</b></p>
<p><b>BREEK DE STILTE VOOR JE ZELF GEBROKEN BENT</b></p>	<p><b>ROMPA O SILÊNCIO ANTES QUE ELE MESMO A DESTRUA</b></p>	<p><b>PREKINI ŠUTNJU PRIJE NEGO SE SLOMIŠ</b></p>		<p><b>VUNJA UKIMYA KABLA HUJAJIUMIZA MWENYEWE</b></p>
<p><b>BRECHEN SIE DAS SCHWEIGEN BEVOR ES SIE ZERBRICHT</b></p>		<p><b>SĂ DISTRUGEM LINIȘTEA, ÎNAINTE CA ACEASTA SĂ NE DISTRUGĂ.</b></p>	<p><b>EŞLER ARASI ŞIDDET</b> Sessiz kalmayın .be</p> <p><i>Yalnız değilsiniz</i></p>	<p><b>打破沉默，不要让沉默摧毁我们</b></p>
<p><b>GEWALT ZWISCHEN PARTNERN</b> Sprechen Sie darüber .be</p> <p><i>Sie sind nicht allein</i></p>	<p><b>VIOLÊNCIA NO SEIO DO CASAL</b> Nao se cale, mas fale .be</p> <p><i>Você nao está so neste combate</i></p>	<p><b>VIOLENȚA ÎNTRE PARTENERI.</b> Trebuie să vorbiți. .be</p> <p><i>Nu sunteți singur(a).</i></p>		<p><b>你不是唯一的受害者</b></p> <p><b>配偶伴侣之间的暴力行为</b> 勇于诉说 .be</p>

Target group : women of foreign origin

Aim : provide specific information to victims concerning support and possibilities to lodge a complaint

Provide the information in their mother tongue

Distribution : broadly but also targeted



# Thank you for your attention

<http://igvm-iefh.belgium.be>

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