

*Building trust
by delivering support,
protection and justice*

Belgium

First thematic
evaluation report

GREVIO

Group of Experts
on Action against Violence
against Women and
Domestic Violence



Council of Europe Convention
on preventing and combating
violence against women
and domestic violence
(Istanbul Convention)

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THE
ISTANBUL CONVENTION
SAVES LIVES



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Executive summary

This evaluation report addresses progress made in bringing support, protection and justice to victims of violence against women and domestic violence under selected provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention). It offers an assessment made by the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent human rights monitoring body mandated to monitor the implementation of the convention. GREVIO's findings identify developments that have taken place since the publication of its baseline evaluation report on Belgium on 21 September 2020 and are based on the information obtained during its first thematic evaluation procedure as set out in Article 68 of the convention. These include written reports (a state report submitted by the Belgian authorities and additional information submitted by Amnesty International Belgium, GAMS Belgium and End FGM European Network, The Feminist Platform against Violence against Women (PFVFF) and the Belgian Disability Forum (BDF)), as well as a seven-day evaluation visit to Belgium. A list of the bodies and entities which GREVIO had exchanges with can be found in Appendix II.

The report assesses the wide variety of measures taken by the Belgian authorities to prevent violence against women and domestic violence and to deliver protection, support and justice for victims – the theme chosen by GREVIO for its first thematic evaluation report. In identifying emerging trends in preventing and combating violence against women and domestic violence, GREVIO shines a light on laudable efforts made for the implementation of this convention. Moreover, it provides in-depth information on the implementation of selected provisions in the areas of prevention, protection and prosecution as building blocks for a comprehensive response to the different forms of violence against women that instils trust in victims.

In this regard GREVIO welcomes the adoption of several laws to strengthen the protection of women victims of intimate partner violence and their children, including the Law on Femicide, which creates a framework for development in many areas, including in the areas of prevention, data collection and prosecution and for the introduction of the systemic retrospective analysis of cases of gender-based killings. Additionally, changes in criminal law introduced a move towards an “only-yes-means-yes” approach concerning the consent-based definition of rape and the prohibition of any non-consensual sharing of images of a sexual character. The changes also introduced the presence of a minor as an aggravating factor when committing violence and introduced new types of sentences that may be applied in cases of violence against women.

Belgium's continued progress in providing holistic services for victims of sexual and domestic violence is laudable. The reform and expansion of the Sexual Violence Support Centres, which are now accessible within one hour from every point in the country, is an excellent example of continued and concerted work supported by appropriate funding. The work done by the Safe Homes in Flanders and the introduction of multidisciplinary structures to respond to violence against women in other parts of the country and the work of multidisciplinary specialist support centres for victims of female genital mutilation (FGM) are similarly positive examples. The planned expansion of the Sexual Violence Support Centres and the other multidisciplinary bodies – announced for the coming years - attests to the continued dedication to multidisciplinary approaches by all levels of authorities.

GREVIO equally commends the introduction of mandatory training on sexual and domestic violence for all students of the Judicial Academy. Healthcare professionals can also benefit from a new, federal e-learning programme - “Operation Alert” - that contains various modules and is expected to improve the identification of women who are victims of the different forms of violence that pass through the healthcare system.

Several improvements have been noted in the judicial response to violence against women, including the establishment of the Emergency Victim Assistance Units in the Brussels Capitol Region which specialise in violence against women and apply a trauma-informed and gender-sensitive approach, the adoption of guidelines on digital forms of violence and the introduction of the Mobile Stalking Alarm.

Beyond the progress made in Belgium to implement the convention, GREVIO has identified areas which require urgent action by the authorities to comply fully with the convention's provisions.

An area of particular concern remains the insufficient data collection, in particular at the levels of the judiciary, law and healthcare, where persistent gaps remain. Overall, the data which is collected is insufficient, remains fragmented between different institutions at different levels of authorities, and is rarely communicable outside of the respective databases or connected to other bodies and institutions.

A need for urgent measures to be taken was identified by GREVIO regarding the access to long-term, women-only shelters across the country, which is currently tied to the payment of a fee by the victim. GREVIO identified that the payment of this fee acts as a barrier to access for women victims of violence. What is more, the number of shelter places available across all of the country's regions continues to fall short of the Istanbul Convention's standard of one family place per 10 000 inhabitants. A single, national helpline, available 24/7, which offers support and expert counselling for experiences of violence by suitably trained professionals accessible at any hour of the day or night, similarly remains out of reach.

Furthermore, GREVIO noted significant shortcomings concerning the legal framework governing custody and visitation rights currently in place in Belgium. GREVIO found that in the absence of an explicit requirement for civil courts to take into account the impact of violence against women on children when taking such decisions, such violence is often downplayed by the deciding judge to the detriment of the interests of both the victim and her children. The absence of an obligation to screen for incidents of violence, or perform a risk assessment, only exposes women victims and their children to further risk. The need for more efforts to tackle the effects of the so-called parental alienation syndrome, still invoked by some judicial professionals, only adds to the need for immediate reforms in this field.

Last, an area of concern is the insufficient protection offered by the system for restraining and protection orders. GREVIO found that under the current legal framework, women victims of violence cannot seek a restraining order *ex parte* for herself or her children. Furthermore, GREVIO found that the present framework is not suitable for ex-partners who do not share a residence with the victim, or for perpetrators of forms of violence against women outside of domestic violence. Such a system offers insufficient protection, which in turn makes victims and their legal representatives reluctant to make use of the present framework, which is in need of reform.

GREVIO has identified a number of additional issues that require sustained action in order to effectively build trust by delivering protection, support and justice for acts of violence against women. These relate to the need to:

- take further measures to ensure a greater consistency of policies and measures between the different levels of authorities in the country;
- introduce compulsory initial and in-service training on violence against women for all levels of law-enforcement officials and healthcare professionals;
- support the recovery and economic independence of women victims of violence throughout the country through general social services, including measures involving financial assistance, education/training and assistance in finding employment and housing;
- tackle the high rate of attrition of cases of violence against women at the level of prosecution and ensure that such cases are afforded priority and handled through the application of a gender-based and victim-centred understanding of violence against women;
- ensure that sanctions are commensurate with the gravity of the offence in all cases of violence against women covered by the Istanbul Convention;
- remove obstacles in the legislation or in practice to the use of emergency barring orders, and assess the overall level of implementation of the current system of emergency barring orders with a view of reforming it; and

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- evaluate the implementation of the existing protection measures for women victims of gender-based violence and to ensure that all measures in place to protect women victims during investigations and judicial proceedings are implemented in practice.

GREVIO has also identified further areas in which improvements are required in order to fully comply with the obligations of the convention under this round's theme. These include the need to roll out a gender perspective in all policies and measures for the implementation of the Istanbul Convention; to implement gender-responsive budgeting at all levels of government and ensure that appropriate and sustainable funding for women's NGOs that run specialist support services for women victims of all forms of violence, including smaller community-based NGOs, is available; that a stronger focus is placed on primary prevention efforts when it comes to awareness-raising; to expand the number and increase the geographic availability of perpetrator programmes and develop common standards for such programmes; that multi-agency co-operation mechanisms throughout the country on forms of violence against women covered by the Istanbul Convention take a distinctly gendered approach and that efforts to update existing risk-assessment tools continue.

Lastly, GREVIO points to several emerging trends, which include the increasing steps taken by the Belgian authorities, mainly at federal level, towards a more gender-sensitive approach to addressing violence against women, the specific focus on introducing multidisciplinary approaches to responses to violence against women and the innovation through criminal law.

Introduction

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210) (hereafter “the convention”) is the most far-reaching international treaty to tackle violence against women and domestic violence.

It sets up a two-pillar monitoring mechanism to assess the level of implementation by its parties: the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent expert body, and the Committee of the Parties, a political body composed of official representatives of the Parties to the Convention. In line with Article 68 of the convention, GREVIO has been providing country-based monitoring reports under its baseline evaluation procedure since 2017. Its baseline evaluation report on Belgium, offering a comprehensive assessment of the convention’s implementation in its entirety, was published on 26 June 2020, following Belgium’s ratification of the Istanbul Convention on 14 March 2016.

This report was drawn up under GREVIO’s first thematic evaluation round launched in 2023 focusing on the theme of building trust by delivering support, protection and justice. To address this overarching theme, it describes emerging trends in the areas of preventing and combating violence against women and domestic violence in the country. Section two aims to identify developments in key areas such as comprehensive and co-ordinated policies, funding and data collection that have ensued following the completion of the baseline evaluation procedure. Section three sets to obtain more in-depth information on the implementation of selected provisions in the areas of prevention, protection and prosecution, in respect of which baseline evaluation procedures and the Conclusions on the implementation of recommendations of the Committee of the Parties to the Istanbul Convention have revealed significant challenges and the need for further action.

In respect of Belgium, the first thematic evaluation procedure was initiated in accordance with Article 68 of the convention by letter and transmission of GREVIO’s first thematic questionnaire on 15 March 2024. The Belgian authorities subsequently submitted their state report on 26 September 2024. Following a preliminary examination of Belgium’s state report, GREVIO carried out an evaluation visit to Belgium, which took place from 1 to 7 February 2025. The delegation was composed of:

- Laura Albu, Member of GREVIO,
- Helmut Tichy, Member of GREVIO, and
- Mihail Stojanoski, Administrator at the Secretariat of the monitoring mechanism of the Istanbul Convention.

During the evaluation visit, the delegation met with a wide range of governmental and non-governmental representatives working in the area of preventing and combating violence against women. GREVIO wishes to highlight its constructive exchanges with the Belgian authorities, in particular Caroline Gennez, the Flemish Minister for Welfare and Poverty Reduction, Culture and Equal Opportunities, Michel Pasteel and Liesbet Stevens, Director and Deputy Director of the Belgian Institute for Equality between Women and Men, the Federal Ministries of Interior, Justice and Health, the Federal Health Public Service, the National Institute for Criminalistics and Criminology, the National College of Prosecutors, The Federal Agency for the Reception of Asylum Seekers, and various regional and community bodies tasked with Justice and Education, among others. A list of the national authorities, non-governmental organisations and others met is set out in Appendix II of this report. GREVIO is grateful for the valuable information provided by all of them. For the co-operation and support provided throughout the entire evaluation procedure, it wishes to extend its gratitude to Marijke Weewauters, who was appointed as contact person. The state report and the written contributions submitted by civil society are available on the country monitoring website of the Istanbul Convention.¹

The present assessment was drawn up under the exclusive responsibility of GREVIO and is based on the information collected during the various steps of the evaluation procedure. In keeping with

1. See www.coe.int/en/web/istanbul-convention/belgium.

the approach adopted in its baseline evaluation reports, the findings made reflect different levels of urgency, indicated in order of priority by the following verbs: “urges”, “strongly encourages”, “encourages” and “invites”.

Resulting from a process of confidential dialogue with the aim of offering country-specific proposals and suggestions for improvement within the national context of the party under review, this report describes the situation as observed by GREVIO up until 3 July 2025. Where applicable, relevant developments up until 14 October 2025 have also been taken into account.

According to the convention, national parliaments shall receive this report from the national authorities (Article 70, paragraph 2). GREVIO requests the national authorities to translate this report into their official national language(s) and to ensure that it is widely disseminated, not only to the relevant state institutions at all levels (national, regional and local), in particular to the government, the ministries and the judiciary, but also to NGOs and other civil society organisations which work in the field of violence against women.

I. Emerging trends in the areas of violence against women and domestic violence

1. In the period following the adoption of GREVIO's baseline evaluation report, GREVIO has identified several trends in Belgium in the area of preventing and combating violence against women. Some of these trends are related to legislative developments, while others pertain to shifts in attitude and approaches to addressing violence against women more broadly.

Innovative legislative approaches to different forms of violence against women

2. Since introducing consent into the criminal law definition of rape back in 1989, Belgium has had a long history of innovation in legislation in the area of violence against women. This trend continued after ratification of the Istanbul Convention, as GREVIO's baseline evaluation of the country showed, and has been further developed since. Examples contain the recent adoption of criminal law provisions that move towards an "only-yes-means-yes" understanding of the consent-based rape definition, the prohibition of any non-consensual sharing of images of a sexual character, improvements to the legal framework surrounding sexual harassment in the workplace, qualifying the presence of a minor during violence as an aggravating factor, and introducing new types of penalties and the new law on femicide and gender-based homicide (the Law on Femicide).² This new law approaches the phenomenon of gender-related killings of women and girls in a holistic and comprehensive way, providing a solid framework for future reforms.

3. While some of these changes are yet to come into force and many of them are programmatic in nature, requiring extensive effort and funding to ensure their full implementation, the undertakings appear to be grassroots-driven and arise from the needs of women and girls in Belgium, across all linguistic communities. GREVIO welcomes the fact that most of these reforms are supported by specific steps for their implementation, *inter alia*, those contained in the national action plan to combat gender-based violence (2021-2025, NAP) and backed by appropriate funding.

Nascent understanding of the gendered approach to violence against women

4. GREVIO had noted in its baseline evaluation report that a gender-neutral approach dominated the landscape of policy documents, awareness-raising campaigns and legislation in Belgium, meaning that the specific experiences of women and girls as the predominant victims of violence against women and domestic violence, and harmful gender roles and attitudes among perpetrators had not been sufficiently promoted. With the adoption of the current federal NAP (2021-2025) and the Law on Femicide, a gradual shift can be observed towards a more gendered understanding of the different forms of violence against women covered by the Istanbul Convention. The Law on Femicide is particularly significant in this regard with its obligation to integrate a gendered perspective in its implementation, given that it targets a number of different fields across all four pillars of the Istanbul Convention, which should ensure a wide impact of its provisions.

5. While important progress has been made, further efforts are needed to fully consolidate this transition. Much of the positive momentum has been driven by federal-level initiatives; however, within Belgium's complex division of powers, certain policies continue to reflect a gender-neutral approach to violence against women. This policy choice is also evident in the practices of some service providers supporting women victims, as will be further detailed in this report. While this does not diminish the valuable work being carried out by these providers of services for women victims, there is an ongoing need to align service provision more closely with the gender-sensitive standards set by the Istanbul Convention across the country.

2. The law of 21 March 2022 introducing amendments to the Criminal Code (which came into force 1 June 2022); the law of 4 May 2020 to combat the non-consensual dissemination of sexual images and recordings; the law of 7 April 2023 introducing amendments to the general law on discrimination and the law on discrimination between women and men of 10 May 2007, the law against racism and xenophobia of 30 July 1981 and the law on well-being of workers of 4 August 1996; the law of 18 January 2024 aiming to make justice more humane and expedient no. 3; the Criminal Code reform of 29 February 2024 (concerning the new types of sentence, "custodial treatment" and "prolonged supervision").

Promotion of a holistic approach to violence against women

6. A multi-agency approach to support services for victims of many types of violence is the policy choice at all levels of government in Belgium, which fully aligns with the principle of holistic service provision set out in the Istanbul Convention. Some examples of this are the increased support and expansion of the Sexual Violence Support Centres (CPVS/ZSG), the support for and planned expansion of the multidisciplinary specialist support centres for victims of female genital mutilation (FGM), the increased support for and expansion of the Safe Homes (Veilige Huizen) in Flanders and the opening of new, multi-agency services in other regions. This is a welcome development, and the decision to create, support and expand such services, in particular for sexual and domestic violence, is promising and worthy of further replication in relation to other forms of violence covered by the convention.

II. Changes in definitions, comprehensive and co-ordinated policies, funding and data collection in the areas of violence against women and domestic violence

7. Chapter I of the Istanbul Convention sets out general principles that apply to all the substantive articles contained in Chapters II to VII and therefore lay the foundation for a comprehensive and adequate response that ensures the delivery of support, protection and justice for all women and girls at risk of or who have experienced gender-based violence. These include, among other things, that it is a fundamental human right for everyone, particularly women, to live a life free from violence in both the public and the private sphere, that the convention must be implemented without discrimination on any ground, and that the potential for, and effects of, multiple forms of discrimination should be borne in mind. They also spell out that a gender perspective must be integrated into the implementation of the convention and the evaluation of its impact. Chapter II of the Istanbul Convention sets out the core requirement for a holistic response to violence against women: the need for state-wide effective, comprehensive and co-ordinated policies, sustained by the necessary institutional, financial and organisational structures.

A. Definitions (Article 3)

8. Article 3 of the Istanbul Convention sets out the key definitions of concepts that are fundamental to its implementation. “Violence against women” refers to “all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”, whereas the expression “domestic violence” is to be understood as referring to “all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim”. The definition of “gender-based violence against women” provided in paragraph *d* of Article 3 seeks to ensure more clarity regarding the nature of the violence covered, by explaining that this is “violence that is directed against a woman because she is a woman or that affects women disproportionately”.

9. In its baseline evaluation report GREVIO had urged the Belgian authorities to include a gender perspective in the policies and measures implementing the Istanbul Convention, in particular by adopting a single conceptual reference framework that could be used by all authorities in the country – at federal, regional and community level.

10. The Belgian authorities have since demonstrated an increasing awareness of the need for a gender-sensitive understanding of domestic violence and violence against women, which GREVIO welcomes. This has been manifested at the level of policy making, where it can be observed in most action plans that have been adopted since GREVIO’s baseline evaluation report, as well as at the level of legislation.

11. A good example of the new emphasis placed on women’s gendered experiences of violence is the new NAP (2021-2025) to combat gender-based violence, adopted following the publication of GREVIO’s baseline evaluation report, which clearly sets out that women are disproportionately affected by gender-based violence.³ The plan embodies a holistic approach, including measures for the primary prevention of violence, which GREVIO welcomes.⁴ The first axis of the NAP sets out the goal to adopt a single conceptual reference framework regarding gender-based violence against women, to be used by all Belgian authorities. According to the authorities, this framework includes the promotion of a common understanding and language concerning gender-based violence through tools which include a manual on the application of the Istanbul Convention, the Law on Femicide

3. NAP, page 7.

4. NGO submission by the Feminist platform against violence against women, page 7.

and a common framework for training of professionals.⁵ The emphasis placed in the NAP on the need for data disaggregated by sex to identify differences in women's and men's experiences of and responses to violence also demonstrates a growing understanding of the need to apply a gender perspective to policy making.⁶ The Intra-Francophone Plan to Combat Violence against Women (2020-2024) and the Brussels Capital region's Plan to Combat Violence against Women (2020-2024) similarly place emphasis on women's gendered experiences of violence, by, for example, citing prevalence studies indicating that women are far more affected by sexual violence, domestic violence, sexual harassment and stalking. Both plans explicitly make reference to the provisions of the Istanbul Convention, structuring their measures along its four pillars.

12. The same shift towards more recognition of the need to apply a gendered perspective cannot be observed across all parts of the country. The Action Plan to Combat Sexual Violence (2020-2024) in the Flanders region, while offering a comprehensive set of measures to tackle this form of violence, still retains a gender-neutral approach. This plan relies on sound scientific research pointing to the significantly higher prevalence of sexual violence among women, but it relies on terms such as "violence between partners" and refrains from prescribing measures specifically targeting women victims, thus failing to emphasise the clearly gendered nature of such violence. GREVIO considers that the planned adoption of a broader action plan covering several types of violence against women by the region of Flanders is an opportunity to address this shortcoming. GREVIO notes that the Law on Femicide also introduces a requirement to apply a gendered perspective in its application, which may lead to further harmonisation of the approaches between different regions of the country.⁷

13. GREVIO notes that a range of definitions continues to be used in Belgium, with little consistency across policy documents and relevant administrative entities. For example, the NAP uses the term "intra-family violence" (*violence intrafamiliale*), while a joint circular from the Ministry of Justice and the College of Prosecutors (No. 4/2006), which is the reference document in criminal law, uses the term "violence within the couple" (*violence dans le couple*).⁸ Further differences in the definitions used exist between federated entities. GREVIO welcomes the efforts to harmonise the definitions used, in particular by means of the Law on Femicide, which states that intra-family violence shall mean any type of violence in the household, between present or former partners, independently of whether they share or have shared a household with the victim, which is in line with the Istanbul Convention's definition of domestic violence.⁹ GREVIO further welcomes the information received from the federal authorities that the definitions contained in the different documents used in criminal law are in the process of revision with the aim of adapting them to the framework of the Istanbul Convention and the Law on Femicide.

14. The Law on Femicide introduces further common definitions of the terms "femicide", gender-based violence, coercive control, controlling behaviour and others.¹⁰ GREVIO welcomes such efforts to standardise and streamline policies across the different regions and communities of the country, underlining the importance of harmonised definitions and concepts in order to promote a shared understanding of violence against women among all professionals and to ensure consistent levels of protection and support across the country. It remains nonetheless important that these definitions become operational at all levels of government in Belgium.

5. NAP, page 19. Also see "Mise en oeuvre du Plan d'action national de lutte contre la violence basée sur le genre 2021-2025, rapport intermédiaire", Institute for Equality of Women and Men, November 2023, page 8, available at <https://igvm-iefh.belgium.be/fr/themes/violences/politiques>.

6. NAP, axis no. 2, measure nos. 16 to 26.

7. Article 6 of the Law on Femicide requires that when adopting and implementing any decision, policy or measure falling under the scope of this law, a gender perspective must be applied.

8. See Joint Circular No. 04/2006, revised in 2015, page 4. Circular No. 03/2006 of the College of Prosecutors at the level of Appeal Courts further explains the relationship between these definitions (page 6).

9. Law on Femicide, Article 4. GREVIO will therefore use the term "domestic violence" to refer to intra-family violence throughout this report.

10. For example, femicide is defined as the intentional homicide of a woman because of her gender or the death of a woman resulting from practices that cause harm to women, whether the intentional homicide or harmful practices are committed by a partner, a family member or a third party. Coercive control is understood as coercive or controlling behaviour, such as an act or series of acts of aggression, threats, humiliation, intimidation or other abuse used to hurt, punish or frighten the victim, which is continuous or repeated, and causes psychological harm. See Article 4 of the Law on Femicide.

15. GREVIO welcomes the shift towards a gender perspective in policy making on violence against women at the federal level and encourages the Belgian authorities to pursue efforts to ensure that such a perspective is rolled out in all policies and measures for the implementation of the Istanbul Convention at all levels of government. This should be done through the promotion of a common conceptual reference framework and operational guidelines shared by all authorities, at federal, regional and community levels.

B. Comprehensive and co-ordinated policies (Article 7)

16. Article 7 of the Istanbul Convention requires parties to take co-ordinated and comprehensive measures to prevent and combat all forms of violence against women. Policies must ensure effective co-operation and place the rights of victims at their centre. This includes taking into account and addressing the specific circumstances and barriers experienced by women exposed to or at risk of multiple forms of discrimination,¹¹ in line with Article 4, paragraph 3, of the convention. Ensuring service delivery, effective protection and justice with a comprehensive understanding of intersecting forms of discrimination is a fundamental element of building trust among all women and girls.

17. In its baseline evaluation report GREVIO had strongly encouraged the Belgian authorities to take measures to foster greater co-ordination and consistency in the policies and measures in the field of violence against women between the various levels of government and to remedy the fragmentation of co-ordination and consultation bodies by setting up a forum for dialogue at federal level that would include stakeholders from all relevant backgrounds.

18. GREVIO welcomes the fact that the adoption of the present federal NAP (2021-2025) followed an inclusive consultation process with civil society from all parts of the country.¹² GREVIO further commends the fact that the NAP embodies measures driven by the findings made by GREVIO in its baseline evaluation report and the recommendations of the Committee of the Parties, thereby successfully transforming these findings and recommendations into national goals underpinned by concrete measures.¹³ GREVIO also welcomes the fact that the NAP targets most if not all forms of violence against women covered by the Istanbul Convention, and specifically focuses on forms of violence against women occurring in the digital sphere.¹⁴

19. The authorities' main response to the fragmentation of policies as identified by GREVIO in its baseline evaluation report was the creation of a new interdepartmental co-ordinating group uniting policy makers at federal, regional and community levels (*le groupe interdépartemental de coordination*, GID) which meets at least twice a year. The GID is tasked with supervising the implementation of the NAP, together with the National Platform of Civil Society Organisations ("the Platform") – an independent body composed of members of civil society organisations.¹⁵ The GID meets separately from the already existing Interministerial Conference on the Rights of Women (CIM),¹⁶ which comprises members from different levels of government working in the field of gender equality.

20. GREVIO notes with satisfaction the information provided by both governmental and civil society interlocutors that extensive consultations with members of civil society took place in the process of preparing the NAP and the other action plans. The Platform currently

11. These include, but are not limited to, women from national and/or ethnic minorities, Roma women, migrant, asylum-seeking and refugee women, women with disabilities, women without a residence permit, LGBTI women, women from rural areas, women in prostitution and women with addiction issues.

12. State report, page 16.

13. Recommendations on the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Belgium, IC-CP/Inf(2020)8, page 3, available at <https://rm.coe.int/ic-cp-inf-2020-8-rec-cop-belgique-fre/pdfa/1680a0be8b>.

14. One of the specific measures under Axis 3 of the NAP.

15. The NAP lists all the bodies that make up the GID. See the NAP, pages 132-135. For the body composed of civil society members, see Article 8, Financial resources, below.

16. Interministerial conference for the rights of women (*Conférence interministérielle relative aux droits des femmes*), created in 2019.

enlists 16 organisations selected through a public call, which are remunerated for their work.¹⁷ In March 2024 the Platform produced an intermediate evaluation of the implementation of the NAP.¹⁸ Other relevant documents, including a final evaluation of the NAP, should be prepared by the Platform in the near future. The Platform can provide opinions on issues concerning gender-based violence at the demand of the GID or other authorities, or on its own initiative. The 2021-2025 NAP is the first plan that will be evaluated under this double supervision procedure.¹⁹ This can significantly strengthen the co-operation with civil society organisations and contribute to better informed policy making and to policies and measures that better meet the needs of women victims of violence.

21. The Institute for Equality of Women and Men (IEFH), which is the co-ordinating body within the meaning of Article 10 of the convention, is the federal body tasked with co-ordinating the implementation of policies at all levels of government. It has already prepared a midterm evaluation report on the NAP, in addition to the one prepared by the Platform. Both bodies should prepare final reports on the implementation of the NAP in the course of 2025.²⁰ GREVIO commends the introduction of the dual evaluation process concerning the federal NAP and the increased and formalised involvement of women's rights organisations, and notes that similar involvement of civil society organisations should be implemented in the evaluation of action plans at the level of federated entities.

22. GREVIO notes that Belgium currently has four action plans in the field of violence against women running in parallel – one federal, and three at the level of federated entities, which are designed and supervised by different levels of government, with no plans to adopt a more unified approach in this field in the near future. Moreover, it does not appear that there is much co-ordination in the implementation of these action plans, nor that the overlaps and links between them are explored or mitigated in an effective way.²¹ While this is linked to the complex constitutional set-up of the country, GREVIO cannot but note that these action plans also have different priorities and goals, and that their simultaneous implementation without sufficient co-ordination may lead to a variation in outcomes and differences in the responses to the forms of violence they cover. With different concepts in use and forms of violence against women covered, regional variations will remain pronounced. Against this background GREVIO again stresses the need to harmonise the policy priorities between the different levels of government. GREVIO points to the importance of strengthening the co-ordinating role of the IEFH so as to guarantee that all women victims of forms of gender-based violence covered by the Istanbul Convention benefit from the same policies and political priorities for preventing and combating violence against women and thus have access to the same rights and services throughout the country. One way to achieve this would be to use the objectives, measures and reporting mechanisms of the federal NAP as a common framework for all other policy documents, which would be guided by the federal NAP. The adoption of a new federal NAP for the period beyond 2025, as announced, is an opportunity to achieve this.

23. When it comes to women victims of violence exposed to intersectional discrimination, GREVIO welcomes the fact that the NAP addresses the specific needs of LGBTI women victims, women with disabilities, women from a migrant background and women in prostitution.²² It should also be noted that Belgium has adopted other programmatic documents addressing women victims of violence faced with intersectional discrimination. These are the federal action plan on persons with disabilities (2021-2024), the federal action plan on LGBTQIA+ persons (2021-2024), the Brussels Capital region action plan against nightlife sexual violence, the circular on the protection of victims of domestic violence admitted to Belgium for family reunification purposes of 15 June 2023 and other regional and community-level plans and instruments. GREVIO points to the importance of also duly addressing in the national policy framework on violence against women the specific needs of asylum-seeking and refugee women, women from rural areas, elderly women, women with intellectual disabilities and women with addiction issues.

17. State report, page 18, and the NGO submission by the Feminist Platform against Violence against Women, page 7.

18. The report is available on the site of the IEFH. See, *Mise en oeuvre du Plan d'action national de lutte contre la violence basée sur le genre 2021-2025*, rapport intermédiaire, cited above.

19. NAP, page 132.

20. State report, page 18.

21. See, for example, the NGO submission by GAMS and End FGM, page 5.

22. NAP, page 13.

24. While welcoming the reforms undertaken to improve the co-ordination of policies, GREVIO recalls the findings issued in its baseline evaluation report and strongly encourages the Belgian authorities to take measures to ensure greater consistency of policies and measures between the different levels of authorities.

25. GREVIO encourages the Belgian authorities to:

- a. ensure that policies and measures taken to prevent and combat violence against women and domestic violence address the needs of women and girls who are or might be exposed to intersectional discrimination, in particular asylum-seeking and refugee women, women from rural areas, elderly women, women with mental disabilities and women with addiction issues;
- b. evaluate, on a regular basis, policies that aim to achieve the comprehensive and co-ordinated policy approach required by the Istanbul Convention. Such evaluations should be carried out on the basis of predefined indicators in order to assess their impact and ensure that policy making is based on reliable data.

C. Financial resources (Article 8)

26. Article 8 of the Istanbul Convention aims to ensure the allocation of appropriate financial and human resources for activities carried out by public authorities and by relevant non-governmental and civil society organisations.²³

27. In its baseline evaluation report, GREVIO had noted that although funds were made available to both public authorities and women's rights organisations for the implementation of policies, the sources and amounts of funding allocated were not clearly delineated in the respective federal and federated budgets. It had therefore strongly encouraged the authorities to ensure that the amounts allocated to preventing and combating violence against women and the funding lines dedicated to the various activities in this domain be easily identifiable. GREVIO had further identified a need to give increased recognition to the work of specialised women's rights organisations, supported by sustainable funding.

28. As already highlighted in GREVIO's baseline evaluation report, the structure of the Belgian state implies that funds are allocated by different levels of authority according to the division of competences. Against this background, GREVIO notes with satisfaction that the Belgian authorities have delineated the specific amounts dedicated to the prevention of and fight against violence against women by all entities involved, and that the amounts have, on the whole, increased over the past several years.²⁴ The measures in the NAP appear to be well supported financially at the federal level. The financial support allocated to the IEFH has also increased by means of the "Go for equality" funding package adopted by the Federal Council of Ministers in 2022.

29. GREVIO notes that at the level of federated entities a similar increase in budgets can be seen. However, important differences between federated entities remain, which do not allow a full analysis to be made of the total means allocated. The Brussels Capital region and Wallonia have budget lines specifically devoted to programmes and measures concerning gender-based violence. According to the information received from the Flemish authorities, substantial budgetary means are allocated to gender equality and service provision, but it appears that this funding envelope also caters to the needs of a wider scope of victims, including those taken care of by the Centres for General Well-being (Centra voor Algemeen Welzijnswerk, or CAWs), the Flemish Centre for Reporting Transgressive Behaviour (Vlaams Meldpunt Grensoverschrijdend Gedrag), the Flemish Child Abuse Expertise Centre (Vlaams Expertisecentrum Kindermishandeling) and other service providers, which makes the budget lines dedicated to violence against women difficult to identify. GREVIO notes that, on the whole, funding is made available to programmes for the prevention of

23. Explanatory Report to the Istanbul Convention, paragraph 66.

24. State report, pages 58-61.

domestic and sexual violence and for services for victims of such forms of violence, and, to a lesser extent, for other types of violence covered by the Istanbul Convention.

30. According to the information provided by the authorities, a part of the federal budget is allocated towards gender equality every year (0.02% in 2023), which includes preventing and combating gender-based violence. At the federal level, an obligation to apply gender-sensitive budgeting was introduced in 2007 and has been fully implemented since 2010.²⁵ In the Brussels Capital region and Wallonia gender-sensitive budgeting was introduced in 2016 and 2017 respectively, but this is yet to be implemented in Flanders.

31. Concerning the funding of women's rights organisations, GREVIO notes with satisfaction that several new lines of funding have been introduced at the federal level, including by means of the "Go for equality" programme mentioned above. Notably, the Royal Decree of 2 October 2023 allows for the IEFH to award additional federal multi-annual grants, including to women's rights organisations. Under the provisions of the decree, 10 coalitions of organisations and five individual organisations are financed by the IEFH for a period of five years to work on different projects under the umbrella of gender-based violence.²⁶

32. The Brussels Capital region has reformed its structures for financing NGOs and has moved towards a more stable and sustainable system of financing. The Flemish community also recently reformed its system of funding for NGOs, creating more space for sustainable, long-term financing.²⁷ Five-year financing agreements with four women's rights organisations had been concluded under this new scheme as of January 2025. GREVIO welcomes these developments, which strengthen the role of women's rights organisations in policy making and allow for a more stable system of provision of specialist support services to women victims of violence.

33. Although the funding schemes for women's rights NGOs differ between the different levels of authority, GREVIO notes an overall policy shift towards supporting coalitions of associations instead of individual, grassroots organisations that have direct experience of working with women victims. This particularly impacts organisations working with migrant and refugee women, many of whom are organisations focusing on the needs of a single migrant community and are able to provide responses adapted to the needs of such women. While this tendency may allow for a broader impact of the funding awarded, it may also lead to reduced opportunities for individual or community organisations that may lack the capacity to participate in large calls for funding.²⁸

34. While welcoming the increased, sustainable funding sources made available for women's rights organisations, GREVIO encourages the Belgian authorities to:

- a. take further measures to ensure that the amounts allocated to preventing and combating violence against women by all levels of government are identifiable;**
- b. pursue efforts to implement gender-responsive budgeting at all levels of government;**
- c. ensure appropriate and sustainable funding for women's NGOs that run specialist support services for women victims of all forms of violence, including smaller community-based NGOs, through funding opportunities that allow for continuous, sustainable service provision.**

25. See <https://igvm-iefh.belgium.be/fr/themes/gender-mainstreaming/mise-en-oeuvre-de-la-loi/gender-budgeting>.

26. Royal Decree of 2 October 2023, available at https://etaamb.openjustice.be/fr/arrete-royal-du-02-octobre-2023_n2023046236.html#:~:text=La%20p%C3%A9riode%20couverte%20par%20un,une%20autre%20forme%20de%20subventionnement.

27. By means of a decree of the Flemish Parliament of 22 March 2024.

28. NGO submission by the Feminist Platform against Violence against Women, page 21.

D. Data collection (Article 11)

35. Preventing and combating violence against women and domestic violence requires evidence-based policy making. The collection of systematic and comparable data from all relevant administrative sources is crucial in this regard, as is information on the prevalence of all forms of violence against women.

1. Law-enforcement agencies and the justice sector

36. In its baseline evaluation report, GREVIO had found serious shortcomings regarding data collection on violence against women by the Belgian authorities. Accordingly, it had urged them to regularly publish federal data on violence against women; improve the categories of data collected, including data on victims, especially of gender-related killings; make it possible to investigate cases of such killings and improve knowledge about the victims and the event; and introduce an integrated system of statistics shared between the police and the justice and healthcare sectors, to allow for each individual case to be followed through the different steps of the criminal justice system. The Committee of the Parties to the Istanbul Convention, in its conclusions on Belgium, had similarly emphasised the need to continue efforts in terms of administrative data collection on violence against women, including by law-enforcement agencies, the judiciary, social services and the public health sector.²⁹

37. The collection of data at national level is done by 10 different types of institutions, comprising both federal and regional entities. With regard to law enforcement, data on reports of violence against women are collected and disaggregated at the federal level per type of violence, corresponding to almost all types of violence covered by the Istanbul Convention.³⁰ The federal police have reformed their recording tools to provide sex-disaggregated statistics on victims and can now provide data disaggregated by sex and age (minor/adult). The relationship between perpetrator and victim is only recorded in cases involving reports of female genital mutilation (FGM).³¹ GREVIO notes with concern that the persistent lack of recording of the relationship of the victim to the perpetrator hinders the ability to identify cases of violence against women within intimate partner relationships and to differentiate them from other types of domestic violence.

38. Judicial statistics are collected at the federal level by the College of Prosecutors (*Collège des procureurs généraux*) and the Criminal Records Office of the Ministry of Justice (*Casier judiciaire, Service Public Federal Justice*), concerning data at the level of prosecution and at the level of courts, respectively. Significant gaps remain as to the statistics collected by the prosecution services, given that they only record the sex and age of the victim and the perpetrator, but not the relationship between the perpetrator and victim, apart from in cases involving FGM.³² Moreover, data are still not recorded on instances of gender-related killings or forced sterilisation.³³ According to information received from the Federal Ministry of Justice, courts do not collect data on convictions for sexual violence disaggregated by the sex of the victim or the perpetrator, nor as regards their relationship. Last, GREVIO notes with concern that the Criminal Records Office of the Ministry of Justice does not collect data on convictions disaggregated by sex, or by the type and length of sentences, concerning any type of violence against women covered under the Istanbul Convention.

39. GREVIO welcomes the fact that data on the number of emergency barring and protection orders issued are systematically collected and compiled by the College of Prosecutors, but the shortcomings relating to the lack of disaggregation by relationship between the victim and the perpetrator apply in this case as well.

29. Conclusions on the implementation of recommendations in respect of Belgium adopted by the Committee of the Parties on 31 May 2024.

30. Data are collected on domestic violence (subdivided by type), sexual violence, rape, sexual harassment, forced marriage and forced cohabitation, and FGM. State report, page 66.

31. State report, page 67.

32. State report, page 68.

33. See, for example, the NGO submission by the Feminist Platform against Violence against Women, pages 21-22. Also see “Femicides: Belgium is still lagging behind in data collection”, European Data Journalism Network, 30 April 2024, available at www.europeandatajournalism.eu/cp_data_news/femicides-belgium-is-still-lagging-behind-in-data-collection/.

40. GREVIO notes that differences between the electronic databases used by law enforcement, the prosecution and the courts still do not allow for the integration and exchange of data between these services. The platforms use different data categories, and the fact that judges can re-categorise the crime brought before them in practice removes the possibility to follow the evolution of individual cases. This discrepancy has been identified by multiple stakeholders as one of the major obstacles in the creation of a unified database that would allow for the tracking of cases across the criminal justice system. GREVIO also notes that the fragmentation of data collection between several institutions makes it difficult to obtain a comprehensive overview of how cases of violence against women are handled by the criminal justice system, including attrition rates.

41. GREVIO nonetheless notes that significant reforms in this sector are pending. The second specific objective under axis no. 2 of the NAP prescribes 11 measures that aim to improve data collection.³⁴ Further to this, conducting research on the impact of gender-based violence on women with a disability is also envisaged in the NAP.³⁵

42. Another significant undertaking in this field is contained in the Law on Femicide, which requires from law enforcement and the judiciary that they collect data on gender-related killings, including all relevant data categories, and that the IEFH publishes such data in an anonymised form.³⁶ The law also prescribes an obligation for the IEFH to publish studies on the cases of gender-related killings every two years. While noting that these provisions of the law will only come into force on 1 October 2025, GREVIO welcomes this development and the fact that the IEFH is co-ordinating the process of reform in the domain of data collection.³⁷

2. Healthcare sector

43. In its baseline evaluation report GREVIO had observed that there was a lack of data collection by healthcare institutions in Belgium. The data collected by public hospitals had been insufficient and were only broken down by the sex and age of the victim.

44. The public health sector in Belgium, including hospitals, does not collect data on women and girls who seek help from or contact the health sector as a result of their experiences of violence. A manuscript mention may be made in a patient's file of an incident, but even so, these data cannot be extracted, anonymised or communicated outside the healthcare system. Two exceptions exist: for instances of FGM where data are collected by hospitals and centralised by INAMI – the national health insurance body – and for sexual violence concerning victims who have used the services of sexual violence centres (CPVS/ZSG).

45. One positive development since the adoption of GREVIO's baseline evaluation report has been the expansion of the network of the CPVS/ZSG, which collect data on sexual violence from victims that have used their services. According to Article 56 of the new Law on the CPVS/ZSG, data are collected on the victim and the nature of the violence and, according to Article 54 (§ 3), anonymised data can be transferred and used by the IEFH for the purpose of creating statistical and scientific studies and analysing the work of the CPVS/ZSG.³⁸ GREVIO also notes with interest that a project to step up data collection by the CPVS/ZSG is underway.³⁹

3. Social services

46. In its baseline evaluation report GREVIO had observed that laudable efforts to collect data on violence against women by the different social services had been made by the French-speaking community and the region of Wallonia, which had recently introduced legislative changes to make

34. Axis no. 2 of the NAP, page 28.

35. Specific measure no. 25 of the NAP.

36. Article 9 of the Law on Femicide.

37. A working group has been created by the IEFH to work on the implementation of these provisions.

38. *Loi relative aux Centres de Prise en charge des Violences Sexuelles*, published on 24 April 2024.

39. State report, page 157.

mandatory the collection of disaggregated data by reception centres for asylum seekers for violence and by services working with children and young infants.

47. The social services operating in Wallonia continue to collect data on violence against women, disaggregated by the type of violence, the sex and age of the victim and any disability. The French-speaking community's body for youth services and youth protection (*L'Administration générale de l'aide à la jeunesse*) operates a database where data are collected about violence against girls, providing information on the sex of the victim and the type of violence.

48. GREVIO welcomes the fact that the Safe Homes, which offer multidisciplinary work with victims of violence in Flanders, use a specialised data-collection platform (WIDA) that records the path of each victim through the social services system, their sex, age, information on risk assessment, the type of violence experienced and any judicial and other measures.⁴⁰

49. GREVIO notes that while reforms in the linguistic communities and in the three regions are ongoing in the field of data collection, priority is given to data collected by the judiciary and law enforcement but less so to that collected by social services. GREVIO highlights that social services often work with victims who do not necessarily report violence and are therefore a useful source of information on the prevalence of violence against women, which can complement the data collected by the police and the judiciary.

50. **While noting the efforts made by the Belgian authorities to improve data collection on violence against women, GREVIO urges them to:**

- a. **ensure that data collected by law-enforcement agencies, judicial authorities, the healthcare sector, social services and specialist support service providers are disaggregated with regard to sex, age, type of violence and the relationship of the perpetrator to the victim, geographical location and other factors deemed relevant; data collected by public and private healthcare providers should encompass all contact made by victims of violence against women with all other healthcare providers, including for experiences of violence beyond physical violence;**
- b. **harmonise data collection between law-enforcement agencies and the judiciary, with the aim of allowing for the tracking of a case across the different stages of the criminal justice system and thus enabling an assessment of, *inter alia*, conviction, attrition and recidivism rates.**

40. For more details on the work of the Safe Homes, see Article 18, General obligations, below.

III. Analysis of the implementation of selected provisions in priority areas in the fields of prevention, protection and prosecution

A. Prevention

51. Chapter III of the Istanbul Convention contains a number of general and more specific obligations in the area of prevention. This section analyses the progress made since the baseline evaluation monitoring procedure in terms of the implementation of early preventive measures. It also covers the progress made in the implementation of the more specific preventive measures provided under this chapter in the areas of education, training of all relevant professionals and perpetrator programmes. Ensuring the effective prevention of all forms of violence against women and domestic violence is an important step in rendering it unacceptable and reducing levels of perpetration.⁴¹ In turn, effective prevention empowers women and girls to speak out about their experiences and seek support and protection.

1. General obligations (Article 12)

52. Article 12 sets out a number of general preventive measures that represent the overarching principles of the parties' duty to prevent violence against women. These include the requirement to promote changes in the social and cultural patterns of behaviour of women and men, with a view to eradicating prejudices, customs, traditions and all other practices based on the idea of the inferiority of women or on stereotyped roles for women and men. A positive contribution to achieving such change can be made by men and boys acting as role models and advocates for equality between women and men and mutual respect, including by speaking out against violence, engaging other men in ending violence against women or actively taking on caring responsibilities. Moreover, flowing from the premise that violence against women is a cause as much as a consequence of gender inequality, Article 12 further requires that parties adopt specific measures to empower women in order to enable them to recognise and reject discrimination, unequal power relations and, ultimately, reduce women's vulnerability to violence and achieve greater gender equality.

53. In its baseline evaluation report GREVIO had underlined that Belgium had made laudable efforts when it came to awareness raising at all levels of government – federal, regional and community. At the same time, it had highlighted those existing campaigns had insufficiently focused on primary prevention and it had strongly encouraged the authorities to adopt guidelines on awareness raising, while taking into consideration the needs of vulnerable groups of women, including women with disabilities, and to monitor the implementation of such campaigns.

54. GREVIO welcomes the wide range of measures to promote gender equality and in particular the awareness-raising measures on violence against women and gender equality that continue to be implemented in Belgium by all levels of government and notes with satisfaction that some effects are already visible. For example, according to the 2024 EIGE Gender Equality Index, the percentage of women in Belgium who had experienced physical and/or sexual violence in the past 12 months and had not told anyone was of 19%, significantly lower than the European Union average (31%).⁴²

55. GREVIO notes the existence of numerous awareness-raising projects on domestic and sexual violence, but also on forced marriage and FGM, and particularly welcomes the increased efforts of the linguistic communities to raise awareness among young people and the media.⁴³ For example, a code of conduct on the topic of sexist and hypersexualised advertising based on gender stereotypes was adopted by the French-speaking community, and the agreement between the Flemish government and the Flemish public regional television channel VRT foresees action to

41. The importance of this endeavour has been reiterated and strengthened through the Dublin Declaration on the Prevention of Domestic, Sexual and Gender-Based Violence, adopted in Dublin, Ireland, on 30 September 2022, by 38 member states of the Council of Europe.

42. EIGE Gender Equality Index, 2024, available at <https://eige.europa.eu/gender-equality-index/2024/country/BE>.

43. State report, pages 87-92.

promote more equal representation of women and men.⁴⁴ In addition, several measures have been taken to improve the reporting of violence against women at institutions of higher education. GREVIO also notes the efforts made to raise awareness in the area of sports. Notably, “Sportieq”, the recently merged Flemish authority on health and ethics in sports, offers athletes of all categories, coaches and parents training on the detection and reporting of inappropriate sexual behaviour. Several awareness-raising measures on violence targeting youth in sports have also been undertaken by the French-speaking community, which GREVIO welcomes.

56. At the federal level GREVIO similarly notes an effort to develop awareness-raising measures on violence against women and promote gender equality more broadly. It particularly commends the campaign targeting healthcare professionals, aimed at increasing their knowledge and capacity to recognise signs of intimate partner violence, sexual violence and FGM.⁴⁵ Also of note is the “Operation consent”, aimed at raising awareness among young people and the general public about the issue of consent in sexual relations and the support that can be obtained from the CPVS/ZSG in cases of sexual violence.⁴⁶ These awareness-raising efforts are directed at men and boys as well as at women of migrant or foreign origin residing in Belgium.

57. Various campaigns supported by (multi-)annual funding were conceived to address many forms of violence covered under the convention, at federal, regional and community levels, such as domestic violence, sexual harassment, sexual violence, forced marriage and FGM. In particular, GREVIO notes with satisfaction the concerted efforts regarding FGM, for which awareness-raising measures were drawn up in close co-operation with and based on the expertise of GAMS,⁴⁷ a specialist civil society organisation operating in all three regions of the country and supported by all levels of government. For example, a campaign to increase the visibility of the two multidisciplinary specialist support centres for victims of FGM operating in Ghent and Brussels was undertaken in 2023. The comprehensive long-term “We See You” campaign, initiated by the Flemish authorities and aiming to increase awareness concerning sexual violence among youth, is also of note. Since 2023, the campaign has paid special attention to issues such as spiking,⁴⁸ non-consensual distribution of images of a sexual character and violence occurring in the digital sphere.

58. GREVIO welcomes the wide-reaching and diverse awareness-raising measures taken by the Belgian authorities but points to the persistent lack of focus on primary prevention that would address patriarchal attitudes. Moreover, GREVIO notes that the authorities’ efforts remain largely concentrated on disseminating information about victim support services and the detection and reporting of violence, with less attention placed on deconstructing long-held attitudes and beliefs towards women and girls, their role in society and in relationships. While noting the ongoing awareness-raising measures, it underlines the importance, in prevention work, of promoting a gendered understanding of violence against women, including through the recognition of inequalities between women and men as one of the root causes of such violence. GREVIO also points to the need to adapt awareness-raising measures to reach groups such as women exposed to intersectional discrimination, particularly Roma women and women with disabilities.⁴⁹ GREVIO also notes that awareness-raising measures in respect of violence committed in the digital sphere are insufficiently represented, especially in view of rising prevalence of this form of violence.⁵⁰ Last, it is equally important to undertake impact assessments of any awareness-raising campaigns and

44. State report, pages 79-82.

45. The programme started in 2024. For more details, see <https://operationalerte.be/>.

46. See <https://planinternational.be/fr-be/publications/notre-offre>.

47. Groupe pour l’Abolition des Mutilations Sexuelles Féminines, des Mariages Forcés et autres pratiques traditionnelles néfastes à la santé des femmes et des enfants (GAMS).

48. Spiking is the act of putting a drug in someone’s drink to make them unconscious, extremely tired, or unable to function normally. See <https://dictionary.cambridge.org/dictionary/english/spiking>. Also see 4th General Report on GREVIO’s activities (January to December 2022), available at <https://www.coe.int/en/web/istanbul-convention/grevio-annual-reports>, page 39, with further references.

49. A positive example in this regard is the Stop Violence webpage (<https://stop-violence.brussels/en/victim>) which maps all the available services for victims of violence in the region, in several languages, while dedicating special attention to the needs of women with addiction, women with disabilities, LBTI women, women in prostitution, women in a precarious administrative situation and women at risk of homelessness.

50. NGO submission by the Feminist Platform against Violence against Women, page 24.

primary prevention measures taken in order to ensure their relevance and to allow for the possibility to adjust them.

59. GREVIO encourages the Belgian authorities to:

- a. ensure that a stronger focus is placed on primary prevention efforts in relation to all forms of violence against women;**
- b. carry out more preventive work to specifically address gender-based violence experienced by women and girls exposed to intersectional discrimination;**
- c. carry out regular impact evaluations to assess the effect of the awareness-raising measures.**

2. Education (Article 14)

60. The drafters of the convention recognised the important role that formal and informal educational settings play in addressing the root causes of violence against women and girls. Article 14 therefore requires the design of teaching material that promotes equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships and the right to personal integrity and informs learners of the different forms of gender-based violence against women, adapted to the age and capacity of learners and where parties deem appropriate. The obligation to promote these principles extends to informal educational facilities as well as any sports, cultural and leisure facilities. In this context, GREVIO underlines the importance of informing parents about the content and objectives of related courses, the qualifications of the persons providing the courses and to whom any questions can be directed.

61. In its baseline evaluation report GREVIO had observed that all three communities had made efforts to integrate the elements of Article 14 of the convention into the school curricula at different levels of education, and it had encouraged the authorities to pursue their efforts to equip pupils with such knowledge and skills.

62. Since then, the French-speaking community has taken several notable steps towards further implementing the requirements of Article 14. It has expanded the use of the “education in relationships, emotions and sexuality” programme (*Éducation à la vie relationnelle, affective et sexuelle*, “EVRAS”), which now includes four hours of workshops on such issues per year, mandatory in the sixth grade of primary and fourth grade of secondary education.⁵¹ GREVIO welcomes this development, given the fact that EVRAS covers subjects such as tackling stereotypical gender roles and raising awareness about gender-based violence. It is taught by external trainers, including from women’s rights NGOs. EVRAS complements the already existing “citizenship education” programme (*Éducation à la citoyenneté*), which is mandatory in primary and secondary education and covers issues such as gender stereotypes, gender equality and gender identity.⁵² Similarly, substantial efforts have been made to integrate some of the elements of Article 14 into the initial education of teachers, thereby facilitating the transmission of relevant knowledge to pupils. The efforts undertaken through the organisation Garance to train pupils and education professionals to identify and report violence (whether pupils have been victims of or exposed to it) are also significant. A practical guide for professionals working in education was also created, which covers the topics of detecting gender-based violence against women, forced marriage, sexual violence, violence in romantic relationships and harassment.

63. GREVIO notes with concern that the expansion of the EVRAS programme has been met with resistance among some parent groups.⁵³ It underlines that education programmes on emotional and sexual life validated throughout the school system are recognised as one of the most powerful means of primary prevention of violence against women and girls. GREVIO considers that the introduction and expansion of EVRAS is an essential tool for promoting equality between women and men and

51. EVRAS has been provided by the French-speaking community of Belgium since 2012. For more details on the programme, see GREVIO’s baseline evaluation report on Belgium, paragraph 70.

52. For all the topics covered under this programme, see www.enseignement.be/index.php?page=0&navi=4033.

53. See, for example, www.rtf.be/article/evras-les-parents-tres-inquiets-ne-sont-pas-tous-des-complotistes-11257732.

meeting the challenge posed by the proliferation of discourses that deny the existence of violence against women. It provides an opportunity to teach about the notion of freely given consent in sexual relations, the harmful effects of violent pornography and the impact that sharing intimate images of oneself or others can have. The aim is also to strengthen young people's commitment to essential principles such as equality between men and women, mutual respect and non-violent conflict resolution. In this respect, GREVIO stresses that experience shows that this type of programme, which aims to encourage the adoption of respectful and non-violent behaviour, helps to develop a better general atmosphere in schools. Therefore, GREVIO underlines that it is essential to conduct information campaigns to inform all stakeholders, and in particular parents, about the content and objectives of such programmes. The aim of these campaigns must be to refute the erroneous information and beliefs that are being disseminated about the aims of sexuality education, which are fuelling movements that could jeopardise the implementation of such programmes. Similarly, it is essential to inform parents about the training given to staff responsible for teaching this subject and about the bodies they can refer to if they have any questions.

64. The approach to education in the Flemish community is somewhat different. Numerous and diverse initiatives to educate pupils about personal boundaries, developing positive models of masculinity and non-violent resolution of conflicts, financed by the community authorities, are in place, some of which are implemented by civil society. GREVIO notes, however, that none of these initiatives have resulted in a mandatory inclusion in school curricula of the topics required under Article 14 of the convention and that schools are in practice free to choose the specific elements that are taught or to omit them entirely. While fully acknowledging the constitutional principle of the freedom of education that prevails in Belgium, GREVIO nonetheless points to the requirement to include teaching materials covering all issues under Article 14, paragraph 1, of the convention in formal curricula, adapted to the age and evolving capacity of learners. In this regard, GREVIO notes with regret that the EVRAS programme was withdrawn from the Flemish school curricula without a replacement.

65. The German-speaking community has also made efforts to include elements of Article 14, paragraph 1, in the school curricula, mainly through the subjects of ethics and history. However, GREVIO notes that this only includes the issues of personal integrity and non-violent resolution of conflicts. More efforts are thus needed to fully include all elements of Article 14 in the school curricula.

66. GREVIO strongly encourages the Belgian authorities at all levels of education to strengthen efforts to ensure the practical implementation of the requirement to impart knowledge on the elements listed in Article 14 of the Istanbul Convention, including the principles of equality between women and men, non-stereotyped gender roles, mutual respect and non-violent conflict resolution in interpersonal relationships, at all levels of education. Such efforts should include the notion of freely given consent in sexual relations. Measures taken in this context should be regularly evaluated by means of a unified set of indicators.

3. Training of professionals (Article 15)

67. Building society's trust by delivering support, protection and justice to women and girls with experiences of gender-based violence requires well-trained professionals across a wide spectrum of fields. The standard set by the Istanbul Convention in its Article 15 is that of systematic initial and in-service training of all those who deal with victims or perpetrators of all acts of violence. The training that is required must cover the prevention and detection of such violence, equality between women and men, the needs and rights of victims, and the prevention of secondary victimisation.

68. In its baseline evaluation report, GREVIO had found that the level of initial and in-service training offered to law-enforcement officers, the judiciary and healthcare professionals required strengthening and that it needed to be based on a gendered understanding of the different forms of violence against women. It had further noted that the obligation for certain professionals to undergo

training needed to be enshrined in law and that quality standards and standardised protocols needed to be adopted for all relevant categories of professionals.

69. As regards training of law-enforcement officers, GREVIO notes that the progress made since its baseline evaluation report consists largely of programmatic undertakings and the development of digital tools that aim to facilitate training delivery. It regrets that the project of adopting federal guidelines and protocols with a view to standardising the courses and requirements is still not finalised. Moreover, only a limited proportion of the initial training for law-enforcement officers in Belgium covers violence against women, and the provision of courses and their content continue to vary between regions and police academies. As for in-service training for law-enforcement officers, GREVIO regrets that it largely remains optional.⁵⁴

70. GREVIO welcomes the creation of a core training programme for professionals in contact with victims of gender-based violence against women, with particular focus on the law-enforcement sector.⁵⁵ It notes that the programme, developed under the supervision of the IEFH, is composed of several videos and a manual and aims to introduce a gender-sensitive approach the work of various professionals, by complementing the existing training programmes for the respective categories of professionals which are in contact with victims of violence. Moreover, GREVIO commends the training provided to officers working at the Emergency Victim Assistance (EVA) units in Brussels and the officers attached to the CPVS/ZSG centres across the country. Information brought to GREVIO's attention indicates that both of these categories of law-enforcement officers are well prepared in terms of training and knowledge on violence against women, in particular domestic and sexual violence.⁵⁶ However, indications made by women's rights organisations suggest serious concerns regarding the on-duty law-enforcement officers in charge of reception at police stations.⁵⁷ GREVIO highlights that these officers are the first persons that a victim encounters when she decides to report violence. These officers, regardless of their specialisation, should therefore receive trauma-informed training on violence against women as a matter of priority.⁵⁸ Moreover, GREVIO notes that the training offered to law-enforcement officers only covers domestic and sexual violence.⁵⁹

71. Concerning the judiciary, GREVIO notes with satisfaction that the reforms of the Judicial Code of 31 July 2020 have made training on sexual and intra-family violence mandatory for all students of the Judicial Academy.⁶⁰ What is more, Article 53 of the law prescribes that all appointed judges (civil and criminal) who have not already undergone in-depth training on these issues should attend a course within two years at the latest. This is expected to significantly reinforce the knowledge of judges and prosecutors in the future.⁶¹ This measure closes a gap in respect of initial and in-service training for judges. However, one ad hoc, in-service course might not be sufficient to ensure an adequate level of training for all judges and prosecutors. GREVIO also notes that training appears necessary on the use of measures for the protection of victims, the rejection of the so-called parental alienation syndrome in family law proceedings, and forms of violence against women other than domestic and sexual violence. While GREVIO underscores its full respect for the independence and autonomy of members of the judiciary, as well as for judicial autonomy in the organisation of training, it notes at the same time the unique and essential role the judiciary plays in applying the Istanbul Convention and incorporating its principles into national legislation. By virtue of this essential

54. Except in two cases, a one-day mandatory in-service training course provided the City of Antwerp and in-service training on online harassment for law-enforcement officers in the Brussels Capital region. On the latter, see the state report, page 103.

55. NAP, measure no. 50.

56. Information obtained during the evaluation visit.

57. Information obtained during the evaluation visit.

58. See Article 49, General obligations, and Article 50, Immediate response, prevention and protection, below.

59. The only exceptions made known to GREVIO are two police zones in Brussels offering training on sexual harassment and harassment on the streets, and the Brussels Capital region offering limited modules on forced marriage and harassment in the digital sphere. State report, pages 226 and 227.

60. Chapter 5 of the law introducing urgent changes to different matters in the field of justice (*Loi portant dispositions urgentes diverses en matière de justice*). The authorities underlined that this includes training on issues of violence in the digital sphere, such as non-consensual distribution of images of a sexual character.

61. Information obtained during the evaluation visit.

role, their decisions may directly engage states' responsibility.⁶² It is therefore of paramount importance that, when adjudicating cases in criminal and civil law pertaining to violence against women, such decisions are informed and based on appropriate specialist knowledge, addressing, *inter alia*, gender stereotyping. Indeed, this requires expertise on very complex phenomena such as trauma-induced victim behaviour; the "freeze, flop and befriend" reactions of victims of rape and the long-term harm and consequences of witnessing domestic violence on children, as well as in-depth knowledge of the standards of the Istanbul Convention. GREVIO wishes to highlight that changing attitudes among professionals in the judiciary is a long and arduous process, but one that could have a strong positive impact on victims' trust in the system for protection.

72. Initial and in-service training on violence against women for general healthcare professionals continues to be optional in Belgium. "Operation Alert", a federal e-learning programme for healthcare professionals that aims to help them better identify different forms of violence is a positive recent development.⁶³ This programme would further benefit from the inclusion of other e-learning modules such as on systematic screening for violence and on care for and/or referral of victims of domestic but also other types of violence covered by the Istanbul Convention.⁶⁴ Another example is the systematic, round-the-year training provided for professionals working with victims at the CPVS/ZSG. This training involves all the medical staff working at CPVS/ZSG, including doctors, psychologists, nurses and others. It is organised by the IEFH, as the co-ordinating body for these centres, and is generally based on the needs identified by the CPVS/ZSG staff themselves. GREVIO commends this way of organising training based on a needs assessment done by the CPVS/ZSG staff and highlights that this could be a model to replicate for the training of other healthcare professionals.

73. Moreover, GREVIO commends the fact that there has been an uptick in initiatives to train lawyers in violence against women since the adoption of its baseline evaluation report. In particular, the Lawyer Victim Assistance Project, launched in Brussels in 2023, provides lawyers with training on criminal and civil law aspects of domestic and sexual violence, including on working with victims faced with intersectional discrimination. The project, which also comprises the creation of a list of trained lawyers and the provision of a free initial legal consultation for victims, is financed by the federal authorities and the authorities in the Brussels Capital region. The initiative of the Flemish authorities and the Flemish bar association to provide additional training on sexual violence for lawyers, is also of note. GREVIO underlines the importance of training lawyers on violence against women so that they can effectively represent the perspective of women victims of violence in all proceedings and ensure their access to justice. It also stresses that high-quality legal representation can help regain the victims' trust in the judicial system.

74. Despite these substantial developments, GREVIO regrets that Belgium still lacks national quality standards for training courses for professionals, including standards on the need to have a gendered approach to violence against women. While there is no inventory of the various training courses and trainers available in the field of gender-based violence against women, the IEFH plans to maintain and update a centralised list of training available for law-enforcement agencies, the healthcare sector, mediators, lawyers, notaries and social workers, as prescribed in Article 17 of the Law on Femicide. This is a welcome first step in taking stock of the training available, which could be used as a basis upon which to draw up standards in the field of training on violence against women. Similarly, the expansion of training for the judiciary and the law-enforcement sector to include issues related to gender-related killings of women and girls, in addition to sexual and domestic violence, demonstrates a commitment to the prevention of violence against women and should significantly contribute to increasing victims' trust in the system.⁶⁵

62. The following are examples among many cases in the area of violence against women where judgments engaged states' responsibility under the European Convention on Human Rights: *Vuckovic v. Croatia* (Application No. 15798/20, 12 December 2023), *J.L. v. Italy* (Application No. 5671/16, 27 May 2021) and *Carvalho Pinto de Sousa Morais v. Portugal* (Application No. 17484/15, 25 July 2017).

63. See also the discussion on Operation Alert under Article 14, Education.

64. See the web page of the project dedicated to the e-learning module on violence: <https://operationalerte.be/e-learning/violences/>. Some topics such as identification and prevention of violence are covered in the modules. The inclusion of topics such as FGM, violence in the name of "honour" and forced marriage in the modules is under way.

65. Articles 18 to 25 of the Law on Femicide.

75. GREVIO also welcomes the fact that the involvement of civil society in designing and providing training has not only been maintained but is being increased at all levels. Among other things, the GAMS has been involved in the provision of training across linguistic communities and levels of government.⁶⁶ FEDASIL, the federal agency for reception of asylum seekers, has also extended its co-operation agreement with GAMS with the aim to raise awareness among the agency's staff about the specific needs of women victims and women at risk of undergoing FGM.

76. **Recalling the findings in its baseline evaluation report, GREVIO strongly encourages the Belgian authorities to:**

- a. introduce mandatory initial and in-service training for all levels of law-enforcement officials concerning all types of violence against women covered by the Istanbul Convention;**
- b. make initial and in-service training compulsory for all healthcare professionals that may come into contact with women victims of violence;**
- c. adopt and disseminate quality standards for training courses on violence against women that incorporate a gendered understanding of violence.**

77. **GREVIO further encourages the Belgian authorities to step up initial training for professionals working in the judiciary and to ensure that all such professionals undertake regular in-service training and that the impact of such training is regularly evaluated.**

4. Preventive intervention and treatment programmes (Article 16)

78. Perpetrator programmes are important elements of an integrated and comprehensive approach to preventing and combating violence against women. Under Article 16 of the convention, parties are required to set up or support programmes that prevent perpetrators of domestic violence and of sexual violence from reoffending and that support them in adopting non-violent behavioural strategies. Making the safety of, the support for and the human rights of victims a primary concern, these programmes are key elements in ensuring women's safety from known perpetrators. The convention requires their close co-ordination with specialist support services for victims.

a. Programmes for perpetrators of domestic violence

79. In its baseline evaluation report GREVIO had identified the need to incorporate a uniform gendered understanding that places an emphasis on the deconstruction of sexist stereotypes into programmes for perpetrators of domestic violence. It had further cautioned against the overuse of placement in programmes for perpetrators as alternative to conviction and the need to put in place safeguards when mediation and accountability training is used in situations of domestic violence. Last, it had underlined the need to have these programmes regularly evaluated in order to measure their impact.

80. Assessing the evolution of approaches taken by perpetrator programmes for domestic violence since then, GREVIO welcomes the focus most programmes place on achieving behavioural change and collaborating with women's specialist support organisations. On the other hand, national standards or national accreditation systems for such programmes do not yet exist. Moreover, the promotion of a gendered understanding of domestic violence with recognition for women's inequality with men as one of the root causes of such violence has not been integrated into all available programmes.⁶⁷ GREVIO therefore points to the newly developed European standards for Perpetrator Programmes, which align fully with the requirements of the Istanbul Convention and should serve as a basis for any efforts to expand and develop such programmes across Belgium.⁶⁸

66. See also Article 12, General obligations.

67. Information obtained during the evaluation visit.

68. For more details, see www.work-with-perpetrators.eu/european-standards-for-perpetrator-programmes.

81. The Centres for General Wellbeing continue to provide programmes for the treatment of perpetrators of domestic violence in the Flemish community. There are 11 CAWs in Flanders and Brussels, which provide individual and group residential and ambulatory programmes for adult and minor perpetrators. On the basis of the information received from the Flemish authorities describing the programmes implemented by the CAWs, GREVIO notes with concern that the methodology applied is broad and does not sufficiently incorporate a gender-sensitive understanding of violence. GREVIO further notes with concern that the programmes of the CAWs amount to psycho-social guidance offered to both victims and perpetrators with the aim of reducing recidivism. When needed, the CAW refers perpetrators to more specialised services, such as Safe Homes and women's rights organisations that operate specialised support services. These organisations work with perpetrators in a more specialised manner, focusing on taking responsibility for their acts and working to prevent the dynamic of violence from reoccurring.

82. In the French-speaking community the task of working with perpetrators of domestic violence is undertaken by Praxis and other civil society organisations. Praxis works with open and closed groups of perpetrators, on a court-ordered and voluntary basis, focusing on behavioural change and anger management. In 2023, Praxis organised around 25 group training events, in Brussels, Liège and Charleroi, with 827 new perpetrators entering the programme during that year. There has been no recent evaluation of the impact of these programmes. GREVIO also draws attention to the increasing delays in securing a place on these programmes.⁶⁹

83. Programmes in prisons are organised federally. "Project M" is one such example, implemented by civil society organisations. It focuses on working with detainees by constructing positive, non-violent models of masculinity, using internationally recognised methodology.⁷⁰

84. GREVIO draws attention to the declining accessibility when it comes to programmes for perpetrators. This decline is linked to increased waiting times to access programmes, particularly when it comes to voluntary programmes, which are deprioritised by service providers, who instead put the accent on admitting court-ordered participants. As a consequence, admission to a voluntary programme can often take a year, or even longer.⁷¹ It appears that while demand for both voluntary and court-ordered participation in programmes for perpetrators is on the rise, the number of available places has not increased to meet the demand.

85. **GREVIO encourages the Belgian authorities to:**

- a. **expand the number and increase the geographic availability of perpetrator programmes for domestic violence and ensure that they are widely attended, in particular by reducing barriers to voluntary attendance;**
- b. **develop common minimum standards for perpetrator programmes, in line with the principles of the Istanbul Convention, taking account of the need for a gender-sensitive approach and for perpetrators to examine and identify the patriarchal and misogynist nature of their values and attitudes, to take full responsibility for their actions and to modify their behaviour;**
- c. **collect data on the attendance of perpetrator programmes, and ensure their external evaluation, in line with recognised best practices and principles, in order to assess whether the programmes serve their intended preventive aims.**

b. Programmes for perpetrators of sexual violence

86. Programmes for perpetrators of sexual violence are organised differently between the communities. In the Flemish community they are organised by the mental health centres (*Centra Geestelijke Gezondheidszorg*, CGGs), which work with perpetrators attending programmes voluntarily (around 25%) and by court order (around 75%). There is at least one CGG per province, and according to data submitted by the Flemish authorities, the numbers of participants are growing

69. Information obtained during the evaluation visit.

70. State report, page 86. New initiatives for more regional involvement in such programmes are underway.

71. Information obtained during the evaluation visit.

year on year. To a smaller degree such programmes are also offered by CAWs. Information brought to GREVIO's attention indicates that while such programmes appear to have yielded good results in Flanders, additional financing and a better geographic availability of these programmes are necessary.⁷²

87. The CAW in Antwerp recently rolled out the programme COSA (*Cirkels van Ondersteuning, Samenwerking en Aanspreekbaarheid* – Circles of support, co-operation and accessibility), a pilot project for the reintegration of perpetrators of sexual violence with a moderate to high risk of recidivism, offering specialised support and therapy for convicted perpetrators who have already served their sentence. The programme targets the need to create space for perpetrators of sexual violence and rape within society if they are to successfully reintegrate by trying to prevent isolation and ostracism from other members of society, which the programme identifies as the key factor in preventing recidivism.⁷³ The programme's rollout to other areas and inside prisons is currently being examined.⁷⁴ Since 1 June 2024 a pilot programme has been run in the auxiliary prison of Dendermonde (Flanders), working on the reintegration of perpetrators of sexual violence. This project is carried out in co-operation between the federal and Flemish authorities and integrates 25 perpetrators serving a sentence for sexual violence. GREVIO notes with interest that more measures and programmes are planned in the near future according to the Flemish Government's Strategic Plan for Assistance and Services to Prisoners (2025-2030), and other plans and programmes of the Flemish authorities.⁷⁵

88. In the French-speaking community, the "Triangle" programme offers support for perpetrators of sexual violence. The programme comprises socio-educational therapy in groups and individually, for adult perpetrators enrolled as part of their sentencing. GREVIO notes with interest the recent evaluation of the impact of the programme, which demonstrated a 7% rate of recidivism at five years and 12% at 10 years.⁷⁶

89. While the increase in the availability of programmes for perpetrators of sexual violence in all regions of Belgium is a positive development, GREVIO notes that a significant number of the available programmes approach violence against women as an issue of mental health. GREVIO stresses the importance of ensuring that programmes for perpetrators follow an approach that incorporates an understanding of sexual violence against women as a phenomenon rooted in harmful notions of gender roles, encompassed by women's sexualisation and objectification driven by their inequality with men, and should therefore not solely be addressed as a mental health issue.

90. **GREVIO encourages the Belgian authorities to continue to increase the number and geographical availability of perpetrator programmes for sexual violence and ensure that they incorporate an understanding of sexual violence against women as a phenomenon rooted in harmful notions of gender roles.**

B. Protection and support

91. Chapter IV of the Istanbul Convention requires a multifaceted, professional and victim-oriented support structure for any woman or girl who has experienced any of the forms of violence covered by the convention. General and specialist support services that are victim-oriented, accessible to all and adequate in numbers greatly facilitate recovery by offering support, protection and assistance to overcome the multiple consequences of such violence. As such, they play a key role in offering a comprehensive and adequate response to the different forms of violence covered by the convention.

72. Information obtained during the evaluation visit.

73. See, for example, www.cep-probation.org/european-handbook-cosa-implementation-now-available/.

74. Flemish Action Plan for Sexual Violence, measure no. 53.

75. Flemish Action Plan for Sexual Violence, measure nos. 48, 49 and 52, and the Flemish Action Plan for Gender based Violence (2025-2029).

76. Information obtained from the authorities during the evaluation visit.

1. General obligations (Article 18)

92. Article 18 of the Istanbul Convention sets out a number of general principles to be respected in the provision of both general and specialist protective and supportive services for women victims of violence. One of these principles is the need for services to act in a concerted and co-ordinated manner, with the involvement of all the agencies concerned. More specifically, Article 18, paragraph 2, of the convention requires parties to put in place appropriate co-ordination mechanisms that can ensure effective co-operation among, *inter alia*, the judiciary, public prosecutors, law-enforcement agencies, local and regional authorities, NGOs and other relevant entities and organisations. In this regard, women's rights NGOs and specialist women's support services play an important role in guaranteeing that the rights of victims are safeguarded through multi-agency co-operation. Other general principles established under this article include the need for measures of protection and support to be based on a gendered understanding of violence against women, to focus on women's safety and human rights, taking into account the relationship between victims, perpetrators, children and their wider environment, and to address their needs holistically. Specialist support services must aim at the empowerment and economic independence of women victims of violence and avoid their secondary victimisation. This provision equally stresses the importance of ensuring that access to services is not subject to the victim's willingness to press charges or testify against the perpetrator.

93. In its baseline evaluation report GREVIO had pointed to the need to further enhance multi-agency co-operation and to ensure that the different forms of co-operation are firmly based on a gendered understanding of violence against women. It had further pointed to the need to harness and support the expertise and know-how of NGOs providing specialist support services that place a gendered understanding of violence at the centre of what they do.

94. The multidisciplinary and holistic approach to service provision is one of the cornerstones of the Belgian response to violence against women. GREVIO commends the fact that since the adoption of its baseline evaluation report additional organisations have been included in the work of existing multi-agency structures, additional such structures have been created, and the existing structures have been expanded. Multi-agency approaches to service provision now exist in relation to domestic violence, "honour"-related violence, sexual violence and FGM.

95. GREVIO notes the further expansion of the Safe Homes network to Halle, Leuven, Kortrijk, Ostend and Ghent in 2023 and the fact that the Flemish authorities have supported this expansion with funding.⁷⁷ The decree framing the goals and mission of the Safe Homes as one-stop shops was also adopted in 2024, giving these centres a legislative framework and ensuring their firm embedding in the wider network of support structures. GREVIO notes with interest the planned transformation of the Safe Homes into walk-in centres offering first-line services in the near future. It underlines the importance of ensuring that such a move be supported by adequate financial and human resources to ensure that the services provided continue to be of high quality.

96. GREVIO notes that the Safe Homes are dynamic places of collaboration comprising professionals from different backgrounds and expertise, working with victims of domestic, psychological and physical violence. In addition, GREVIO observed a readiness and ability by each centre to adapt to the needs of the local population, by expanding their work and expertise to, for example, violence committed in the name of "honour" and the needs of women from the Roma community, where needed. GREVIO notes, however, that the Safe Homes continue to fall short of implementing a clearly gendered approach to violence against women and fail to acknowledge this violence as rooted in patriarchal and sexist attitudes and inequalities between women and men. Due recognition of the gendered dynamics in domestic violence settings, including by institutions whose work is firmly rooted in multi-agency co-operation, is required if full compliance with the requirements set out in Article 18 of the Istanbul Convention is to be achieved.⁷⁸

77. See GREVIO's baseline evaluation report on Belgium, paragraph 107.

78. In the words of one NGO representative that GREVIO met with, "adopting a gender-based approach would validate victims, helping them realise that they did not make a wrong choice or have bad luck, but that there is a structural pattern at play in society [which resulted in the violence that occurred to them]".

97. Similar institutions operating on the basis of multi-agency co-operation are being developed in the Brussels Capital region and Wallonia. The Olista centre in Brussels opened its doors in April 2024, the first such centre in the region.⁷⁹ GREVIO notes with interest the region's aims to transform the Ollista centre into a fully-fledged focal point for multi-agency co-operation for victims of violence against women, connecting legal, psycho-social, administrative and medical support services. A similar initiative has been rolled out in Liège, adding to the already existing Espace VIF (*Espace violence intrafamiliale*) centre in Namur. The DIVICO (*Dispositif interdisciplinaire de lutte contre les violences dans le couple*) centre began operations in September 2023, with the idea of establishing a single focal point of co-operation for a variety of stakeholders working with women victims of violence, including social and healthcare services, law enforcement and the prosecution services. GREVIO welcomes the fact that both initiatives are based on a gendered understanding of violence against women.

98. When it comes to sexual violence, GREVIO commends the concerted work of the CPVS/ZSG, which include hospitals, law-enforcement agencies and the prosecution services in a one-stop-shop concept for victims of sexual violence. Moreover, GREVIO welcomes the adoption of a new law on these centres on 26 April 2024, which secures permanent funding and ensures a long-term, structured co-operation between the hospital, law-enforcement agencies and the prosecution services, and with other bodies such as support service providers for women victims of violence, across all regions of Belgium.⁸⁰

99. Last, GREVIO also welcomes the work of the multidisciplinary specialist support centres for victims of FGM, which provide holistic support and are well positioned within the framework of women's rights organisations, to which referrals can be made when this is in the best interests of the victim.

100. **Welcoming the various initiatives that have been put into place since the adoption of its baseline evaluation report, GREVIO encourages the Belgian authorities to ensure that multi-agency co-operation mechanisms on domestic violence and other forms of violence covered by the Istanbul Convention take a distinctly gendered approach and acknowledge violence against women as rooted in patriarchal attitudes and women's inequality with men.**

2. General support services (Article 20)

101. General support services, such as social services, health services and housing or employment services, must be equipped to offer support and protection to women victims of gender-based violence of all ages and backgrounds. Article 20 of the Istanbul Convention requires states parties to ensure that these services are adequately resourced and that the staff are adequately trained on the different forms of violence against women and are able to respond to victims in a supportive manner, in particular those that women and girls turn to first (most frequently health and social services).⁸¹ Their interventions are often decisive for a victim's onward journey towards a life free from violence and thus form a core element of a trust-based system of protection and support.

a. Social services

102. In its baseline evaluation report GREVIO had observed that further efforts were needed on the part of the authorities that provide social services across Belgium to meet the challenges of women victims of violence. This had been particularly the case regarding the economic aspects of violence, in particular in situations where the victim had left the shared residence and was in need of accessible housing.

79. The Ollista centre currently employs seven staff members and began working on cases in June 2024.

80. For more details on the work of the CPVS/ZSG centres, see Article 25, Support for victims of sexual violence.

81. Explanatory Report to the Istanbul Convention, paragraph 127.

103. GREVIO notes that in response to its own findings in 2020, the CIM at its fifth conference on 23 April 2024 approved a package of measures named “New Beginning” (*Pack Nouveau Départ*) which specifically targets the needs of women who want to leave an abusive relationship but are limited because of financial constraints.⁸² GREVIO welcomes the adoption, at the federal level, of such a well-targeted group of measures consisting of financial aid (rent deposit, rent payments and lawyer’s fees), legal aid, psychological support and assistance with employment. According to women’s rights organisations, the measures should come into force in the near future.⁸³

104. GREVIO also welcomes the reforms of the social housing scheme in Wallonia that now allow for a simplified procedure for victims of violence to obtain social housing. The key change brought about by the reforms is that requests for housing no longer need to be submitted in the first three months after the victim has left her domicile. Despite these reforms easing the accessibility of housing, GREVIO notes the overall insufficient availability of social housing, especially in larger cities such as Liège and Charleroi, which has a negative impact on the ability of women victims of violence to access housing.⁸⁴ GREVIO also welcomes the increased availability of psychological support services for women victims of violence and the introduction of additional training for women victims in Wallonia and the French-speaking community, aimed at facilitating their access to employment.⁸⁵

105. The CAWs offer a wide catalogue of services that women victims of violence can benefit from. These include counselling (including legal counselling), assistance with housing and various types of financial aid, many of which can be used by women victims to regain financial independence. GREVIO was alerted to concerns about the difficulties in prioritising women victims of violence in Flanders when it comes to access to employment and housing. While understanding that Flanders has been facing a shortage of housing in recent years, GREVIO is concerned that women victims of violence trying to access employment or housing face particular obstacles because of a lack of understanding of their specific needs on the part of the authorities.

106. General services in the German-speaking community are provided by several civil society stakeholders, which are supported by the authorities. However, GREVIO notes that there appears to be insufficient availability of social housing for women victims of violence in this community, particularly in the city of Eupen, where victims are often forced to wait several years before they are assigned appropriate accommodation.⁸⁶

107. As both the French-speaking and Flemish communities offer services in the Brussels Capital region, this creates some overlap and sometimes leads to situations where victims can only receive services from the providers associated with or subsidised by their respective linguistic community. Victims seeking aid from services funded by the other major linguistic community will, as a rule, be redirected to the respective service provided in their language, regardless of urgency. This, however, does not apply to victims outside of the two major language communities, for which interpretation is usually ensured. Women’s rights organisations providing services to women victims of violence informed GREVIO that they too were required to ensure service provision according to linguistic attachment and that non-compliance may result in the discontinuation of their funding.⁸⁷ GREVIO notes with concern that such limitations can lead to delays in the provision of crucial support services for victims of violence and that it may undermine their trust in the system of protection and support available in Brussels.

108. Another issue of concern is the extremely limited availability of housing in Brussels. According to the information available, women victims and their children often have to wait for several months before a social housing solution is found by the relevant authority, with no intermediate solutions offered. To alleviate some of these concerns, the authorities informed GREVIO that the

82. See, for example, www.rtbf.be/article/le-pack-nouveau-depart-une-reponse-pour-les-victimes-de-violences-conjugales-11363838.

83. See the NGO submission by the Feminist Platform against Violence against Women, page 31.

84. Information obtained during the evaluation visit.

85. Information obtained during the evaluation visit.

86. Information obtained during the evaluation visit.

87. Information obtained during the evaluation visit.

region has recently purchased several buildings, with their renovation already under way, with plans to purchase more in the near future.⁸⁸

109. GREVIO strongly encourages the Belgian authorities at all levels to step up their efforts to support the recovery and economic independence of women victims of violence throughout the country through general social services, including measures involving financial assistance, education/training and assistance in finding employment and housing, and to identify and reduce any existing barriers to such support services.

b. Healthcare services

110. In the area of healthcare services, in its baseline evaluation report GREVIO had observed a need for the authorities to improve the treatment of women victims of violence, in particular as regards identifying signs of different forms of violence. Another shortcoming – the failure to systematically deliver a certificate to the victims documenting the violence suffered – had similarly been observed.

111. As a rule, victims of sexual violence received at general hospitals are referred to CPVS/ZSG centres for specialised support.⁸⁹ However, concerning general hospitals, GREVIO notes that several of the problems identified in its baseline evaluation report persist, including: the insufficient detection of victims of violence against women and an absence of screening for violence; a lack of a gender-sensitive approach by medical professionals; and the difficulties in obtaining medical certificates documenting violence. As to screening and detection of violence, GREVIO welcomes the adoption and publication, in October 2023, of the first practical guide by the Ministry of Health on the reception and treatment of victims of domestic and sexual violence by primary healthcare institutions.⁹⁰ Although the guide presents pathways and techniques for healthcare professionals to detect violence and encourages screening, it stops short of making such screening mandatory.⁹¹ GREVIO also notes with concern that this guide does not adopt a gender-sensitive approach, treating sexual violence as a problem that affects women and men equally.⁹²

112. Legal professionals informed GREVIO that medical certificates documenting the violence are still not issued systematically at general hospitals, mostly on account of the insufficient awareness among medical professionals about the consequences and prevalence of the different types of violence against women. GREVIO notes that as a consequence, apart from gynaecologists, medical doctors and other healthcare professionals are also insufficiently involved in the network of services for women victims of violence. GREVIO notes with concern that this lack of integration of medical professionals into the framework of support services is detrimental to the interests of victims of violence, especially given that primary healthcare services are one of the primary entry points for victims of domestic violence. The programme “Operation Alert”, discussed above, provides valuable resources aimed at healthcare professionals, including a module on the identification of signs of violence, but GREVIO considers that more should be done to remedy these systemic shortcomings.⁹³

113. GREVIO’s attention was also drawn to the rules surrounding professional secrecy and the duty of medical doctors (and other medical professionals) to report a crime, which currently limit the possibilities for this category of professionals to report sexual violence and FGM *ex officio*, even

88. Information obtained during the evaluation visit.

89. See Article 25, Services for victims of sexual violence, below.

90. See www.health.belgium.be/fr/guide-pratique-sur-la-prise-en-charge-de-violences-sexuelles-et-intrafamiliales-dans-les-soins.

91. Ibid., pages 24-28. The absence of systematic detection and screening for signs of violence against women at general hospitals was also confirmed by the women’s rights organisations GREVIO met with.

92. For example, on page 21 the guide states: “Rape myths and knowledge about sexual and domestic violence: these myths are a set of cultural beliefs about what sexual and domestic violence involves, what causes it and who is to blame. Among other things, they support the idea that it is always violence committed by men against women”.

93. See Article 15, Training of professionals.

when committed against children or vulnerable individuals.⁹⁴ GREVIO points to the requirement of the Istanbul Convention set out in Article 28 to ensure that confidentiality rules for professionals, including medical doctors, do not constitute an obstacle to their ability, under appropriate conditions, to report to the authorities if they have reasonable grounds to believe that a serious act of violence within the scope of this convention has been committed and further serious acts of violence are to be expected.

114. GREVIO recalls the findings in its baseline evaluation report and strongly encourages the Belgian authorities to implement standardised care paths in the healthcare sector based on a gender-sensitive approach, in order to ensure the identification of victims of violence and, where necessary, of their children, their diagnosis, treatment and referral to appropriate specialist support services, accompanied by a medical certificate documenting the violence suffered, as necessary.

3. Specialist support services (Article 22)

115. Specialist support services ensure the complex task of empowering victims through optimal support and assistance catered to their specific needs and are an equally important cornerstone of a trust-based system of protection and support. Much of this is best ensured by women's organisations and by support services provided, for example, by local authorities with specialist and experienced staff with in-depth knowledge of gender-based violence against women. They need to be able to address the different types of violence covered by the Istanbul Convention and to provide support to all groups of victims, including hard-to-reach groups.

116. In its baseline evaluation report, GREVIO had urged the Belgian authorities to ensure that specialised services for women victims of violence and their children, including shelters, be available in sufficient numbers and in an adequate geographical distribution. It had further urged the authorities to ensure that access to shelters be free of charge for the victims and to align the functioning of the country's helplines with the requirements of Article 24 of the convention.

117. GREVIO welcomes the increase in the number of shelter places in Wallonia since GREVIO's baseline evaluation report and notes with interest that further expansions are planned, which will bring the total number of shelter places to 1 156 by 2026. Similarly, GREVIO welcomes the opening of a specialised shelter for girl victims of violence committed in the name of "honour" and forced marriage in 2021, and the plans to create transitional houses to further assist women victims and their children in regaining their autonomy. A similar, albeit smaller increase in available places can be noted in the Brussels Capital region, with plans to further increase shelter places and places in transitional houses to a total of 120, 40 of which will be family places, by 2026. The CAWs are the main providers of shelter services in Flanders, with a total of 89 individual places in long-term shelters.⁹⁵ GREVIO notes that multiple recent calls for projects by the Flemish authorities have led to an increase in emergency shelter places, many of which are pilot projects focusing on services targeting narrow groups of victims. However, despite the increase in emergency shelter places, the lack of information about the capacity of NGO-ran shelters makes it difficult to estimate the total number of long-term shelter places in Flanders. In the German-speaking community, the organisation Prisma, subsidised by the authorities, provides non-residential services for victims and operates a shelter for victims of domestic violence, which since 2020 has also increased its capacity to five individual places.⁹⁶ GREVIO welcomes the increased number of shelter places across Belgium but notes that the standard of one family place per 10 000 people remains out of reach in many parts of the country. Additional measures to expand the existing capacity of shelters are therefore necessary.

94. The rules surrounding the breaking of medical secrecy are prescribed in Article 458 *bis* of the Belgian Criminal Code. According to this article, vulnerable persons are defined as individuals made vulnerable on account of their age, pregnancy, being a victim of violence between partners, illness or a physical or mental disability.

95. State report, page 140.

96. The data on shelter places across the different regions of Belgium are presented in the state report, pages 138-141.

118. The most important shortcoming when it comes to shelters is that access continues to be tied to a fixed daily fee to be paid by victims. Although the fees charged are not standardised between different providers, GREVIO notes with grave concern that they serve as a barrier to access and have a negative effect on victims' ability to seek safety.⁹⁷ Although Flanders recently began subsidising the first three months of a shelter stay and some form of social benefits exist in all regions to cover fees for some categories of victims, the overall rule remains that payment of a fixed daily fee is expected from victims who stay at shelters, across the country. Furthermore, access to shelters is only available for women victims residing in the country legally. A growing number of women victims of violence who do not possess valid residence permits are therefore excluded from accessing such services.⁹⁸ GREVIO underlines that these shortcomings need to be addressed as a matter of urgency.

119. As regards migrant women who are victims of violence more generally, the establishment of a specialised website dedicated to supporting this group of women is a promising step forward in providing targeted support to them.⁹⁹ The website maps all the specialised support services available to such victims in Belgium and provides information in 14 languages.

120. GREVIO commends the work of the two multidisciplinary reference centres for FGM in Ghent and Brussels and notes with interest their planned expansion. Individualised guidance and treatment are offered to victims of FGM at both centres, including reconstructive surgery, the costs of which are covered by the state. Moreover, GREVIO notes with satisfaction that these centres are located in hospitals and are linked into the specialist support network provided by women's rights organisations working to address FGM.

121. Regarding psychological support to women victims of the different forms of violence, the French-speaking community formalised, by means of a decree adopted in 2023, the subsidies awarded to women's rights organisations offering such support to victims, including to organisations specialising in support to victims of domestic violence. GREVIO notes that psycho-social support for women victims of violence in the Flemish community is offered by the Safe Homes and the CAWs (the latter of which operate in Flanders and the Brussels Capital region). While the CAWs do not specialise in working with victims of violence against women and hence do not necessarily apply a gender-sensitive approach, in practice, however, they offer psycho-social counselling to victims of different types of violence against women, are well connected within the framework of general and specialised services and can refer victims to more specialised services when needed.

122. GREVIO also welcomes the Lawyers Victim Assistance project, which started in 2023 under the co-ordination of the Dutch-speaking and the French-speaking bar associations in Brussels and in cooperation with Brussels police and the Brussels public prosecutor's office, which offers specialised legal aid to victims of violence against women.¹⁰⁰ Women victims of violence, including digital forms of violence, can benefit from legal aid provided within the framework of this project. GREVIO notes that, overall, limited attention has been dedicated to victims of digital forms of violence in terms of the provision of specialist support services. The civil society organisation Childfocus offers support for victims of non-consensual distribution of images of a sexual character, including working on removing such images from the online sphere, and offers advice and counselling on violence in the digital sphere.¹⁰¹ The same type of support for adult victims is offered by the IEFH.

123. The telephone helplines available in Belgium follow the needs of each linguistic community.¹⁰² The French-speaking helpline for domestic violence (0800 30 030) has received additional funding in recent years and is now available around the clock. GREVIO notes however

97. State report, page 160, and confirmed by women's rights organisations.

98. Information obtained during the evaluation visit.

99. See www.we-access.eu/. This is in addition to other online initiatives which also map services for migrant women, such as www.ecouteviolencesconjugales.be and <https://stop-violence.brussels/en/victim>.

100. See also Article 15, Training of professionals.

101. See <https://childfocus.be/fr-be/S%C3%A9curit%C3%A9-en-ligne/Jeunes>.

102. See also www.luisterendeoren.be/en/home, a website supported federally that offers information about the existing helplines and other services for victims of violence in 22 languages.

that during night-time hours, when support for women victims of violence is usually more needed, the calls are transferred to a general helpline for support (Télé-Accueil), which relies on trained volunteers and does not offer specialised support. The Dutch-speaking helpline (1712) has also received additional funding and has extended its working hours. However, this helpline is also not available during night-time hours and on weekends, when callers are directed by means of an automated message to the general numbers for the emergency services. The service available to the German-speaking community is limited to the above-mentioned service Télé-Accueil (Telefonhilfe), which, as mentioned above, does not specialise in violence against women.

124. GREVIO stresses that the purpose of a 24/7 helpline is to offer women in need, at any hour of the day or night, support and expert counselling provided by suitably trained professionals. Experience shows that this degree of quality cannot be successfully provided by more general victim support services or emergency helplines, which do usually not have the necessary experience or expertise to help women victims efficiently and, therefore, do not meet the requirements of Article 24 of the convention.¹⁰³ Moreover, GREVIO underlines the standards set out in the explanatory report to the convention, which call for the establishment of at least one free national helpline covering all forms of violence against women, ensuring an easy entry point for victims and providing assistance for all forms of violence covered by the convention. Such a national helpline would offer a single first point of contact for women victims of violence through a widely advertised public number. One way to achieve this would be to introduce a new, nationwide number that could benefit from the expertise of the existing helplines and redirect callers to them, possibly based on the caller's language preference, or directly refer women to nearby specialist services, as appropriate.¹⁰⁴

125. **Recalling the findings of its baseline evaluation report, GREVIO urges the Belgian authorities to:**

- a. **take legislative or other measures to ensure that victims of all forms of violence covered by the Istanbul Convention have access to specialist support services, in particular by increasing the number and capacity of women-only shelters providing safe accommodation to victims of all forms of violence against women and their children;**
- b. **ensure that the increase in number and capacity of women-only shelters is done in line with the standards set by the Istanbul Convention and with an adequate geographical distribution, with the aim of achieving the standard set in the Explanatory Report to the Istanbul Convention of one family place per 10 000 inhabitants;**
- c. **ensure that fees do not act as a barrier to access to such shelters, regardless of the administrative situation of the victim.**

126. **GREVIO further urges the Belgian authorities to set up a state-wide helpline that serves as a single first point of contact for providing advice to women victims of all forms of violence against women and domestic violence, operating across the whole territory, round the clock, seven days a week.**

4. Support for victims of sexual violence (Article 25)

127. Under Article 25 of the convention, parties are required to provide a set of holistic services to victims of sexual violence, including immediate medical care and trauma support, combined with forensic examinations, as well as short and long-term psychological counselling and therapy to ensure the victim's recovery. Such services should be provided by trained and specialised staff in an appropriate manner to respond to the victims' needs, preferably within rape crisis or sexual violence referral centres established in sufficient number through the country to ensure their easy

103. See GREVIO's first thematic evaluation report on Monaco, page 26.

104. See also the NGO submission by the Feminist Platform against Violence against Women, page 35.

access. The recommendation is to set up one of the above-mentioned centres per every 200 000 inhabitants.¹⁰⁵

128. GREVIO had welcomed in its baseline evaluation report the recent opening of the first three centres for victims of sexual violence (CPVS/ZSG) in Belgium and had strongly encouraged the authorities to set up further centres to cater for the needs of victims of sexual violence.

129. The CPVS/ZSG centres are collaborative projects between the hospital where they are located, the police and prosecution services, based on written protocols and co-operation agreements and supervised at the federal level. Since GREVIO's baseline evaluation report the federal government has conducted an evaluation of the work of the existing centres and based on the evaluation results, decided to expand the CPVS/ZSG network across the country, which GREVIO commends. Currently there are 10 such centres in Belgium, with one available within one hour's travel from every point in the country. Women's rights organisations are also involved in the work of the centres, providing expertise and receiving victims that are referred to them. GREVIO notes with interest that there are plans to open another three such centres in 2026.¹⁰⁶

130. The multidisciplinary teams working at these centres offer victims who have experienced sexual violence holistic, free-of-charge support, 24 hours a day, seven days a week, regardless of the victim's age and whether or not she has medical insurance.¹⁰⁷ GREVIO finds it particularly commendable that in these centres victims are provided with the services available at the centre as well as those provided by co-operating structures. Victims can consequently choose which services to benefit from. These include medical and psychological support, the possibility to report the crime to the police and the collection of forensic evidence.

131. In 2024, a new legislative framework for the CPVS/ZSG was adopted, stipulating the roles of the different parties involved, securing their long-term financing and providing protocols on the reception and referral of the victim and the collection and storage of forensic evidence. GREVIO considers this to be a positive step as it firmly embeds the CPVS/ZSG in the framework of services for victims of violence and allows for their sustainable operation. The law also formally places the CPVS/ZSG under the co-ordination of the IEFH.¹⁰⁸

132. Forensic services for victims of sexual violence in Belgium are secured by professionals working in these centres. According to the law, forensic evidence can be collected irrespective of the victim's intent to lodge a criminal complaint, which GREVIO welcomes. In the absence of a complaint the forensic evidence is kept for six months for adult victims. The victim can request an extension of an additional six months, once.¹⁰⁹

133. Despite the criminal law reform introducing an "only yes means yes" definition of rape into Belgian criminal law in 2022 and the commendable work done by the CPVS/ZSG, challenges for victims of sexual violence in Belgium remain. Information brought to GREVIO's attention by civil society organisations indicates an oversaturation of services providing medium and long-term psychological support for victims of sexual violence.¹¹⁰ According to the information provided, such services are mainly provided by women's rights NGOs, which are not given sufficient financial support to meet the high demand, and can therefore only provide psychological counselling and support to a fraction of the victims who need it.

105. Explanatory Report to the Istanbul Convention, paragraph 142.

106. State report, page 154.

107. Victims who have experienced sexual violence more than one month prior to contacting the centre cannot have forensic evidence collected and stored at a CPVS/ZSG centre, but those who have exceeded the one-month limit are not turned down and can benefit from all the other services at the CPVS/ZSG centres, including further referrals.

108. Law on the CPVS/ZSG centres (*Loi relative aux Centres de Prise en charge des Violences Sexuelles*), published on 31 May 2024.

109. Ibid., Article 29. The same provision allows for longer periods of conservation of evidence in case the victim is a minor, namely five years for forensic samples and 50 years for other evidence.

110. NGO submission by the Feminist Platform against Violence against Women, page 40.

134. GREVIO encourages the Belgian authorities to continue to develop and expand the existing support services for victims of sexual violence, placing particular focus on ensuring the availability of short and long-term psychological counselling and support for such victims, as required by Article 25 of the Istanbul Convention.

C. Substantive law

135. Chapter V of the Istanbul Convention covers a range of provisions related to substantive law, in the area of both civil and criminal law, which aim to create the necessary legislative framework to prevent women's and girls' further victimisation and to ensure robust intervention and prosecution by law-enforcement agencies. This section focuses on progress made with respect to selected provisions of the convention in the area of substantive law, notably Article 31 on custody, visitation rights and safety and Article 48 on the prohibition of mandatory alternative dispute resolution processes or sentencing in cases of violence against women.

1. Custody, visitation rights and safety (Article 31)

136. Custody and visitation decisions in relation to families with a history of abuse require a careful balancing of the different interests at stake. Article 31 of the Istanbul Convention seeks to ensure that incidents of violence covered by the convention, in particular domestic violence, are taken into account in decisions on custody and visitation rights to ensure that the exercise of these rights does not harm the rights and safety of the victim or children. This provision contributes directly towards their trust in the authorities because it offers essential protection from post-separation abuse.¹¹¹

137. In its baseline evaluation report GREVIO had urged the authorities to take several measures to bring legislation and practice in line with the requirements of Article 31 of the convention. It had called on the authorities to introduce a specific reference in the legislation to the obligation for civil courts deciding on custody and visitation rights to take into account incidents of violence; to incorporate risk-assessment procedures in those procedures; to make adequate use of the current provisions allowing for a limitation of a perpetrator's custody and/or visitation rights; to ensure that the exercise of visitation rights does not jeopardise the safety of women victims and their children; and to raise awareness among relevant professionals and the public about the lack of scientific basis of the so-called parental alienation syndrome, presenting women victims of violence as alienating their children from their father.

138. GREVIO notes with regret that no legislative changes have been made since to introduce an obligation for Belgian civil courts to take into account past incidents of violence in decisions on custody and visitation rights. It notes that shared custody continues to be the default solution when courts determine custody rights. Opting for a different solution remains possible if one parent presents evidence that shared custody is not in the best interests of the child to the court. Information submitted by legal professionals indicates that such evidence often needs to be substantial and that the onus of bringing it to the attention of the courts, in practice, was primarily on the victim of domestic violence.¹¹² What is more, GREVIO notes that co-operation mechanisms allowing for swift exchange on information between civil and criminal courts do not function promptly and efficiently. As a consequence, even in cases where a parallel set of criminal proceedings for domestic violence was launched, in practice, the burden to prove the existence of such violence and to request limits on the

111. It is noteworthy that in the case of *Bîzdîga v. the Republic of Moldova* (Application No. 15646/18, 17 October 2023), the European Court of Human Rights held that in proceedings concerning the custody and visitation rights regarding children in a domestic violence context, the primary focus must be on the best interests of the child, and an assessment of any risks of violence or other forms of ill-treatment therefore has to form an integral part of such proceedings. For this reason, it found that an alleged history of domestic violence was a relevant and even mandatory factor to be weighed in the assessment of domestic authorities when deciding on contact rights (§ 62). In the recent case of *Luca v. the Republic of Moldova* (Application No. 55351/17, 17 October 2023), the Court found a violation of Article 8 of the European Convention on Human Rights on account of the failure of the Moldovan authorities to take into account incidents of domestic violence in the determination of child contact rights.

112. Information obtained during the evaluation visit.

perpetrators' custody and visitation rights still remains on the victim herself in a high number of cases.¹¹³

139. GREVIO similarly regrets that provisions requiring civil courts to perform a risk assessment in proceedings concerning custody and visitation rights have likewise not been introduced since the adoption of its baseline evaluation report, although it notes that this features as an objective in the NAP.¹¹⁴ As to the courts' practice, information brought to GREVIO's attention by experts in the field and legal practitioners indicates that civil courts deciding on custody and visitation rights do not perform risk assessments, nor do they proactively screen for violence, in spite of such a possibility existing under the current provisions of the law.¹¹⁵

140. In view of these observations, GREVIO notes that domestic violence often either goes unrecognised or its extent and impact are severely downplayed, which, in turn, results in decisions to maintain shared custody, despite evidence of violence in the family. As a consequence, GREVIO highlights the need for the authorities to raise further awareness among judges that the exercise of joint parenting may be a means for a perpetrator of domestic violence to continue to maintain control and domination over the mother and her children and that intimate partner violence should therefore be an essential factor in determining child custody and other parental rights.¹¹⁶ It considers that ordering custody and visitation rights without taking sufficient account of the background of domestic violence and without sufficient evaluation of the safety risks for children and their mothers falls short of the requirements of Article 31 of the Istanbul Convention. It recalls that incidents of violence by one parent against the other have a severe impact on children. Exposure to such violence breeds fear, causes trauma, adversely affects children's health and development and is recognised as a form of psychological violence.¹¹⁷

141. In terms of the so-called parental alienation syndrome, professionals in the field highlighted to GREVIO that there was a persistent lack of awareness among professionals and the public about the lack of its scientific basis and its negative effect on outcomes in family law proceedings affecting women and children who experienced abuse at the hands of their former partner/the child's father. The so-called parental alienation syndrome is still invoked before courts, mostly through court-appointed experts, reports of bodies organising supervised visits of children and, to a lesser degree, by the violent parent's lawyer. GREVIO notes that when this so-called syndrome, or any related concepts and notions, is used in custody disputes, it can have a strong effect on the courts, tilting the findings in favour of the party invoking it. GREVIO welcomes the efforts made by the authorities to raise awareness among relevant professionals about the need to reject the use of this so-called syndrome. It further welcomes the commissioning of an extensive study highlighting the extent of the problem, the results of which were widely disseminated by the CIM.¹¹⁸ These measures have indeed had some effect – a certain increase in awareness among some judicial professionals about the use of the so-called parental alienation syndrome can be observed. However, given its continued use together with other concepts and notions that portray women victims of domestic violence as alienating, manipulative or un-co-operative, and its still significant impact on custody disputes, efforts must be stepped up to raise awareness of its harmful effect.¹¹⁹ GREVIO stresses that the persisting use of the so-called parental alienation syndrome increases the risk of violence against women and their children being concealed and going undetected, since it ignores the gender-based nature of domestic violence and the essential aspects of child welfare.

113. Information obtained during the evaluation visit.

114. Measure no. 141 of the NAP.

115. Article 1253 *ter*/6 of the Judicial Code, which foresees that the Family Court may undertake an investigation to uncover information about the child's personality and the environment in which he or she is being brought up, including by ordering a psychological examination, in order to determine what is in the best interests of the child.

116. Namely, Joint Circular No. 4/2006 of the Ministry of Justice and the Board of Prosecutors, with amendments.

117. See UN Committee on the Rights for the Child, General Comment No. 13, adopted on 18 April 2011, paragraph 21e, CRC/C/GC/13.

118. Goal no. 53 of the NAP. The study in question was commissioned by the French-speaking community: Anne-Catherine Rasson et al., "L'aliénation parentale – Étude du concept et des pratiques en Belgique francophone", available at <https://oejaj.cfwb.be/catalogue/oejajdetails/fiche/alienation-parentale-etude-du-concept-et-des-pratiques-en-belgique-francophone/>.

119. Information obtained during the evaluation visit.

142. Supervised visits of children by non-resident parents in Belgium are organised by specialised bodies within the communities – the CAWs in the Flemish community, the specialised support services for supervised visits (*services d'aide au lien*) in the French-speaking community and the Mosaik organisation in the German-speaking community. GREVIO notes with concern information brought to its attention indicating that some professionals working in these services continue to invoke concepts of alienation or the so-called parental alienation syndrome to explain children's reluctance to meet with a (violent) parent. Reports made by these professionals are then submitted to civil courts, furthering the use of this so-called syndrome. Additionally, GREVIO understands that the practice of holding joint meetings with the victim and perpetrator, already underlined in GREVIO's baseline evaluation report as harmful, remains in practice.

143. Recalling the findings issued in its baseline evaluation report, GREVIO urges the Belgian authorities to take the following priority actions in the area of custody and visitation rights to ensure the safety of women victims of violence and their children:

- a. take measures to ensure that the negative impact that violence against women has on children is reflected in legislation and that incidents of violence against women are a mandatory legal criterion to be taken into account when deciding on custody and visitation rights; to this effect, all judicial decisions on custody and visitation rights should be duly reasoned;**
- b. in the interim, carry out a thorough review of the judicial practice concerning custody and visitation rights in cases of parental separation with a history of violence in order to determine whether the current practice complies with the provisions of Article 31 of the Istanbul Convention;**
- c. in the determination of custody and visitation rights, introduce systematic screening and risk-assessment procedures, including through the use of standardised questionnaires, in order to establish whether there is a history of violence by one parent against the other;**
- d. pursue efforts to ensure that all professionals who come into contact with women victims of domestic violence or their children are made aware of the lack of a scientific basis of the so-called parental alienation syndrome and its harmful effect on women victims and their children;**
- e. ensure that supervised visitation facilities provide for the safety of children and their mothers and avoid secondary victimisation of women victims of violence.**

2. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48)

144. Article 48, paragraph 1, of the Istanbul Convention requires parties to prohibit the mandatory participation in any alternative dispute resolution processes, including mediation and conciliation, in relation to cases of all forms of violence against women covered by the convention. This provision stems from the principle that violence against women is a manifestation of unequal power relations and that victims of such violence can never enter the alternative dispute resolution processes on an equal footing with the perpetrator. To avoid the re-privatisation of such violence and to enable the victim to seek justice, it is the responsibility of the state to provide access to adversarial court proceedings on the basis of robust criminal and civil law provisions.

145. In its baseline evaluation report GREVIO had analysed the available alternative dispute resolution processes in Belgium in the context of both criminal and civil law, finding that mediation had been used, to varying degrees, in both settings. As regards mediation in the context of criminal law it had noted that although the domestic law provisions had made clear reference to the voluntary nature of mediation, measures to inform women victims and to ensure that they were able to accept or refuse mediation of their own free will remained necessary. It had further strongly encouraged the authorities to amend the provisions in civil law allowing courts to order mediation.

146. GREVIO welcomes the fact that mediation in criminal proceedings includes multiple safeguards through which the prosecutor can check whether consent to mediation was given

voluntarily by the parties. Such safeguards were further reinforced with the adoption of Joint Circular No. 01/2021, which prescribes the exact procedure to follow in cases of mediation proposed by the prosecution and provides four standardised forms for ensuring and streamlining the application of the safeguards. One of these is the convention (agreement) on mediation, which should be signed by both parties, stipulating the conditions under which the victim agrees to proceed with mediation. The circular also foresees that, should the victim withdraw her consent or simply not respond positively to the proposal for mediation, the process shall be terminated.¹²⁰ Additionally, GREVIO notes with interest that awareness raising, among all those in the judicial process, about the imbalance in power in abusive relationships has contributed to a generally more cautious use of voluntary mediation in practice, as indicated to GREVIO by legal professionals.

147. As regards alternative dispute resolution measures in civil law, GREVIO had found in its baseline evaluation report that mediation had been widely used and could be ordered by a judge despite objections from one of the parties.¹²¹ It had, therefore, encouraged the authorities to bring the relevant legislative provisions in line with Article 48 of the convention.

148. GREVIO notes with satisfaction that legislative changes have been adopted since then specifically addressing its concerns.¹²² Pursuant to these amendments a civil court judge can still refer the case to mediation against one of the parties' will. However, if serious indications of "violence, threats of any form of pressure" by one party directed to the other are found to exist, the judge needs to ascertain whether the victim can consent to the mediation of their own free will. To further reinforce this safeguard the judge is required to obtain consent for mediation from the victim orally, in the absence of the other party. While GREVIO welcomes these reforms, it notes that little information is available about how civil court judges assess whether consent given by women victims of violence has been issued without pressure or threats. This concern is all the more pressing in view of the absence of any procedures for risk assessment or proactive screening for violence by civil courts.¹²³ Given the absence of such procedures, it remains difficult to assess the level of protection of women victims of violence from pressure to enter mediation afforded under the new legislative amendments. GREVIO underlines the need to ensure that any decisions on mediation in civil law proceedings taken by judges involve a robust screening process for a possible history of domestic violence.

149. While welcoming the recent civil law reforms introducing important safeguards against ordering mandatory mediation for couples in relationships marred by violence, GREVIO encourages the Belgian authorities to ensure that the procedure for referral to mediation in family law proceedings does not result in quasi-mandatory mediation in cases with a history of violence; to do so, they should ensure that any decision concerning a referral to mediation made by civil judges is based on a risk assessment and a robust screening process for a history of violence.

150. GREVIO further encourages the Belgian authorities to assess the implementation of existing safeguards aimed at ensuring the free and informed consent of women victims of violence when a decision to refer a case to mediation is made and at ensuring that these procedures fully respect the rights, needs and safety of victims.

D. Investigation, prosecution, procedural law and protective measures

151. Full accountability for all acts of violence against women requires an adequate response from law-enforcement agencies and the criminal justice sector. Chapter VI of the Istanbul Convention establishes a set of measures to ensure criminal investigations, prosecutions and convictions in a

120. See Annex 4 of Joint Circular No. 01/2021. On the other hand, see also the findings under Article 49, General obligations, and Article 50, Immediate response, prevention and protection made regarding the proposals for mediation made by the prosecution in cases of rape.

121. Mediation in civil matters is regulated by Article 1734 of the Judicial Code.

122. This was done by means of the Law of 6 November 2022 that aims to ensure that victims of violence give consent to procedures of mediation, conciliation or friendly settlement.

123. See Article 31, Custody, visitation rights and safety.

manner that validates women's and girls' experiences of violence, that avoids their secondary victimisation and that offers protection throughout the different stages of proceedings. The provisions covered in this section are fundamental to the delivery of protection and justice for all women and girls at risk of or who have experienced gender-based violence.

1. General obligations (Article 49) and Immediate response, prevention and protection (Article 50)

152. A key principle of an adequate response to violence against women is that of swift and effective investigations and judicial proceedings that are based on a gendered understanding of these types of offences and that take into consideration the rights of the victim during all stages. Law enforcement or judicial actors often do not prioritise incidents of violence against women and domestic violence, thereby contributing to the impunity of perpetrators and reinforcing the misconception that this type of violence is “acceptable” in society.¹²⁴ A consequence of assigning low priority to incidents of violence against women and domestic violence is a delay in initiating investigations and judicial processes, which in turn may lead to the loss of vital evidence and to an increased risk for the victim of repeated violence. For these reasons, Article 49 of the Istanbul Convention requires parties to ensure that investigations and judicial proceedings are conducted without undue delay, while at the same time respecting the rights of victims during each stage of these processes. Article 50 further reinforces these obligations by requiring that law-enforcement agencies react promptly and appropriately in cases of violence against women, including by offering victims immediate protection, and by engaging in the prevention of violence. GREVIO reports focus on the application of Article 50 at key stages of the criminal justice process, notably reporting, investigation, prosecution and conviction, all of which are key contributors to victims' sense of support, protection and justice.

a. Reporting to, immediate response and investigations by law-enforcement agencies

153. GREVIO had made several observations in respect to the work of law-enforcement agencies in its baseline evaluation report. Given the gender-neutral approach of several guidelines and other documents prescribing policies and protocols, it had called on the authorities to introduce gender mainstreaming in such documents. It had further strongly encouraged the authorities to reinforce the system, in law enforcement, of lead professionals tasked with gender-based violence in order to reinforce the use of the policy instruments available and improve the reception, information and guidance available for women victims.

154. GREVIO notes with concern that since its baseline evaluation report no changes have been made to the key policy documents in the field of law enforcement to address their gender-neutral approach to responses to the different forms of violence against women covered by the convention and domestic violence. These include Joint Circular No. 4/2006 (revised in 2015) on intimate partner violence, Joint Circular No. 4/2017 on sexual violence and Joint Circular No. 6/2017 on violence committed in the name of “honour”, FGM and forced marriage. GREVIO notes that a gender-neutral approach is still dominant across policy documents, most notably in Joint Circular No. 4/2006, which serves as the main guideline for the work of law enforcement in the field of gender-based violence. This shortcoming could be somewhat offset by the implementation of Article 16 of the Law on Femicide, which prescribes that a gender-sensitive risk assessment and risk-management procedure must be applied at the moment of reception of reports or complaints, during interviews or in relation to any procedure related to gender-based violence in Belgium. GREVIO notes that the implementation of this provision is still in its early stages and welcomes the information provided by the Ministry of Interior that a revision of the key policy documents listed above is already under way.

155. Further to the point of policy developments, GREVIO notes the adoption in 2022 of new guidelines on digital forms of violence, including non-consensual distribution of images of a sexual character, and an accompanying guide for victims of these forms of violence, which were drawn up in collaboration with the IEFH. A guide on the detection of coercive control, intended for first-line

124. Explanatory Report to the Istanbul Convention, paragraph 255.

professionals, including law enforcement, was also prepared in 2023 by the IEFH. Although these documents similarly embody a gender-sensitive approach, their adoption is nonetheless a positive step towards tackling these forms of violence. Furthermore, GREVIO notes with interest the preparation of a guide intended to cover violence committed in the digital sphere more broadly, which should be published in the near future.¹²⁵

156. GREVIO observes a gradual improvement in law enforcement's response to different forms of violence against women, including in the steps taken to ensure approaches to investigations that demonstrate awareness of women's distinctly gendered experiences of the different forms of violence. GREVIO notes three main trends in this respect, the first of which is the increased knowledge transfer among officers, including on the need to apply a trauma-informed and gender-sensitive approach when facing victims of gender-based violence. The ranks of specialist lead professionals per police sector introduced with Joint Circular No. 4/2006 are filled with experienced professionals. By using regular case consultations held in working groups at the level of police sectors, the experience of these individuals has reportedly had a positive effect on the response by and case-building skills of less experienced officers.

157. The second trend relates to the specialisation of police officers, for example through the integration of specially trained law-enforcement officers in the work of the CPVS/ZSG centres, the creation of Emergency Victim Assistance (EVA) units and the integration of police officers in the work of the Safe Homes. GREVIO notes that the successful integration of law-enforcement officers, who conduct trauma-informed interviews of victims at the CPVS/ZSG centres and the Safe Homes – while observing confidentiality and respect for the victims' agency – has increased victims' trust and facilitated their reporting of cases of violence.¹²⁶ Both projects have demonstrated that such co-operation among services should continue to develop, both in terms of territorial coverage and the level of services provided. From its exchanges with women's rights organisations, GREVIO notes in particular the proposal to introduce the possibility for victims to report violence directly to the law-enforcement officer attached to the Safe Homes.¹²⁷ GREVIO further welcomes the high level of training and knowledge of the EVA officers who specialise in violence against women, created and supported by the Brussels Capital region. The trauma-informed and gender-sensitive approach applied by these units has been received positively, both among women's rights organisations and legal professionals.¹²⁸ GREVIO notes that the deployment of such specialised units beyond the Brussels Capital region would enable the provision of specialised support for victims across the country and would undoubtedly contribute to enhancing the trust of women victims in the system.

158. The third trend noted by GREVIO relates to the increased use of new technological tools to improve victims' access to law-enforcement protection. The newly established police-on-web platform enables victims to submit a report and evidence online, without the need to physically go to a police station. In practice, further communication with the victim can continue online and in case it is needed, law-enforcement units can offer to visit the victim in her home to take a statement or gather other evidence. GREVIO welcomes the introduction of this tool and notes that it facilitates reporting by women victims of violence, in particular for women victims with a disability. The mobile stalking alarm (AMH), in the form of a button linked to a smartphone application, is another important development.¹²⁹ Such alarms are granted by the public prosecutor to women with a high risk of stalking, harassment and violence committed in the name of "honour".¹³⁰ Upon activation, the fact that the victim's location is known allows for a swift response by law enforcement.

159. GREVIO notes that women victims of violence can request a female officer and current staffing levels allow for this option in nearly all police stations. The approaches to reporting and the

125. State report, pages 35-37.

126. Information obtained during the evaluation visit.

127. According to information obtained during the evaluation visit, plans to make submitting reports with these law-enforcement officers possible should be implemented in the near future.

128. Information obtained during the evaluation visit.

129. The functioning and use of the mobile stalking alarm is regulated by Circular No. 03/2023.

130. According to available information at the time of drafting of this report, around 300 women have made use of the mobile stalking alarm.

use of new technologies have contributed to an increased level of reporting, most evident in the number of reports of stalking, including stalking in the digital sphere.¹³¹

160. Interviews of minors and vulnerable adults by law enforcement, including victims of gender-based violence, are conducted according to the TAM (*Techniques d'Audition de Mineurs*), methodology, in interview rooms equipped for this purpose, which are available in most police stations across the country.¹³² These interviews are recorded for further use, which helps to avoid revictimisation.¹³³ Creative, trauma-informed interviewing techniques, including the use of trained police dogs to provide emotional support, have yielded positive results, especially in cases involving child victims.

161. On the other hand, GREVIO notes with grave concern information brought to its attention by legal professionals indicating that law-enforcement officials frequently report women victims of violence without a regular residence status to the relevant migration authorities. This practice may deter such victims from reporting violence and obtaining the protection and support they need.

162. Information from women's rights organisations further indicates that there is a general lack of a gender-sensitive and trauma-informed approach among on-duty law-enforcement officers in charge of initial reception at police stations. A lack of understanding for the position of a victim walking into a police station to make a report seems to be prevalent, and most first points of contact appear not to be set up to respect confidentiality.¹³⁴ GREVIO further notes with concern the transition made by many police stations to an appointment-only service, where walk-in reports are no longer taken without prior scheduling.¹³⁵ In view of these concerns, GREVIO reiterates the need, already identified in its baseline evaluation report, to develop federal guidelines on the initial reception by the police of women victims of violence that would make applying a victim-centred, trauma-informed approach mandatory.¹³⁶

163. **GREVIO encourages the Belgian authorities to:**

- a. **ensure that all law-enforcement officials adopt a gender-sensitive and trauma-informed approach when dealing with women victims of violence and to design and implement federal-level guidelines for the initial reception of such victims by law-enforcement officials;**
- b. **identify and address any factors preventing women and girls from reporting their experiences of violence against women to law-enforcement agencies, focusing particularly on the experiences of migrant women, asylum-seeking women and women with an irregular migration status.**

b. Effective investigation and prosecution

164. In its baseline evaluation report, GREVIO had noted a high rate of attrition of cases of domestic and other types of violence against women at the level of the prosecution services. This attrition rate was attributed to various reasons, including a tendency to opt for non-judicial solutions to violence against women and even the systematic dismissals of large groups of cases due to insufficient investigative capacity. GREVIO had accordingly strongly encouraged the authorities to implement policies that prioritise such cases and to ensure that investigations in such cases are conducted effectively.

165. From the information supplied by the Belgian College of Prosecutors, GREVIO notes that 65.52% of all the cases of "violence between partners" communicated to the prosecution

131. Tables 10 and 11, state report, page 251.

132. Prescribed in Joint Circular No. 03/2021, amended in 2024.

133. See Article 56, Measures of protection.

134. Information obtained during the evaluation visit.

135. Information obtained during the evaluation visit.

136. Paragraph 84(2) of GREVIO's baseline evaluation report on Belgium.

services were dismissed on either procedural or substantive grounds.¹³⁷ GREVIO notes that only 22.8% of cases are taken further by the prosecution, which includes cases of prosecutorial probation (10.67%) and cases where a proposal for mediation was made (1.1%). GREVIO further notes that the percentage of cases allocated to a court is dropping year on year, with 10.74% such cases pending before the criminal courts in 2020 and only 6.16% in 2023. This reduction should be analysed against the backdrop of an increase in the number of defendants facing prosecution for the same crime in the same time period, which has steadily increased in the four years analysed (from 66 268 in 2020 to 84 404 in 2023).¹³⁸ GREVIO notes that this discrepancy may be accounted for by the increase in the use of non-judicial and alternative dispute resolution processes at the level of prosecution.¹³⁹ According to information submitted to GREVIO, a large majority of cases that contain only elements of psychological or economic violence are dismissed. For these types of violence to be prosecuted, elements of physical or sexual violence remain necessary in practice.¹⁴⁰

166. When it comes to rape, GREVIO notes with concern that almost half of the cases referred to the prosecution services (49.06%) are dismissed for either procedural or substantive reasons.¹⁴¹ A key challenge stemming from the recent criminal law reforms concerning sexual violence is the consideration of the notion of consent during investigations. In this regard, the expertise of lead professionals in law enforcement and the specialised training of the staff at CPVS/ZSG centres in evidence collection has proven crucial in the improvement of case building and in resolving this challenge.¹⁴² However, given that the pertinent legislative changes only came into force in 2022, and in view of the years for which data are available (2020-2023), it is still early to obtain a complete overview of how the new legislation on rape is being implemented by the prosecution services in Belgium. Legal professionals that GREVIO met with expressed concerns that mediation had been proposed by the prosecution in cases of rape. Out of the cases concerning rape that were not dismissed at the level of prosecution, only 23.06% either were or are being processed further, which includes cases in which the prosecution services proposed mediation (0.59%) and cases terminated by the payment of a fine (three cases, accounting for 0.01% over four years). Considering that the 0.59% refers only to cases in which mediation has been proposed but no decision was made at the time when data were collected, it is likely that an offer of mediation was made by the prosecution and subsequently refused in more cases of rape.

167. Similar concerns exist with regard to the three cases in which an accusation of rape was sanctioned by a monetary fine. However small the number of such cases is, it points to the need to reinforce the training offered to all prosecutors working on cases of sexual violence.¹⁴³ GREVIO highlights in this regard the recent judgment of the European Court of Human Rights, in which the Court held that commuting a 10-month prison sentence for sexual violence into community service had violated the victim's rights under Articles 3 and 8 of the European Convention on Human Rights. The Court observed that while community service had become an integral and useful component of modern penal policy, there was also a broad international consensus on the need to stand firm on sexual abuse and violence against women.¹⁴⁴

168. Moreover, GREVIO notes with concern the fact that, according to the data submitted by the College of Prosecutors, a large share of cases of violence committed in the name of "honour", forced

137. The data corresponding to these cases are made up of different crimes under domestic legislation, but all of which carry the marker "family violence within the couple" (*Violence intrafamiliale dans le couple*) assigned by the prosecution. These data concern the total number of cases for 2020, 2021, 2022 and 2023, for all prosecution services in Belgium. Explanation on what qualifies as procedural and substantive reasons for dismissal are presented on page 270 of the state report. It should be noted that the 4.77% of cases that were closed because of a transfer to another jurisdiction are not counted among the dismissed cases. State report, page 257.

138. State report, Table 3 on page 256.

139. See also Article 48, Prohibition of mandatory alternative dispute resolution or sentencing.

140. Information obtained during the evaluation visit.

141. State report, Table 12 on page 261. Additional information for 2023 was received from the Belgian federal authorities. The data concern the period 2020 to 2023.

142. Information obtained during the evaluation visit.

143. See Article 15, Training of professionals.

144. *Vučković v. Croatia*, Application No. 15798/20, 12 December 2023, available at: www.hudoc.echr.coe.int/eng?i=001-229399, paragraph 56.

marriage and sexual harassment are also dismissed at the level of prosecution. Data on the prosecution of FGM are limited, given that only ten cases were recorded in the period 2020-2023.¹⁴⁵

169. On a more general note, GREVIO draws attention to the fact that no measures appear to have been taken to prioritise cases of violence against women at the level of prosecution since its baseline evaluation report. Similar to that noted above concerning the response of law enforcement, awareness about the specific needs of women victims of violence is still not widespread and remains dependent on each individual prosecutor. GREVIO notes that while a share of the professionals working for the prosecution services possess knowledge about the gendered aspect of violence against women, it remains important to ensure that this approach is enshrined in prosecution policy documents and mandatory guidelines. The hiring of 15 criminologists across Belgium's prosecutorial districts, although not a measure specifically aimed at assisting victims of violence against women, is a positive development as it brings the prosecution closer to victims and should be followed by similar initiatives that would help enhance women victims' trust in the judiciary.¹⁴⁶

170. An additional drawback in the prosecution of domestic violence in Belgium is that when the public prosecutor decides not to pursue a case, victims can initiate subsidiary prosecution, but the process is often expensive and lengthy. Limited availability of legal aid in such cases further hampers the victim's ability to effectively navigate the complex legal procedures, significantly reducing the likelihood of a successful outcome.

171. **GREVIO strongly encourages the Belgian authorities to:**

- a. identify and address the factors that contribute to the high rate of attrition at the level of prosecution of cases of all forms of violence against women covered by the Istanbul Convention;**
- b. take measures to ensure that the prosecution's handling of cases of violence against women is firmly anchored in a gender-based and victim-centred understanding of violence against women and that such cases are afforded adequate priority;**
- c. ensure that economic and psychological violence are duly prosecuted;**
- d. introduce adequate safeguards to ensure that no inappropriate use of mediation and monetary fines are proposed in cases of violence against women closed at the level of prosecution, in particular concerning cases of sexual violence.**

c. Conviction rates

172. In its baseline evaluation report, GREVIO had called on the Belgian authorities to ensure that sentencing in cases of violence against women is commensurate to the gravity of the offence and that it serves a dissuasive function.

173. GREVIO notes with concern that no data on convictions and sentencing concerning any type of violence against women covered by the Istanbul Convention are available.¹⁴⁷ Relying on the available information, GREVIO notes that the conviction threshold and sentences issued vary significantly depending on the individual judge, the region (between different federal units as well as between different court districts within the regions) and depending on whether the victim was legally represented.

174. This mixed picture is exemplified in the diversity of judgments and sentences passed down for sexual violence. On the one hand, there are examples where Belgian courts have handed down substantial prison sentences for rape, including marital rape.¹⁴⁸ On the other hand, a recent judgment in the Leuven court, where a suspended sentence was handed down for the rape of a

145. State report, pages 264-269. Additional information was submitted by the Belgian federal authorities concerning 2023. For the period 2020-2023, the dismissal rate for forced marriage was 60%, for violence committed in the name of "honour" it was 45.28%, and 54.73% for sexual harassment.

146. State report, page 175.

147. State report, page 218.

148. Information received during the evaluation visit.

young woman who was unable to consent, points to the fact that issues with sentencing still remain.¹⁴⁹ Information submitted to GREVIO by legal professionals indicates that while suspended sentences for rape are rare, they do exist in practice, especially if the perpetrator does not dispute the charge.¹⁵⁰ Additionally, the lack of data on convictions per type of violence makes it difficult to assess the impact in practice of the introduction in 2022 of the notion of consent in the definition of sexual violence.

175. The bar for reaching a conviction for domestic violence appears to be high, but similarly variable depending on the factors discussed above. In some jurisdictions courts require considerable evidence of physical violence, substantiated by a certified incapacity to work for the duration of at least one month, in order to reach a conviction.¹⁵¹ Given the tendency to opt for non-judicial solutions to cases of violence against women and for non-custodial sentences, prison sentences for domestic violence appear infrequent.¹⁵²

176. Similar issues are reported regarding convictions for other forms of violence covered by the Istanbul Convention, despite a rising number of convictions for crimes of violence committed in the digital sphere, such as the non-consensual distribution of images of a sexual character.¹⁵³ GREVIO also notes that despite four reports to the police, there have been no convictions for FGM in Belgium so far.¹⁵⁴

177. GREVIO notes that even if a perpetrator is sentenced to imprisonment, prison sentences of up to one year are rarely, if ever, executed in Belgium. This policy choice, made out of consideration for prison overcrowding and perpetrator resocialisation, places women victims in a situation where despite lengthy criminal proceedings, the outcome effectively amounts to impunity. In this regard, GREVIO welcomes the introduction of two new types of sentences (prolonged supervision and treatment for the duration of imprisonment) that may be particularly useful in cases of violence against women, but notes that their application in practice will require significant preparatory work.¹⁵⁵

178. GREVIO acknowledges that reforms have been undertaken to address some of the challenges in the judicial response to violence against women described above. In particular, it notes with interest that two specialist court chambers working on “intra-family violence” have been opened in Mechelen and Charleroi. These chambers work in close co-operation with other services, including service providers from civil society, to find a multidisciplinary resolution for each case.¹⁵⁶ Furthermore, legislative changes introduced in 2024 make the commission of crimes such as forced marriage, murder, FGM and causing injury as part of domestic violence in the presence of a minor an aggravating circumstance.

179. Recalling the findings made in its baseline evaluation report, GREVIO strongly encourages the Belgian authorities to ensure that all applicable sanctions are commensurate with the gravity of the offence in all cases of violence against women covered by the Istanbul Convention, in particular in cases of domestic and sexual violence.

180. GREVIO further strongly encourages the Belgian authorities to undertake comprehensive research into the factors leading to disparities in the criminal justice response to the different forms of violence against women.

149. See “Rechtbank van Leuven maakt uitzondering en deelt vonnis over verkrachtingszaak in Leuven: dit staat er in”, available at www.vrt.be/vrtnws/nl/2025/04/02/vonniss-verkrachting/.

150. Information obtained during the evaluation visit.

151. Information obtained during the evaluation visit.

152. Information obtained during the evaluation visit.

153. Information obtained during the evaluation visit.

154. Table 14, state report, page 251, and the NGO submission by GAMS and End FGM, page 8.

155. State report, pages 106 and 107.

156. State report, page 113.

2. Risk assessment and risk management (Article 51)

181. Many perpetrators of domestic violence, rape, stalking, sexual harassment, forced marriage and other forms of violence covered by the Istanbul Convention threaten their victims with serious violence, including death, and have subjected their victims to serious violence in the past, including non-fatal strangulation. The growing digital dimension to such violence further exacerbates women's and girls' sense of fear. Article 51 thus places concern for their safety at the heart of any intervention in such cases by requiring the establishment of a multi-agency network of professionals to protect high-risk victims without aggravating the harm experienced. It sets out the obligation to ensure that all relevant authorities, not just law-enforcement authorities, effectively assess and devise a plan to manage the safety risks a victim faces, on a case-by-case basis, according to standardised procedures and in co-operation with each other.

182. In its baseline evaluation report, GREVIO had stressed the need to integrate a gender perspective into the risk-assessment and risk-management procedures and to ensure that they are performed at all relevant stages of all procedures concerning violence against women. It had further called on the authorities to consider establishing a system to conduct reviews of gender-related killings of women.

183. At present, several tools for risk assessment are used in Belgium, adapted to the needs of the different services. New initiatives, such as the EVIVICO (*Évaluation intersectorielle des violences dans le couple*) tool recently developed in the province of Liège, are being implemented elsewhere, and the existing tools are being updated.¹⁵⁷ An important effort was made to introduce a single standardised risk-assessment tool for the police and prosecution services through the adoption of Joint Circular No. 15/2020, which prescribes the procedure to follow in cases of intimate partner violence. GREVIO notes with satisfaction that the new checklist adopted under this circular contains all the relevant risk factors. Moreover, the presence of some of the risk factors (for example non-fatal strangulation and suicidal thoughts) are highlighted as triggering immediate action and requiring a report to the prosecution services. The tool uses visual cues and is available in a compact, user-friendly version. This risk-evaluation tool is also used to grant victims the mobile stalking alarm discussed under Articles 49 and 50 above.

184. Bodies involved in multi-agency co-operation use different tools. For example, the Safe Homes and the CAWs have long been using risk-assessment methodologies, which have been reshaped and optimised for use in different situations. However, these tools are sometimes not sufficiently sensitive to the gendered dynamics of intimate partner violence, including post-separation violence, or other factors that place women and their children at a heightened risk of such violence.¹⁵⁸ The multi-agency co-operation initiatives in the Brussels Capital region and Wallonia use the EVIVICO tool mentioned above, which explicitly refers to the gendered character of domestic violence. GREVIO also welcomes the fact that specialised tools are used in cases of forced marriage, FGM and violence committed in the name of "honour".¹⁵⁹

185. GREVIO commends the variety of measures and progress that have been made since its baseline evaluation report concerning the use of risk-assessment and risk-management procedures in Belgium. It notes that several measures under the NAP directly address its findings of 2020, notably measure no. 139, which aims to integrate a gender perspective into all risk-assessment procedures used, and measure no. 140, whose goal is to integrate a risk assessment at all stages of the judicial procedure concerning sexual violence. What is more, Article 16 of the Law on Femicide requires that a risk assessment integrating a gender perspective takes place at every stage of the criminal procedure, starting from the report itself, which GREVIO welcomes. GREVIO understands that the preparation of a Royal Decree to implement this obligation is under way which is expected to establish general principles and minimum requirements applicable to risk assessment and

157. The tool was developed by the Pôle de ressources spécialisées en violences conjugales et intrafamiliales, an organisation based in Liège and supported by the IEFH. The tool is also used in the new Ollista centre recently established in Brussels.

158. Information obtained during the evaluation visit.

159. See Joint Circular No. 6/2017.

risk management tools used across the country. A working group co-ordinated by the IEFH was also constituted to update existing tools and streamline their use.¹⁶⁰

186. Last, the Law on Femicide prescribes the duties and composition of a Scientific Committee for the Analysis of Femicides and Gender-Based Homicides.¹⁶¹ The recruitment of members to sit on this committee is under way and the first meetings should take place before the end of 2025. Although the scope of its work will only be fully defined at a later stage, GREVIO understands that it should formulate structural recommendations following the analysis of cases of gender-related killings. GREVIO welcomes the setting up of this committee, which is an example of the increasing awareness about violence against women as a gendered phenomenon in Belgium, and notes that it can significantly contribute to understanding the causes of gender-related killings and to designing measures to avoid such crimes from occurring.

187. GREVIO encourages the Belgian authorities to continue their efforts to update, develop and streamline existing risk-assessment tools, in particular by introducing a gender perspective into all the tools used by law enforcement, the judiciary and providers of services for women victims of violence across all regions of the country and at every relevant step of the procedure.

3. Emergency barring orders (Article 52)

188. Under Article 52 of the Istanbul Convention, in situations of immediate danger, the authorities are granted the power to issue an emergency barring order, ordering the perpetrator to leave the residence of the victim or person at risk for a specific period of time and to prohibit the perpetrator from entering the residence or contacting the victim or person at risk. Emergency barring orders are tools intended to prevent a crime and to put safety first.¹⁶² They should therefore be time-bound and incident-based, with the possibility of renewal in the case of continued danger. Longer-term protection should, however, be granted by a court by means of a protection order, upon application by the victim. An emergency barring order should in principle extend to children in need of protection and should have immediate effect.

189. In its baseline evaluation report, GREVIO had strongly encouraged the Belgian authorities to take measures to increase the use of emergency barring orders (EBOs), including by removing any practical obstacles to their use.

190. EBOs in Belgium have evolved over years. Taking inspiration from other jurisdictions in Europe, a specialised regime of barring orders to be used specifically in the context of domestic violence was introduced in 2012, which was analysed in GREVIO's baseline evaluation report. This law gave the prosecution the power to issue EBOs lasting up to 10 days. While other, lesser-used and non-specialised protection measures continue to exist in Belgian law and practice, GREVIO will limit its analysis to the measures prescribed in the law of 15 May 2012 (including its subsequent amendments), as they appear to be the tools that are mostly used in cases of violence against women.¹⁶³

191. Legislative amendments adopted in 2019 extended the maximum duration of EBOs to 14 days and dispensed with the requirement to send an immediate written notice to the perpetrator.¹⁶⁴ The amended law also increases the sanctions for violating an EBO to a prison sentence of up to a year and/or a monetary fine. GREVIO welcomes the fact that children and other residents of the household are usually included in the EBO, and the fact that the Law on Femicide instructs law-enforcement officers to include information about EBOs in the information they share

160. State report, page 192.

161. Title no. IV of the Law on Femicide.

162. See GREVIO's baseline evaluation reports on Denmark, paragraph 207, and Malta, paragraph 218.

163. Temporary measures to settle issues between spouses can be ordered under the civil law regime under Article 223 of the Civil Code. Other measures can be ordered as part of ongoing criminal proceedings.

164. The perpetrator can now be informed orally.

with victims.¹⁶⁵ However, women's rights organisations informed GREVIO about delays associated with the issuing of an EBO. Namely, the fact that it is the prosecution service – and not law enforcement – that issues EBOs in practice leads to additional delays. The requirement to inform the perpetrator also causes delays in practice, given that any impediment to notification (such as being unable to locate the perpetrator) can effectively prevent the EBO from coming into effect for a prolonged period of time. These delays cause gaps in protection for victims, which in turn make the level of protection offered by EBOs insufficient.

192. As already stressed in its baseline evaluation report, EBOs continue to be underused. A total of 1 520 orders were issued by the prosecution services across the country in the course of four years (2019-2022), with the provinces of Antwerp and Limburg contributing 71% of this number.¹⁶⁶ Different factors contribute to the low use of this measure such as the gap in protection, the delays associated with the procedure, the lack of training of law-enforcement officers and the responsible services within the federal units tasked with the monitoring and enforcement of EBOs, and a lack of initiative on the part of prosecution services, which also suffer from an insufficient allocation of resources.¹⁶⁷ Although GREVIO notes that in regions with a strong presence of Safe Homes the use of EBOs is more widespread, it also notes that certain legal professionals consider the level of protection offered by the current framework to be insufficient and have therefore ceased to request for the prosecution to issue such measures.¹⁶⁸

193. Given the reasons for the low use of EBOs in practice, it remains important to further simplify the procedure for victims to obtain an EBO, to provide sufficient means to the prosecution services to discharge their duties in this regard and to close the existing gaps in victim protection. GREVIO also considers that it would be useful to carry out an evaluation of the effectiveness of the system of EBOs in order to be able to remedy the existing shortcomings.

194. **GREVIO recalls the findings made in its baseline evaluation report and strongly encourages the Belgian authorities to:**

- a. **remove any obstacles in the legislation or in practice to the use of emergency barring orders, in particular by closing the gaps in victim protection, including through active referral of victims of domestic violence to specialist support services that can assist them in making use of such an order;**
- b. **assess the overall level of implementation of the current system of emergency barring orders in practice with a view to reforming the existing system and improving their use.**

4. Restraining or protection orders (Article 53)

195. Restraining and protection orders are conceived to prolong the protection afforded to the victim and her children by emergency barring orders and may be considered complementary to the protection offered by emergency barring orders. Under Article 53 of the Istanbul Convention, victims of all forms of violence against women should be able to obtain a protection order available for immediate protection – without undue financial or administrative burden placed on the victim and irrespective of whether or not they choose to set in motion any other legal proceedings.

165. Article 15, paragraph 2, of the Law on Femicide.

166. Table 6, state report, page 258.

167. Information obtained during the evaluation visit. Since 2020 the federal units have been responsible for providing support to victims who have benefited from an EBO. The Brussels prosecution service temporarily suspended certain services in 2023, including the work on EBOs. See "Faute de personnel, le parquet de Bruxelles se met 'en mode crise'", available at: www.lesoir.be/508629/article/2023-04-20/faute-de-personnel-le-parquet-de-bruxelles-se-met-en-mode-crise; and "Interdiction temporaire de résidence en pause? Focus sur une mesure complexe", available at: www.axellemag.be/interdiction-temporaire-de-residence-en-pause-focus-sur-une-mesure-complexe/.

168. Information obtained during the evaluation visit.

196. In its baseline evaluation report GREVIO had strongly encouraged the Belgian authorities to take measures to increase the use of restraining and protection orders (POs), including by removing any practical obstacles to their use.

197. Under the present framework, POs can be ordered by a judge for a period of three months, upon the expiration of an EBO. Prosecution services automatically forward decisions on EBOs to the courts for this purpose.¹⁶⁹ GREVIO notes that the legislative framework regulating POs has remained largely unchanged since its baseline evaluation report, with the amendments of 2019 (discussed under Article 52 above) only increasing the penalties for violating a PO.¹⁷⁰ GREVIO welcomes the fact that other measures of protection are available in Belgium, such as those for use in cases of (sexual) harassment, FGM, forced marriage and violence committed in the name of “honour”, but the lack of any data on their modalities and use makes it difficult to assess their effectiveness.¹⁷¹ The same lack of information precludes GREVIO from assessing the use in practice of the possibility, as part of civil proceedings, for a perpetrator of domestic violence to be barred from using a home that they had shared with the victim.¹⁷²

198. Under the applicable legal framework, no possibility exists for women victims of violence to seek protection for herself or her children and apply for a restraining order *ex parte*. GREVIO therefore reiterates that a possibility to request a restraining and protection order must exist both *ex parte* and, where necessary, *ex officio*, for all forms of violence against women.

199. GREVIO further notes with concern that the present framework for POs has a restricted field of application, given that the possibility to benefit from an EBO (that could subsequently be extended to become a PO by a judge) is limited to individuals sharing the same residence.¹⁷³ The measure is therefore not suitable for ex-partners who do not share a residence with the victim or for perpetrators of other forms of violence against women outside the scope of domestic violence. GREVIO notes that this is one of the reasons behind the continuous low use of this tool in practice by women victims.¹⁷⁴ Given that POs are connected to the issuing of EBOs under the current legislative framework, the reasons for the low use of EBOs identified under Article 52 are also applicable here.

200. Last, it is difficult to draw conclusions regarding the implementation of POs, or their breaches, in view of the low number of orders issued in Belgium. The number of individuals prosecuted for violating an order is on the rise, although information on the outcome of those proceedings and the type and length of sentences is not available.¹⁷⁵ Even though no official assessment has been made of the system for POs or their implementation, GREVIO notes that the introduction of the mobile stalking alarm discussed under Articles 49 and 50 is a positive contribution in this regard, as it would allow for a fast reaction by law enforcement in case a victim reports that a PO has been breached.

201. GREVIO urges the Belgian authorities to take measures to ensure that protection and restraining orders are available and accessible to victims of all forms of violence covered by the Istanbul Convention and that such orders can be applied for independently of other procedures, including against perpetrators who do not currently share a residence with the victim, on an *ex parte* and, where necessary, *ex officio* basis, in line with Article 53, paragraph 2, third indent, of the Istanbul Convention.

202. GREVIO further recalls the findings made in its baseline evaluation report and strongly encourages the Belgian authorities to take measures to increase the use of protection and restraining orders and identify and address the reasons behind the low number of victims making use of the measures available under the current legislative framework.

169. Law on temporary restriction of residence in cases of domestic violence, 15 May 2012, Articles 4 and 5.

170. The amended penalty is a prison sentence of up to one year or a monetary fine.

171. On these protection measures, see GREVIO's baseline evaluation report on Belgium, paragraph 201.

172. A measure available under the law aiming to assign the family dwelling to the victim of physical violence of 28 January 2003.

173. Law on temporary restriction of residence in cases of domestic violence, 15 May 2012, Article 3, paragraphs 1 and 2.

174. According to official data, the Dutch-speaking courthouses in Belgium recorded a total of 1 751 orders and the French-speaking ones 172 for the period 2020-2023.

175. Table 7, state report page 259.

5. Measures of protection (Article 56)

203. Article 56 of the Istanbul Convention is a key provision for building trust at the level of judicial proceedings for women and girls who have experienced or who are witness to any of the forms of violence covered by the convention. It sets forth a non-exhaustive list of procedures designed to protect victims of violence from intimidation, retaliation and secondary victimisation at all stages of proceedings, during investigations and at trial. The drafters intended this list to be indicative, and parties may adopt additional protection measures that are more favourable than those provided in the convention. Moreover, intimidation and secondary victimisation can occur not only at the hands of perpetrators but also when investigations and judicial proceedings are not based on a gendered understanding of violence against women, which is why the practical application of measures of protection should be firmly anchored in such an understanding.

204. The rights of victims of any crime in relation to criminal proceedings and execution of sentences in Belgium are regulated by the Code of criminal Procedure and a law of 2006.¹⁷⁶

205. Since the adoption of GREVIO's baseline evaluation report, a Royal Decision of 13 August 2022 was adopted to further clarify those rights. An updated "victim form" was adopted in the same year, streamlining the process of participation for victims in criminal proceedings. On the form victims can select what type of information should be communicated to them, including decisions concerning the execution of the sentence, release and the right to be heard by a judge deciding on the sentencing of the perpetrator.¹⁷⁷ However, the obligation to inform the victim about the release of the perpetrator does not extend to situations of escape, which can lead to victims being exposed to risk.

206. Criminal proceedings in Belgium are in principle open to the public, but for reasons of protection of privacy of the victim, the public can be excluded.¹⁷⁸ Since 1 September 2024, victims of all crimes in Belgium have the right to participate in court hearings via videoconference, thus avoiding unnecessarily confrontation with the perpetrator and secondary victimisation, which GREVIO welcomes.¹⁷⁹ Chapter 5 of the Law on Femicide also brought additional rights to victims of violence against women, primarily in the process of making a complaint. The same law also recognises the right of child witnesses of violence to the status of a victim in their own right.¹⁸⁰

207. Rights of women victims are in practice already the focus of law enforcement through the use of the TAM interviewing technique for minors and vulnerable adults. TAM interviews are always recorded for crimes of indecent exposure, rape, grooming and FGM, and can be recorded for many other crimes or depending on the age or status of the victim.¹⁸¹ The recorded TAM interview at the level of law enforcement is, in principle, used throughout the criminal proceedings and the judge decides if hearing the victim again is necessary. After the legislative changes of 2024 discussed above, there is no obstacle to the victim testifying via videoconference if this is deemed necessary. This possibility only adds to the rights of victims already present in the law, such as the right of victims to be accompanied by an adult of their choice, a legal representative and an expert if necessary. The judge can also take measures to limit the visual contact between the victim and the

176. Law on the external legal status of persons sentenced to deprivation of liberty and on the rights of the victim in connection with the enforcement of sentences (2) (*Loi relative au statut juridique externe des personnes condamnées à une peine privative de liberté et aux droits reconnus à la victime dans le cadre des modalités d'exécution de la peine* (2)) of 17 May 2006, Article 46.

177. The updated victim form was adopted as part of Ministerial Decision of 19 August 2022. See: https://justice.belgium.be/fr/themes/que_faire_comme/victime/fiche_victime.

178. Article 190 of the Code of Criminal Procedure.

179. Law on the organisation of videoconference hearings in court proceedings (*Loi portant organisation des audiences par vidéoconférence dans le cadre des procédures judiciaires*) of 25 April 2024.

180. Law on Femicide, Article 8.

181. Joint Circular No. 03/2021 of the Minister of Justice, the Minister of Interior Affairs and the College of Public Prosecutors relating to the audiovisual recording of hearings of minors and vulnerable adults who are victims or witnesses of offences, revised on 29 November 2022, Article 1.2.

perpetrator in cases involving physical presence in the courtroom, if necessary.¹⁸² GREVIO notes that victim interviews taking place at CPVS/ZSG centres and interviews carried out by EVA units and in the various institutions offering multi-agency co-operation represent promising practices, given the expertise of the staff conducting them and the available infrastructure, which is conducive to building a relationship of trust with the victim.

208. While GREVIO commends the availability of these measures, it notes with grave concern their reported lack of implementation. Women's rights organisations and legal professionals alerted GREVIO to the fact that victims attending court hearings rarely benefit from these rights in practice. Criminal and civil courts are often not equipped with separate waiting rooms, screens to protect victims or other means to prevent contact between the victim and the perpetrator. Hearings in civil courts, in particular, often take place in chambers, allowing for little physical room between victim and perpetrator, let alone the use of a protective screen.¹⁸³ The option to use videoconferences to prevent victims from being forced to face their perpetrator is rarely used, despite the legal possibility. GREVIO's attention was also drawn to the fact that some courts refused explicit requests by victims to hold separate appointments to hear the victim and perpetrator without providing relevant reasons for doing so.¹⁸⁴

209. As most measures of protection for women victims of violence before the judicial system appear already to be in place, GREVIO stresses the importance of implementing those measures, including through adequate funding and infrastructural investments, where necessary.

210. GREVIO strongly encourages the Belgian authorities to evaluate the implementation of the existing protection measures for women victims of gender-based violence and to ensure that all measures in place to protect women victims during investigations and judicial proceedings are implemented in practice and for victims of all forms of violence covered by the Istanbul Convention.

182. Article 100 of the Code of Criminal Procedure.

183. Information obtained during the evaluation visit.

184. Information obtained during the evaluation visit.

Appendix I

List of proposals and suggestions by GREVIO

II. Changes in definitions, comprehensive and co-ordinated policies, funding and data collection in the areas of violence against women and domestic violence

A. Definitions (Article 3)

1. GREVIO welcomes the shift towards a gender perspective in policy making on violence against women at the federal level and encourages the Belgian authorities to pursue efforts to ensure that such a perspective is rolled out in all policies and measures for the implementation of the Istanbul Convention at all levels of government. This should be done through the promotion of a common conceptual reference framework and operational guidelines shared by all authorities, at federal, regional and community levels. (paragraph 15)

B. Comprehensive and co-ordinated policies (Article 7)

2. While welcoming the reforms undertaken to improve the co-ordination of policies, GREVIO recalls the findings issued in its baseline evaluation report and strongly encourages the Belgian authorities to take measures to ensure greater consistency of policies and measures between the different levels of authorities. (paragraph 24)

3. GREVIO encourages the Belgian authorities to:

- a. ensure that policies and measures taken to prevent and combat violence against women and domestic violence address the needs of women and girls who are or might be exposed to intersectional discrimination, in particular asylum-seeking and refugee women, women from rural areas, elderly women, women with mental disabilities and women with addiction issues;
- b. evaluate, on a regular basis, policies that aim to achieve the comprehensive and co-ordinated policy approach required by the Istanbul Convention. Such evaluations should be carried out on the basis of predefined indicators in order to assess their impact and ensure that policy making is based on reliable data. (paragraph 25)

C. Financial resources (Article 8)

4. While welcoming the increased, sustainable funding sources made available for women's rights organisations, GREVIO encourages the Belgian authorities to:

- a. take further measures to ensure that the amounts allocated to preventing and combating violence against women by all levels of government are identifiable;
- b. pursue efforts to implement gender-responsive budgeting at all levels of government;
- c. ensure appropriate and sustainable funding for women's NGOs that run specialist support services for women victims of all forms of violence, including smaller community-based NGOs, through funding opportunities that allow for continuous, sustainable service provision. (paragraph 34)

D. Data collection (Article 11)**3. Social services**

5. While noting the efforts made by the Belgian authorities to improve data collection on violence against women, GREVIO urges them to:

- a. ensure that data collected by law-enforcement agencies, judicial authorities, the healthcare sector, social services and specialist support service providers are disaggregated with regard to sex, age, type of violence and the relationship of the perpetrator to the victim, geographical location and other factors deemed relevant; data collected by public and private healthcare providers should encompass all contact made by victims of violence against women with all other healthcare providers, including for experiences of violence beyond physical violence;
- b. harmonise data collection between law-enforcement agencies and the judiciary, with the aim of allowing for the tracking of a case across the different stages of the criminal justice system and thus enabling an assessment of, *inter alia*, conviction, attrition and recidivism rates. (paragraph 50)

III. Analysis of the implementation of selected provisions in priority areas in the fields of prevention, protection and prosecution**A. Prevention****1. General obligations (Article 12)**

6. GREVIO encourages the Belgian authorities to:

- a. ensure that a stronger focus is placed on primary prevention efforts in relation to all forms of violence against women;
- b. carry out more preventive work to specifically address gender-based violence experienced by women and girls exposed to intersectional discrimination;
- c. carry out regular impact evaluations to assess the effect of the awareness-raising measures. (paragraph 59)

2. Education (Article 14)

7. GREVIO strongly encourages the Belgian authorities at all levels of education to strengthen efforts to ensure the practical implementation of the requirement to impart knowledge on the elements listed in Article 14 of the Istanbul Convention, including the principles of equality between women and men, non-stereotyped gender roles, mutual respect and non-violent conflict resolution in interpersonal relationships, at all levels of education. Such efforts should include the notion of freely given consent in sexual relations. Measures taken in this context should be regularly evaluated by means of a unified set of indicators. (paragraph 66)

3. Training of professionals (Article 15)

8. Recalling the findings in its baseline evaluation report, GREVIO strongly encourages the Belgian authorities to:

- a. introduce mandatory initial and in-service training for all levels of law-enforcement officials concerning all types of violence against women covered by the Istanbul Convention;
- b. make initial and in-service training compulsory for all healthcare professionals that may come into contact with women victims of violence;
- c. adopt and disseminate quality standards for training courses on violence against women that incorporate a gendered understanding of violence. (paragraph 76)

9. GREVIO further encourages the Belgian authorities to step up initial training for professionals working in the judiciary and to ensure that all such professionals undertake regular in-service training and that the impact of such training is regularly evaluated. (paragraph 77)

4. Preventive intervention and treatment programmes (Article 16)

a. Programmes for perpetrators of domestic violence

10. GREVIO encourages the Belgian authorities to:

- a. expand the number and increase the geographic availability of perpetrator programmes for domestic violence and ensure that they are widely attended, in particular by reducing barriers to voluntary attendance;
- b. develop common minimum standards for perpetrator programmes, in line with the principles of the Istanbul Convention, taking account of the need for a gender-sensitive approach and for perpetrators to examine and identify the patriarchal and misogynist nature of their values and attitudes, to take full responsibility for their actions and to modify their behaviour;
- c. collect data on the attendance of perpetrator programmes, and ensure their external evaluation, in line with recognised best practices and principles, in order to assess whether the programmes serve their intended preventive aims. (paragraph 85)

b. Programmes for perpetrators of sexual violence

11. GREVIO encourages the Belgian authorities to continue to increase the number and geographical availability of perpetrator programmes for sexual violence and ensure that they incorporate an understanding of sexual violence against women as a phenomenon rooted in harmful notions of gender roles. (paragraph 90)

B. Protection and support

1. General obligations (Article 18)

12. Welcoming the various initiatives that have been put into place since the adoption of its baseline evaluation report, GREVIO encourages the Belgian authorities to ensure that multi-agency co-operation mechanisms on domestic violence and other forms of violence covered by the Istanbul Convention take a distinctly gendered approach and acknowledge violence against women as rooted in patriarchal attitudes and women's inequality with men. (paragraph 100)

2. General support services (Article 20)

a. Social services

13. GREVIO strongly encourages the Belgian authorities at all levels to step up their efforts to support the recovery and economic independence of women victims of violence throughout the country through general social services, including measures involving financial assistance, education/training and assistance in finding employment and housing, and to identify and reduce any existing barriers to such support services. (paragraph 109)

b. Healthcare services

14. GREVIO recalls the findings in its baseline evaluation report and strongly encourages the Belgian authorities to implement standardised care paths in the healthcare sector based on a gender-sensitive approach, in order to ensure the identification of victims of violence and, where necessary, of their children, their diagnosis, treatment and referral to appropriate specialist support services, accompanied by a medical certificate documenting the violence suffered, as necessary. (paragraph 114)

3. Specialist support services (Article 22)

15. Recalling the findings of its baseline evaluation report, GREVIO urges the Belgian authorities to:

- a. take legislative or other measures to ensure that victims of all forms of violence covered by the Istanbul Convention have access to specialist support services, in particular by increasing the number and capacity of women-only shelters providing safe accommodation to victims of all forms of violence against women and their children;
- b. ensure that the increase in number and capacity of women-only shelters is done in line with the standards set by the Istanbul Convention and with an adequate geographical distribution, with the aim of achieving the standard set in the Explanatory Report to the Istanbul Convention of one family place per 10 000 inhabitants;
- c. ensure that fees do not act as a barrier to access to such shelters, regardless of the administrative situation of the victim. (paragraph 125)

16. GREVIO further urges the Belgian authorities to set up a state-wide helpline that serves as a single first point of contact for providing advice to women victims of all forms of violence against women and domestic violence, operating across the whole territory, round the clock, seven days a week. (paragraph 126)

4. Support for victims of sexual violence (Article 25)

17. GREVIO encourages the Belgian authorities to continue to develop and expand the existing support services for victims of sexual violence, placing particular focus on ensuring the availability of short and long-term psychological counselling and support for such victims, as required by Article 25 of the Istanbul Convention. (paragraph 134)

C. Substantive law

1. Custody, visitation rights and safety (Article 31)

18. Recalling the findings issued in its baseline evaluation report, GREVIO urges the Belgian authorities to take the following priority actions in the area of custody and visitation rights to ensure the safety of women victims of violence and their children:

- a. take measures to ensure that the negative impact that violence against women has on children is reflected in legislation and that incidents of violence against women are a mandatory legal criterion to be taken into account when deciding on custody and visitation rights; to this effect, all judicial decisions on custody and visitation rights should be duly reasoned;
- b. in the interim, carry out a thorough review of the judicial practice concerning custody and visitation rights in cases of parental separation with a history of violence in order to determine whether the current practice complies with the provisions of Article 31 of the Istanbul Convention;
- c. in the determination of custody and visitation rights, introduce systematic screening and risk-assessment procedures, including through the use of standardised questionnaires, in order to establish whether there is a history of violence by one parent against the other;
- d. pursue efforts to ensure that all professionals who come into contact with women victims of domestic violence or their children are made aware of the lack of a scientific basis of the so-called parental alienation syndrome and its harmful effect on women victims and their children;
- e. ensure that supervised visitation facilities provide for the safety of children and their mothers and avoid secondary victimisation of women victims of violence. (paragraph 143)

2. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48)

19. 149. While welcoming the recent civil law reforms introducing important safeguards against ordering mandatory mediation for couples in relationships marred by violence, GREVIO encourages the Belgian authorities to ensure that the procedure for referral to mediation in family law proceedings does not result in quasi-mandatory mediation in cases with a history of violence; to do so, they should ensure that any decision concerning a referral to mediation made by civil judges is based on a risk assessment and a robust screening process for a history of violence. (paragraph 149)

20. GREVIO further encourages the Belgian authorities to assess the implementation of existing safeguards aimed at ensuring the free and informed consent of women victims of violence when a decision to refer a case to mediation is made and at ensuring that these procedures fully respect the rights, needs and safety of victims. (paragraph 150)

D. Investigation, prosecution, procedural law and protective measures

1. General obligations (Article 49) and Immediate response, prevention and protection (Article 50)

a. Reporting to, immediate response and investigations by law-enforcement agencies

21. GREVIO encourages the Belgian authorities to:

- a. ensure that all law-enforcement officials adopt a gender-sensitive and trauma-informed approach when dealing with women victims of violence and to design and implement federal-level guidelines for the initial reception of such victims by law-enforcement officials;
- b. identify and address any factors preventing women and girls from reporting their experiences of violence against women to law-enforcement agencies, focusing particularly on the experiences of migrant women, asylum-seeking women and women with an irregular migration status. (paragraph 163)

b. Effective investigation and prosecution

22. GREVIO strongly encourages the Belgian authorities to:

- a. identify and address the factors that contribute to the high rate of attrition at the level of prosecution of cases of all forms of violence against women covered by the Istanbul Convention;
- b. take measures to ensure that the prosecution's handling of cases of violence against women is firmly anchored in a gender-based and victim-centred understanding of violence against women and that such cases are afforded adequate priority;
- c. ensure that economic and psychological violence are duly prosecuted;
- d. introduce adequate safeguards to ensure that no inappropriate use of mediation and monetary fines are proposed in cases of violence against women closed at the level of prosecution, in particular concerning cases of sexual violence. (paragraph 171)

c. Conviction rates

23. GREVIO recalls the findings made in its baseline evaluation report and strongly encourages the Belgian authorities to ensure that sanctions are commensurate with the gravity of the offence in all cases of violence against women covered by the Istanbul Convention, in particular in cases of domestic and sexual violence. (paragraph 179)

24. GREVIO further strongly encourages the Belgian authorities to undertake comprehensive research into the factors leading to disparities in the judicial response to all forms of violence against women. (paragraph 180)

2. Risk assessment and risk management (Article 51)

25. GREVIO encourages the Belgian authorities to continue their efforts to update, develop and streamline existing risk-assessment tools, in particular by introducing a gender perspective into all the tools used by law enforcement, the judiciary and providers of services for women victims of violence across all regions of the country and at every relevant step of the procedure. (paragraph 187)

3. Emergency barring orders (Article 52)

26. GREVIO recalls the findings made in its baseline evaluation report and strongly encourages the Belgian authorities to:

- a. remove any obstacles in the legislation or in practice to the use of emergency barring orders, in particular by closing the gaps in victim protection, including through active referral of victims of domestic violence to specialist support services that can assist them in making use of such an order;
- b. assess the overall level of implementation of the current system of emergency barring orders in practice with a view to reforming the existing system and improving their use. (paragraph 194)

4. Restraining or protection orders (Article 53)

27. GREVIO urges the Belgian authorities to take measures to ensure that protection and restraining orders are available and accessible to victims of all forms of violence covered by the Istanbul Convention and that such orders can be applied for independently of other procedures, including against perpetrators who do not currently share a residence with the victim, on an *ex parte* and, where necessary, *ex officio* basis, in line with Article 53, paragraph 2, third indent, of the Istanbul Convention. (paragraph 201)

28. GREVIO further recalls the findings made in its baseline evaluation report and strongly encourages the Belgian authorities to take measures to increase the use of protection and restraining orders and identify and address the reasons behind the low number of victims making use of the measures available under the current legislative framework. (paragraph 202)

5. Measures of protection (Article 56)

29. GREVIO strongly encourages the Belgian authorities to evaluate the implementation of the existing protection measures for women victims of gender-based violence and to ensure that all measures in place to protect women victims during investigations and judicial proceedings are implemented in practice and for victims of all forms of violence covered by the Istanbul Convention. (paragraph 210)

Appendix II

List of the national authorities, other public bodies, non-governmental organisations and civil society organisations with which GREVIO held consultations

Federal, regional and community authorities:

- Institute the Equality between Women and Men
- Federal for Ministry of Justice
- Judicial training institute
- College of General Prosecutors
- College of Courts and Tribunals
- Brussels, Liège, Antwerp and Limbourg prosecution services
- Court of First Instance Antwerp
- Court of First Instance Brussels (family court)
- Federal Ministry of Interior
- Federal police
- Permanent commission of the local police (VCLP / CPPL)
- Permanent committee for the supervision of the police services (Comité P)
- Local police representatives (Brussels, Ghent and Hamme-Waasmunster)
- Emergency Victim Assistance Unit, Brussels police
- PAULO police school
- FEDASIL
- National Institute of Criminalistics and Criminology (INCC)
- Federal Ministry of Public Health
- National Institute for Health and Disability Insurance (INAMI)
- Agencies of the Flemish community
- Agencies of the French-speaking community
- Agencies of the German-speaking community
- Ministry of Welfare, Culture, Poverty Reduction and Equal Opportunities of Flanders
- Public service of Wallonia
- Federation Wallonia-Brussels
- Walloon Institute for Evaluation, Forecasting and Statistics (IWEPS)
- Statistics Flanders
- Sexual Assault Centre Liège
- Sexual Assault Centre Brussels
- Common Community Commission Brussels (COCOM)
- Centre for General Well-being (Centrum Algemeen Welzijnswerk, CAW), Brussels
- Safe Home (Veilig Huis) Antwerp
- Ministry of Education and Training of the Flemish Community
- Ministry of Education and Social Promotion of the French-speaking community
- Equal Brussels
- Brussels Capitol Region – Social Affairs Service
- Scientific Society of General Medicine (SSMG)
- Ordre des Médecins
- Olista Brussels

Non-governmental organisations:

- Center for the Prevention of Domestic and Family Violence
- Amnesty International Belgium
- European Council on Refugees and Exiles (ECRE)
- Fem & Law
- Platform for a Respectful Birth

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- Garance – women’s rights organisation
 - Feminist Platform against Violence against Women
 - Group for the Abolition of Female Genital Mutilation (GAMS Belgium)
 - Furia - women’s rights organisation
 - Vrouwenraad – women’s rights organisation
 - Women Refugee Committee (WRC)
 - The Voice of Women – women’s rights organisation
 - ISALA – organisation supporting women in prostitution
 - Arab Women’s Solidarity Association (AWSA)
 - Belgian Disability Forum
 - Intact ASBL
 - Casa Legal ASBL
 - Collective against Domestic Violence (CVFE)
 - Break the Silence – women’s rights organisation
 - Women of Law
 - Liège platform on forced marriages and honour-based violence
 - Prisma ASBL - Crisis centre for women victims of domestic violence
 - Multidisciplinary centre for family planning “320 Rue Haute” Brussels
 - DiViCo Liège – women’s rights organisation

Legal professionals:

- Defendere, Caroline Poiré – law firm

GREVIO, the Group of Experts on Action against Violence against Women and Domestic Violence, is an independent human rights monitoring body mandated to monitor the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) by the parties.

Following the comprehensive stocktaking exercise set out in its baseline evaluation reports, GREVIO's first thematic evaluation round identifies progress made in building trust among women and girls by delivering support, protection and justice for any of the forms of violence against women covered by the Istanbul Convention. This report contains an analysis of developments in law and policy in respect of provisions of the convention relating to victim support and protection, criminal investigation and prosecution of acts of violence. It also covers developments in the determination of child custody and visitation rights in cases with a history of violence and wider preventive measures.

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.