

Belgium

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS-ONGOING SUPERVISION

➔ *Right to life*

Lack of independence of the Belgian Federal Monitoring and Assessment Board for euthanasia.

Mortier (78017/17)
 Judgment final on 04/01/2023

Standard supervision
Status of execution

➔ *Conditions of detention*

Prison overcrowding, poor conditions of detention, lack of out-of-cell activities, problems of hygiene and dilapidation; lack of effective remedy.

Vasilescu (64682/12+)
 Judgment final on 20/04/2015

Enhanced supervision
Status of execution

De facto incompressible nature of a life imprisonment sentenced in 1981, due to the absence of any realistic prospect of release since 2018.

Horion (37928/20)
 Judgment final on 09/08/2023

Standard supervision
Status of execution

➔ *Detention of persons suffering from mental disabilities*

Detention of inmates suffering from mental health disorders for long periods in prison psychiatric wings **without appropriate care; lack of effective remedy.**

L.B. group (22831/08) and **W.D.** (73548/13) pilot judgment
 Judgments final on 02/01/2013 and 06/12/2016

Enhanced supervision
Status of execution

➔ *Reception / Expulsion / Extradition*

Structural problem of **non-enforcement of judicial decisions** ordering the provision of **material support and urgent housing to asylum seekers.**

Camara (49255/22)
 Judgment final on 18/10/2023

Enhanced supervision
Status of execution

Lack of prompt review of the detention of two foreigners by a tribunal; **removal and ban on entry on the territory** of a Tunisian national **without taking due account of his paternity of a Belgian child.**

Makdoudi group (12848/15)
 Judgment final on 18/06/2020

Standard supervision
Status of execution

Police entry into a foreigner's home without legal basis and without his consent **in the context of the enforcement of a deportation order.**

Sabani (53069/15)
 Judgment final on 08/06/2022

Standard supervision
Status of execution

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS-ONGOING SUPERVISION

➔ *Length of judicial proceedings*

Excessive length of civil and criminal proceedings; insufficient statistics to date; issues related to the effective functioning of compensatory remedy; **structural problem of excessive length of proceedings in Brussels.**

Bell group (44826/05)
Judgment final on 06/04/2009

Enhanced supervision
Status of execution

➔ *Discrimination and freedom of religion*

Discrimination related to the deprivation of the **exemption of the real estate tax** on the buildings assigned to the public exercise of their worship in Brussels, **on the grounds of not being a "recognised religion"**.

Anderlecht Christian Assembly of Jehovah's Witnesses and Others (20165/20)
Judgment final on 05/07/2022

Standard supervision
Status of execution

➔ *Right to free elections*

Lack of adequate and sufficient procedural safeguards and effective remedy to challenge the results of the elections and **lack of procedural safeguards** in case of resignation of elected officials.

Mugemangango group (310/15)
Judgment final on 10/07/2020

Enhanced supervision
Status of execution