

Belgium

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS-ONGOING SUPERVISION

➔ *Actions of security forces*

Commitment by the authorities to provide an appropriate structural response to the issues raised in the field during police interventions with persons with mental health disorders.

Kaya (59856/18)
Friendly settlement of 12/09/2019
 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 group (64682/12+)
Judgment final on 20/04/2015
 Enhanced supervision
Status of execution

Degrading treatment due to the lack of a minimum service to meet the basic needs of prisoners during strikes; lack of effective remedy.

Clasens group (26564/16+)
Judgment final on 28/08/2019
 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*

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

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS-ONGOING SUPERVISION

➔ *Length of judicial proceedings*

Excessive length of civil proceedings before first instance courts; no complete statistics to date.

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

Enhanced supervision

Status of execution

➔ *Right to free elections*

Inadequate, in particular in terms of impartiality, and insufficient procedural safeguards to ensure effective examination of a complaint lodged by a candidate against **the results of the elections**.

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

Enhanced supervision

Status of execution

Lack of procedural safeguards against arbitrariness in the process of accepting the resignation of a Senator, who alleged that she was forced to resign by members of her party.

G.K. (58302/10)
Judgment final on 21/08/2019

Standard supervision

Status of execution