



FREEDOM IN THE WORLD 2020

Belgium

96

/100

FREE

<u>Political Rights</u>	39 /40
<u>Civil Liberties</u>	57 /60

LAST YEAR'S SCORE & STATUS

96 /100 **Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Belgium is a stable electoral democracy with a long record of peaceful transfers of power. Political rights and civil liberties are legally guaranteed and largely respected. Major concerns in recent years have included the threat of terrorism, and corruption scandals that have unsettled the country's complex institutional setting and political landscape.

Key Developments in 2019

- The federal and regional elections in May shifted the established balance of power in Belgian politics: parties on the far-left and far-right of the political spectrum gained seats, while establishment parties saw their support dwindle. No governing coalition had been formed by the end of the year.
- In October, police rescued 12 migrants in the back of a refrigerated truck in a highway parking area in the north of the country. Authorities were investigating the existence of a human trafficking ring; two days before this, British officials had found 39 people dead in the back of a truck entering the United Kingdom from Belgium.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

4/4

The Belgian monarchy is largely ceremonial, although the king retains constitutional authority to mediate the process of government formation. The prime minister, who is the leader of the majority party or coalition, is appointed by the monarch and

approved by the legislature. In October 2019, Sophie Wilmès was appointed prime minister of the caretaker, interim government, while governing coalition talks continued. Wilmès is the first woman to hold the position in Belgium.

Belgium's multilayered subnational administrative units have their own governments with varying degrees of autonomy. In addition to the three main geographic divisions of French-speaking Wallonia in the south, Flemish-speaking Flanders in the north, and the bilingual Brussels capital region, there are overlapping governments for the French community, the Flemish community, and the German-speaking community. Beneath these are provincial and various local governments.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?	4/4
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Belgium's federal parliament consists of two houses: the Chamber of Representatives and the Senate. The 150 members of the lower house (the Chamber) are elected directly by proportional representation. The Senate is composed of 50 members selected by community and regional parliaments, and an additional 10 members chosen by the first 50 based on the results of the Chamber of Representatives elections. Members serve five-year terms in both houses, and elections are generally free and fair.

In the May 2019 elections, establishment parties lost significant shares of support to parties on the far-left and far-right of the political spectrum. The center-right, separatist party, New Flemish Alliance (N-VA), lost some power, taking 25 seats in the Chamber of Representatives (down 8 seats), while far-right, separatist party Flemish Interest (VB) made large gains (15 seats), filling 18 seats in the Chamber. The francophone Socialist Party (PS) won 20 seats, down 3 from the previous election. The francophone Ecolo (in Wallonia and Brussels), paired with their Flemish-speaking counterpart Groen (in Flanders and Brussels) together grabbed 21 seats, a significant increase. The Christian Democratic and Flemish party (CD&V), the Workers' Party of Belgium (PvdA in Flemish, PTB in French) and the Open Flemish Liberals and

Democrats (VLD) took 12 seats each. The francophone Movement for Reform (MR) of incumbent prime minister Charles Michel, won 14 seats. A governing coalition had not formed by the end of 2019; a long period without a government that is not historically unusual for Belgium.

Regional elections held on the same day in May showed a similar trend, with losses by establishment parties in all parts of the country. However, the N-VA remained the biggest party in Flanders and was able to form a government in coalition with the CD&V and the VLD in October (the same coalition that existed after the 2014 elections). The PS remained the biggest party in Wallonia and formed a new coalition government with Ecolo and MR in September. In Brussels, a coalition was formed between PS and Socialist Party Differently (SP.A), the Ecolo and Groen, the liberal VLD, and the francophone party DéFI.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	4/4
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Despite the complexity of the political system, the electoral laws and framework are generally fair and impartially implemented.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	4/4
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The party system is robust but highly fragmented, with separate Flemish and Walloon political parties representing various positions on the left-right spectrum.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?	4/4
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Belgium's coalition-based politics allow individual parties to move easily in and out of government, and there is a long record of peaceful transfers of power between rival parties at the federal level. The most recent such transfer occurred after the 2014 elections, when the center-right MR captured the premiership from the left-leaning PS. The 2018 local elections showed a weakening of the federal governing parties, aside from the N-VA, whose departure from the government in December 2018 was seen as part of its preparation for the May 2019 federal elections. The 2019 regional and federal elections showed decreasing support for establishment parties and increasing support for far-right, far-left, and green parties across the country.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	4/4
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The political choices of voters and candidates are generally free from undue interference.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?	4/4
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Members of minority groups are free to participate in national and subnational politics, and women also enjoy full political rights. In the 2019 elections, women were

elected to approximately 43 percent of the seats in the Chamber of Representatives (4 percent more than in the 2014 elections); they fill 65 seats out of 150. The Senate must have a minimum of 20 women senators.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	4/4
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Elected officials generally adopt and implement laws and policies without improper interference from unelected entities, though the difficulty of forming majority coalitions has sometimes disrupted governance over the past decade. The country went roughly 19 months without a government in 2010–11 due to protracted coalition talks. The current negotiation to form a new federal government after the May 2019 elections were still ongoing at the end of the year, and a caretaker government chaired by Sophie Wilmès is currently in charge.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	3/4
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Public officials can face heavy fines and up to 10 years' imprisonment for corruption-related offenses, and enforcement of anticorruption legislation is generally adequate. However, recent corruption scandals have drawn attention to abuses involving politicians who hold multiple positions on the boards of public and private entities, with some officials holding more than a dozen paid positions.

In September 2019, journalists reported that Belgian foreign minister, and nominee for the European Union's justice commissioner, Didier Reynders, was under investigation for his part in corruption linked to business deals in Libya, Kazakhstan, and the Democratic Republic of Congo. A former Belgian spy testified to prosecutors

against Reynders and his associate Jean-Claude Footinoy as having committed bribery and money-laundering. Their alleged schemes included clandestine arms sales, pay-offs from a Congolese election candidate for diplomatic support, and kickbacks on the construction of the Belgian embassy in Kinshasa.

C3 0-4 pts

Does the government operate with openness and transparency?	4/4
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The law provides mechanisms for the public to access government information, and these procedures generally function in practice. Legislators and other high-ranking elected officials are required by law to regularly disclose their assets as well as paid or unpaid mandates, executive functions, and occupations to the Court of Audit. Information about asset declarations is not publicly accessible, but declarations of interests are published in the official government gazette.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	4/4
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Freedom of the press is guaranteed by the constitution and generally respected by the government, though some law enforcement actions affecting journalists have raised concerns in recent years. Belgians have access to numerous public and private media outlets that present a range of views. Internet access is unrestricted.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

3/4

More than half of the country's population identifies as Roman Catholic. Freedom of religion is generally protected, but members of minority religious groups have complained of discrimination and harassment. A ban on the partial or total covering of the face in public locations, which is understood to target Muslims, has been in effect since 2011. Offenders can face a fine or up to a week in jail. The most recent (2018) US Department of State's *Report on International Religious Freedom* noted that anti-Muslim and antisemitic incidents continue to affect the Jewish and Muslim communities.

In December 2019, the town of Aalst renounced its United Nations Educational, Scientific, and Cultural Organization (UNESCO) designation associated with its Carnival, after a long dispute over a racially insensitive float in the Carnival's parade. Town officials claim the float—featuring stereotypical depictions of a Jew with a hooked nose, sitting on piles of money—is meant to be humorous, while UNESCO, Jewish groups, and the European Union have condemned its antisemitic message, reminiscent of 1930s Nazi propaganda.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

4/4

The government does not restrict academic freedom. Schools are free from political indoctrination, and there are no significant impediments to scholarly research or discussion.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

4/4

Private discussion is open and vibrant, and freedom of expression is guaranteed by the constitution, though there are laws banning incitement to hatred and other such offenses.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	4/4
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Freedom of assembly is protected by law and generally respected in practice.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	4/4
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Freedom of association is guaranteed by the constitution, and nongovernmental organizations operate without undue restrictions.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	4/4
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Workers at companies that employ more than 50 people have the right to organize and join unions and to bargain collectively. Employers found guilty of firing workers because of union activities are required to reinstate the workers or pay an indemnity.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	4/4
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The judiciary is independent by law and in practice, and court rulings are duly enforced by other state entities.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	4/4
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The judicial process generally guarantees a fair trial, and the authorities typically observe safeguards against arbitrary arrest and detention. Extraordinary security measures adopted in the period surrounding terrorist attacks in 2015 and 2016 have eased significantly in the years since, though a 2017 legal change increased the maximum length of detention in police custody without a judicial order from 24 to 48 hours.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	4/4
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Although conditions in prisons and detention centers meet most international standards, the facilities continue to suffer from overcrowding and other problematic living conditions.

There have been no major terrorist attacks in Belgium since 2016, and in January 2018 the government lowered its terrorism threat level from three to two on a four-point scale, except in undisclosed high-risk areas.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various	
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segments of the population?	3/4
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Antidiscrimination legislation prohibits bias and acts of hatred and incitement based on categories including gender, race, ethnicity, nationality, and sexual orientation. Nevertheless, some groups, including immigrants, Belgians of African descent, and Romany residents, continue to face a degree of discrimination in practice.

In February 2019, UN experts stated that racial discrimination is institutionally endemic in Belgium and called for recognition of its history of human rights abuses in its colonial rule over the Congo. In response, former prime minister Charles Michel put forward an official apology in April for Belgium's kidnapping, segregation, deportation, and forced adoption of children during colonial rule.

Legislation adopted in 2017 tightened Belgium's asylum policies, in part by reducing the time and scope for appeals of negative asylum decisions and expanding the grounds for detention of asylum seekers. Advocacy organizations said that the changes often reduced the country's standards to the minimum allowed by the European Union.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	4/4
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The law provides for freedom of domestic movement and foreign travel, and the government upholds these rights in practice. There are no restrictions on the right to change one's place of residence, employment, or education.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

4/4

The legal framework supports property rights, and commercial activity is regulated without arbitrary interference.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

4/4

There are few significant restrictions on personal social freedoms. Belgium legalized same-sex marriage in 2003, and in 2006 same-sex couples gained the right to adopt children.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

3/4

Immigration has increased in recent years, but labor-market integration of non-EU immigrants and their native-born children is comparatively low.

Despite government efforts to combat the problem, Belgium remains a destination country for human trafficking, particularly for sexual exploitation and domestic labor; victims generally originate in Eastern Europe, Asia, and Africa. In October 2019, police rescued 12 migrants in the back of a refrigerated truck in a highway parking area in northern Belgium. Officials began coordinating with British authorities to investigate a human trafficking ring, after British police found 39 bodies in the back of a truck crossing into the United Kingdom from Belgium.





On Belgium

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Country Facts

Global Freedom Score

96/100 Free

Other Years

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