

# BELGIUM

## EXECUTIVE SUMMARY

The Kingdom of Belgium is a parliamentary democracy and a limited constitutional monarchy. The country is a federal state with several levels of government: national, regional (Flanders, Wallonia, and Brussels), language community (Flemish, French, and German), provincial, and local. The Federal Council of Ministers, headed by the prime minister, remains in office as long as it retains the confidence of the lower house (Chamber of Representatives) of the bicameral parliament. Federal parliamentary elections held in 2010 were considered free and fair. Security forces reported to civilian authorities.

The main human rights problems in Belgium were significant overcrowding of the prisons and discrimination against racial and religious minorities in the labor market. In July the ban against the wearing of full-face veils in public places (commonly referred to as the “burqa ban”) went into effect nationwide.

Other human rights problems included violence against women, child abuse, and trafficking in persons.

Belgium actively prosecuted and punished officials who committed abuses, whether in the security services or elsewhere in the government, and no cases of impunity were reported.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The law prohibits cruel, inhuman, or degrading treatment or punishment, and there were no reports that government officials employed these during the year.

In its 2011 report on Belgium, Amnesty International cited allegations by protesters of excessive use of force by police following two demonstrations in Brussels in September and October 2010. The Permanent Oversight Committee on the Police Services opened investigations that were ongoing at year's end regarding the allegations.

### **Prison and Detention Center Conditions**

Prison and detention center conditions met most international standards, and the government permitted visits by members of parliament and independent human rights observers.

Prison overcrowding remained a problem. In 2010 the total prison population reached a record high of 11,044, more than 20 percent above prison capacity of 9,179. To ease overcrowding, 500 inmates served part of their sentences in prisons in the Netherlands, and the Netherlands added 150 additional places in its prisons in December 2010. In 2010, 43 inmates died in Belgian prisons. As of August 9, there were 443 female inmates, constituting approximately 4 percent of the prison population. There were no specific reports of abuses or that women were treated worse than men in the seven prisons housing women. As of August, there were 87 juvenile inmates in special closed centers.

Prisoners have access to potable water and recourse to a federal ombudsman. During 2010 there was an increase in the use of alternative sentences, especially for nonviolent offenders.

Prisoners and detainees have reasonable access to visitors and are allowed religious observance. The authorities permitted prisoners and detainees to submit complaints and allegations of inhumane conditions to judicial authorities without censorship. Authorities investigated credible allegations of inhumane conditions and documented these results in a publically accessible manner. The government investigated and monitored prison and detention center conditions. A credible 2010 internal evaluation issued by the penitentiary administration stated that prisons conditions were acceptable in 30 of 36 prisons.

The government permitted visits to prisons and detention centers by members of parliament and independent human rights groups during the year. The federal mediator acts as an ombudsman allowing any citizen to address issues with the administration. In 2009 responding to a request from inmates from the Merksplas Prison, the federal mediator recommended the closure of one of the prison buildings because the cells were small, overcrowded, and lacked running water. Following the release of the mediator's report, the Ministry of Justice made the necessary improvements to reopen the building. During the year the ministry continued implementing the 2008-12 master plan to build seven new penitentiaries and upgrade existing infrastructure. Four new prisons were under construction and scheduled for completion by 2013, providing places for an additional 1,000 prisoners.

Belgium generally complies with minimum UN standards for prisons. As of September, 89 articles of the "Dupont" law, clarifying the rights and obligations of inmates, became applicable. Accordingly, inmates received a handbook of internal regulations, which detail the standards for their living conditions.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

#### **Role of the Police and Security Apparatus**

The federal police are responsible for internal security and nationwide law and order. In 2010 the General Inspection Service examined 1,174 complaints against the police, primarily for violence and arbitrary detention, and subsequently forwarded two-thirds of these to the prosecutor's office. Of the complaints, six were for corruption and three for abuse of power. Civilian authorities maintained effective control over the federal and local police and the armed forces, and the government had effective mechanisms to investigate and punish abuse and corruption.

#### **Arrest Procedures and Treatment While in Detention**

Under the constitution an individual may be arrested only while committing a crime or by a judge's order carried out within 24 hours. The law provides a person in detention with the right to prompt judicial determination of the legality of the

detention, and the authorities generally respected this right. Authorities promptly informed detainees of charges against them and provided access to an attorney (at public expense if necessary). Alternatives to incarceration included conditional release, community service, probation, and electronic monitoring. There is a functioning bail system. According to 2010 figures, pretrial detainees made up approximately 35 percent of the total prison population. The average length of pretrial detention was 90 days.

#### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence in practice.

#### **Trial Procedures**

The constitution provides for the right to a fair trial, and an independent judiciary generally enforced this right. All defendants are presumed innocent and have the right to be present, to be represented by counsel, to confront witnesses, to present evidence, and to appeal.

The law gives domestic courts jurisdiction over war crimes and crimes against humanity that occurred outside the country when the victim or perpetrator was a citizen or legal resident of the country.

#### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

#### **Regional Human Rights Court Decisions**

Belgium is a party to the European Convention on Human Rights and subject to the jurisdiction of the European Court of Human Rights (ECHR). The government treated all ECHR decisions as binding.

On January 21, the ECHR released its judgment in a case concerning an asylum seeker who fled Afghanistan in 2008 to apply for asylum in Europe. He entered the EU via Greece and proceeded to Belgium, which in 2009 returned him to Greece, his point of entry into the EU. The ECHR ruled that returning asylum seekers to Greece violated the European Convention on Human Rights and the

seeker's right to an effective appeal. The ECHR asked Belgium to implement an effective appeals procedure and ordered it to pay 24,900 euros (\$32,370) in compensation.

### **Civil Judicial Procedures and Remedies**

Individuals and organizations could seek civil remedies for human rights violations through the courts and appeal national-level court decisions to the ECHR.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution and legal code prohibit such actions, and the government generally respected these prohibitions in practice.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

##### **Status of Freedom of Speech and Press**

The constitution and law provide for freedom of speech including for members of the press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

Holocaust denial is a criminal offense, and in a high-profile case, Roeland Raes, a prominent member of the right wing Vlaams-Belang party, was found guilty of Holocaust denial; his appeal was rejected during the year.

##### **Internet Freedom**

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the expression of views via the Internet, including by e-mail.

##### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

## **b. Freedom of Peaceful Assembly and Association**

The constitution and law provide for freedom of assembly and association, and the government generally respected these rights in practice. However, in October a police officer kicked a protestor in the face after he was arrested and handcuffed. The incident was recorded on video and posted to YouTube, prompting a review of police disciplinary procedures.

## **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

## **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

### **Protection of Refugees**

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees, including specific subsidiary protection that goes beyond asylum criteria established by the Geneva conventions.

Laws remained in place that facilitated residency permits for aliens who had become victims of an unduly long asylum application process. The law also covered undocumented aliens who lived in a precarious humanitarian situation or who could prove that they were integrated into local society, by having lived in the country for at least five years or by being gainfully employed for at least one year.

Regularization of legal status on the grounds of an unduly long application period, for urgent humanitarian reasons, or on medical grounds was granted to 24,199

applicants in 2010, compared with 14,830 the previous year. During 2010 the Federal Agency for the Reception of Asylum Seekers (FEDASIL) provided shelter to 1,081 unaccompanied foreign minors who requested asylum.

Safe Country of Origin/Transit: Belgium signed and implemented the Dublin II Agreement, and following a court ruling, ceased transferring asylum seekers to Greece if it was the first EU country the asylum seeker entered.

Nonrefoulement: In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. In the high-profile case of Saber Mohammed, Amnesty International deemed his return to Iraq was not voluntary, but rather occurred under pressure from the authorities.

Refugee Abuse: In 2010 authorities assigned 6,553 persons to closed centers, facilities that asylum seekers were not permitted to leave. The average stay in closed centers was 25 days. A new closed center intended to replace two older ones was under construction during the year. Public health and legal assistance are available on only a limited basis due to staffing shortages.

Temporary Protection: The law allows authorities to grant “subsidiary protection” to individuals who might not qualify as refugees but who could establish that upon return to their home country, they would face the death penalty, torture, or other inhuman treatment.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The constitution provides citizens with the right to change their government peacefully. Citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage. Voting in all elections is compulsory; failure to vote is punishable by a nominal fine.

#### **Elections and Political Participation**

Recent Elections: Federal elections held in June 2010 were considered free and fair.

Participation of Women and Minorities: The constitution requires the presence of men and women in federal, regional, and local governments, and the law requires an equal number of male and female candidates on party tickets in European, federal, regional, provincial, and local elections. Failure to meet the requirement would nullify the elections and render any government thereby created illegal.

Following the 2010 federal elections, there were 59 women in the 150-seat federal Chamber of Representatives and 25 women in the 71-seat Senate (of the 40 directly elected senators, 17 were women). Five of the 23 federal cabinet ministers and state secretaries were women.

There are seven members of Moroccan and Turkish origin in the Chamber of Representatives and five in the Senate.

#### **Section 4. Official Corruption and Government Transparency**

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were isolated reports of government corruption during the year, including a former minister-president of the Walloon region who admitted to pressuring a city to accept new invoices from a contractor.

Following up on 2009 recommendations, in August the Council of Europe's Group of States against Corruption (GRECO) published its Third Round Evaluation Report on Belgium. The GRECO report noted that Belgium only partially implemented four recommendations on corruption and implemented only one of 11 recommendations on transparency of political party funding. Specifically, the report highlighted the lack of an independent institution to control funding of the parties.

With some exceptions, such as material involving national security, the law provides public access to government information. The government respected this law in practice.

#### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on

human rights cases. Government officials generally were cooperative and responsive to their views. The government-sponsored Center for Equal Opportunities and Opposition to Racism (CEOOR) is responsible for promoting equal opportunity and combating all forms of discrimination, exclusion, or preferential treatment based on legally stipulated criteria. It also monitors respect for the fundamental rights of foreign nationals, observes the nature and scope of migration flows, and assists in antitrafficking efforts.

The center enjoys a high level of public trust, is independent in its functioning, and is well-financed by the government.

Government Human Rights Bodies: Federal and regional government ombudsmen monitor and publish reports on the workings of agencies under their respective jurisdictions.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions. The law identifies 18 grounds of possible discrimination subject to legal penalty: age, sexual orientation, civil status, birth, financial situation, religious belief, philosophical orientation, physical condition, disability, physical characteristics, genetic characteristics, social status, nationality, race, color of skin, descent, national origin, and ethnic origin. A separate law governs gender discrimination in the workplace. Under a directive issued by the Board of Prosecutors General, police and prosecutors must cite racial motivation if present when reporting or recording offenses. In such instances the prosecutor must escalate the case (e.g., in a racially motivated crime, the charge would additionally include a hate crime offense).

### **Women**

Rape and Domestic Violence: Rape, including spousal rape, is illegal, and the government prosecuted such cases. In 2010 the federal police registered 2,911 rapes, a slight increase from the previous year, and 3,432 indecent assaults. A convicted rapist may be imprisoned for a minimum of 10 years to a maximum of 30 years depending on such factors as the age of the victim, the difference in age between offender and victim, the relationship between the pair, and the use or

absence of violence during the crime. In a July report relying on 2008 figures, UN Women highlighted the low sentencing rate in Belgium for rape and related crimes.

The law prohibits domestic violence and provides for fines and incarceration. In the first half of 2011, federal police registered the following complaints related to domestic violence: 10,655 complaints of physical violence between partners (21,891 in 2010), 75 for sexual violence (123 in 2010), 10,483 of psychological violence (20,812 in 2010), and 919 for economic violence between partners (1,778 in 2010). The Federal Institute for Equality of Men and Women coordinates a national action plan to combat violence between domestic partners. The 2010-14 national action plan focuses on forced marriages, violence linked to honor, and genital mutilation.

A number of government-supported shelters and telephone help lines were available across the country for victims of domestic abuse. In addition to providing shelter, many shelters assisted in legal matters, job placement, and psychological counseling to both partners. Reliable statistics on sexual harassment were not easily accessible since formal complaints could be filed with various entities. The law aims to prevent violence and harassment at work, obliging companies to set up internal procedures to handle employee complaints; the government generally enforced the antiharassment legislation.

Reproductive Rights: The constitution provides for complete freedom in the way that persons organize their private lives, including the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. Health clinics and local health NGOs operated freely in disseminating information on family planning. There are no restrictions on the right to access contraceptives. Men and women received equal access to diagnosis and treatment for sexually transmitted infections. According to estimates compiled by international organizations, in 2011 there were approximately five maternal deaths per 100,000 live births in the country.

Discrimination: Women have the same legal rights as men, including rights under family law, property law, in the judicial system, in labor relations, and in social welfare protection. The law also prohibits discrimination on the grounds of gender, pregnancy, or motherhood as well as sexual intimidation in labor relations and in access to goods, services, social welfare, and health care.

The Federal Institute for the Equality of Men and Women, responsible for promoting gender equality, may initiate lawsuits if it finds that equality laws have been violated. Most complaints received during the year were work-related and most concerned the termination of employment contracts due to pregnancy.

During the year the government continued implementation of the Gender Mainstreaming Act of 2007, which obliges authorities to address gender aspects in planning policy, collecting data, drafting budgets, awarding contracts, and drafting reports.

Economic discrimination against women continued. During the year the Federal Institute for the Equality of Men and Women released a survey (based on 2007 data) showing an average gap of 11 percent in the gross wages paid to men and women. The gap was 27 percent for white-collar and 16 percent for blue-collar workers. Taking into account part-time work, the overall wage gap was 25 percent. Data from the European Professional Women's Network indicated that women filled 11.1 percent of the positions on boards of directors of leading private companies compared with 7 percent in 2008. In June parliament approved a law requiring a one-third quota of women on all boards of public and publicly traded companies, but not private companies. The law was published in the national gazette on September 14, and subsequently went into effect.

## **Children**

Birth Registration: The government registered all live births immediately, and citizenship is conferred on a child through the parents' nationality.

Child Abuse: In the first half of 2011, the federal police registered 78 complaints of child abandonment (167 in 2010), 119 of neglect (256 in 2010), 90 of food deprivation (113 in 2010), and 2,065 involving physical, sexual, psychological, or economic child abuse within the family (3,686 in 2010). The NGO Child Focus reported handling 2,203 missing children and child abuse cases in 2010, a slight increase over 2009.

Sexual Exploitation of Children: The law provides for the protection of youth against sexual exploitation, abduction, and trafficking and includes severe penalties for child pornography and possession of pedophilic materials. The penalties for producing and disseminating child pornography range from five to 15 years' imprisonment, and from one month to one year for possession of such material.

The law permits the prosecution of residents who commit such crimes abroad and provides that criminals convicted of the sexual abuse of children must receive specialized treatment before they can be paroled and must continue counseling and treatment after their release from prison. Child Focus handled 331 sexual abuse cases and continued its Internet-based public awareness campaigns during the year. In 2010 the group received 1,320 reports of child pornography on the Internet, a significant decline from the previous year, and forwarded such cases to specialized units of the federal police.

According to official figures, in the first half 2011, the federal police investigated 210 child pornography cases (387 in 2010). The trial of a lawyer who previously worked on the case of the child killer Marc Dutroux also ended in 2011. The lawyer was accused of illegal possession of child pornography. He received a 10-month suspended prison sentence.

The minimum age for consensual sex is 16. Statutory rape carries penalties of imprisonment from 15 to 20 years. If the victim is under the age of 10, imprisonment increases to 20 to 30 years.

In 2010 the federal prosecutor launched investigations into allegations of child abuse carried out over many years by Roman Catholic priests. Although the statute of limitations no longer allows criminal charges to be filed against the alleged perpetrators, the church in May agreed in principle to compensate some of those claiming to be victims.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at [http://travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html).

### **Anti-Semitism**

The size of the Jewish community was estimated at 40,000 to 50,000. During the year there were 32 reports of anti-Semitic acts, including physical attacks and verbal harassment of Jews and vandalism of Jewish property. The law prohibits public statements that incite national, racial, or religious hatred, including denial of the Holocaust.

In May Senator Jacques Brotchi, a neurosurgeon and federal senator, resigned from his position on the fundraising committee of the Free University of Brussels, citing anti-Semitism within the university including anti-Semitic comments in a student magazine. In September Brotchi stated that after meeting with the rector of the university, he believed the executive board was taking necessary measures to counter these incidents.

Anti-Semitic statements were observed in some private media outlets: In June an article published in a local circular in the beach town of Knokke included disparaging statements about the Jewish people as well as Israel. The anonymous author wrote, "It is no wonder that we do not love Jews, they consider themselves supermen like the Nazis." The city council of Knokke decided to remove the newsletter in question from publication after Belgian Jews and the Mayor of Knokke condemned the incident.

On November 18, in Brussels, a 13-year-old Jewish girl was assaulted physically and reportedly subjected to anti-Semitic epithets by five Belgian girls of Moroccan origin. The Belgian authorities immediately launched an investigation of the case.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **Persons with Disabilities**

The law provides for the protection of persons with physical, sensory, intellectual, and mental disabilities from discrimination in employment, education, and access to health care and other state services. In 2010 the CEOOR noted an increase of complaints for alleged discrimination based on disability or health condition. The CEOOR received 319 complaints in 2010, compared with 255 in 2009. Most were employment-related and concerned access to private and public buildings and services, including public transport and access to banks, bars, and restaurants. While the government mandated that public buildings erected after 1970 must be accessible to such persons, many older buildings were still inaccessible because of preservation orders.

### **National/Racial/Ethnic Minorities**

The CEOOR and other NGOs reported that skin color and dress associated with Islam were the most important factors contributing to intolerance and discrimination, especially in the areas of housing, education, and employment. Muslim women who wore headscarves faced particular discrimination in professional-level employment. On July 23, a national ban on wearing the full-face veil in public places came into effect, and there have been three known instances of the ban being enforced. In the first, the husband of a woman wearing a full-face veil became upset and hit a police officer when police demanded she remove her veil to identify herself; in the second, the police issued a fine to two women wearing full-face veils in a courtroom. The women were there in conjunction with a lawsuit they had filed challenging the constitutionality of the ban; and in the third, on December 27 a woman wearing a niqab while shopping was stopped by the police, causing a physical altercation with the husband. Offenders may be fined 137.50 euros (\$178) and face up to seven days in jail.

In 2010 most complaints received by the CEOOR concerned nationality and ethnic descent (42 percent), physical disabilities (18 percent), and discrimination on the grounds of religious and philosophical orientation (12 percent). Discriminatory acts primarily took place at work or over the Internet. The CEOOR deemed 22 percent of the complaints it received to be justified.

Data released by the Ministry of Justice indicated that in 2010 the courts dismissed 60 percent of cases of alleged discrimination based on ethnicity or sexual orientation.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

According to the CEOOR, 6 percent of all complaints it received in 2010 concerned discrimination based on sexual orientation (85 cases), most of which were work-related.

The CEOOR investigated violence and discrimination based on sexual orientation in 2010 and concluded that victims consistently filed only a limited number of formal complaints on these grounds. During 2010 only four complaints regarding sexual orientation were filed with the public prosecutor's offices. According to the CEOOR, the underreporting of violence and discrimination was due to feelings of shame on the part of the victim, fear of "victimization," a willingness to forget and be "above it," or the strong belief that filing a complaint would not change

anything. As a result, in June the CEOOR launched a campaign to encourage LGBT victims of violence and discrimination to file complaints.

### **Other Societal Violence or Discrimination**

The CEOOR also received complaints of discrimination based on physical characteristics, political orientation, social origin, or status. Each of these categories accounted for approximately 1 percent of the total number. There were four cases of discrimination against persons with HIV/AIDS in 2010.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides workers the right to form and join independent unions of their choice without previous authorization or excessive requirements, conduct legal strikes, and bargain collectively. Workers exercised these rights in practice, with Belgian and non-Belgian workers enjoying the same rights. The law allows unions to conduct their activities without interference, and the government protected this right in practice. Work council elections are mandatory in enterprises employing more than 100 employees, and safety and health committee elections are mandatory in companies employing more than 50 employees.

The law provides for the right to strike for all private and all public workers, except for the military. The law prohibits antiunion discrimination and employer interference in union functions, and the government protected this right in practice. However, the International Trade Union Confederation (ITUC) noted in its 2011 survey of violations of trade union rights that it was concerned about repetitive attempts by employers in Belgium to restrict the right to strike through legal emergency actions.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits forced or compulsory labor; however, there were reports that such practices occurred. Women, men, and children from Eastern Europe, sub-Saharan Africa, and Asia were subjected to commercial sexual exploitation and forced labor. Female victims, including children, were engaged in prostitution in massage parlors, as escorts, and by means of the Internet. Male victims were

forced to work in restaurants, bars, sweatshops, horticulture, and construction sites. Police and courts used appropriate legislation to combat economic exploitation.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

There are laws and policies to protect children from exploitation in the workplace, and the government generally enforced these laws. The minimum age of employment is 15. Persons between the ages of 15 and 18 may participate in part-time work and study programs and work full time during school vacations. The Ministry of Employment regulates industries that employ juvenile workers to ensure that labor laws are followed and occasionally grants waivers for children temporarily employed by modeling agencies and in the entertainment business. In May 2010 a Belgian appeals court ruled that a mother should be allowed to beg with her own children since they were neither forced nor hired, despite the UN Committee for Children's request that Belgium forbid child beggars, with or without their parents.

### **d. Acceptable Conditions of Work**

The monthly national minimum wage was 1,443.54 euro (approximately \$1,877) for workers 21 years of age, 1,481.86 euro (\$1,927) for workers 21 1/2 years of age with six months of service, and 1,498.87 euro (\$1,949) for workers 22 years of age with one year of service. The poverty income level in 2011 was 899 euros (\$1,169) per month for a single adult.

The standard workweek is 38 hours, and workers are entitled to four weeks of annual leave. Departure from these norms can occur under a collective bargaining agreement, but work may not exceed 11 hours per day and 50 hours per week. An 11-hour rest period is required between two work periods. Overtime is paid at a time-and-a-half premium Monday through Saturday and at double time on Sundays. The Ministry of Labor and the labor courts effectively enforced these laws and regulations. The law forbids or limits excessive overtime. Without specific authorization, no employee can accumulate more than 65 hours of overtime during one quarter.

The Employment and Labor Relations Federal Public Service generally enforced regulations effectively. Inspectors from both the Ministry of Labor and the Ministry of Social Security enforced regulations on the labor market. These ministries jointly ensure that standards are effectively enforced in all sectors, including the informal sector, and that wages and working conditions are consistent with collective bargaining agreements. In addition to fines, poor working conditions may be reported as “trafficking in persons” cases. During the year there were 142 labor inspectors for 268,078 private companies responsible for the well-being of 3,739,760 workers. The average of one inspector per 26,188 workers is below the recommendation of one inspector per 10,000 workers from the Senior Labour Inspectors Committee (SLIC) of the European Agency for Safety and Health. In 2010 there were 178,499 work-related accidents, including 27,555 accidents on the way to and from work. There were 138 work-related deaths, including 56 on the way to and from work.