

# **BELGIUM 2019 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

The Kingdom of Belgium is a parliamentary democracy with 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. Observers considered federal parliamentary elections held on May 26 to be free and fair.

The federal police are responsible for internal security and nationwide law and order, including migration and border enforcement. They report to the ministers of interior and justice. Civilian authorities maintained effective control over the security forces.

Significant human rights issues included: some attacks motivated by anti-Semitism and anti-Muslim sentiment, and violence against lesbian, gay, bisexual, transsexual, and intersex (LGBTI) persons. Authorities generally investigated and, where appropriate, prosecuted such cases.

Authorities actively investigated, prosecuted, and punished officials who committed abuses, whether in the security services or elsewhere in government.

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

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

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

#### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution and law prohibit such practices. There were some reports, however, that prison staff physically mistreated prisoners.

On March 27, a Brussels Court ruled in favor of cases filed by 17 prisoners alleging violence, harassment, and degrading treatment at the prison of the Forest municipality between 2014 and 2015. The court cases involved 22 prison guards and the director of the prison, who received suspended sentences ranging from two to 20 months. All those convicted have announced their intention to appeal the ruling.

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

Prison and detention center conditions did not always meet international standards.

Physical Conditions: Prison overcrowding remained a problem, despite a steady decrease in the number of inmates. According to the government's annual report on prisons for 2018, an average of 10,619 inmates was held in prisons that had an average capacity of 9,687 inmates.

In October 2018 and later in January, two domestic courts highlighted the responsibility of prison authorities for overcrowded prisons.

Some older facilities experienced maintenance problems that contributed to poor detention conditions. There were no specific facilities for pretrial detainees. Conditions were similar for both genders. The Federal Center of Expertise on Healthcare, supported by the local section of the International Observatory for Prisons, highlighted staff shortages and lengthy wait times for inmates to see medical practitioners.

Courts identified the government's failure to provide basic services to prisoners during strikes by prison guards as an issue of particular concern. On May 28, the European Court of Human Rights (ECHR) ordered the country to pay 3,480 euros (\$3,800) to a detainee for damages regarding his detention conditions, which were considered degrading due to the lack of basic services and hygiene when prison guards were on strike. The ECHR also found that the country had violated Articles 3 and 13 of the European Convention on Human Rights for failing to make improvements in detention conditions despite several injunctions from the domestic judicial system requiring such improvements. On June 13, a Brussels court fined the country for inhuman and degrading treatment of an additional 20

detainees during the same strike. These 20 detainees held in four different prisons received compensation. These rulings--and others in previous years--pinpointed the absence of basic services in prisons as a major problem for detainees.

On March 14, the Chamber of Representatives approved a bill requiring all prisons to have a contingency plan to provide basic services in case of a strike by prison guards. The bill's provisions went into force effective July 1.

Administration: Authorities conducted proper investigations of credible allegations of mistreatment. The federal mediator acts as an ombudsman, allowing any citizen to address problems with prison administration. The federal mediator is an independent entity appointed by the Chamber of Representatives to investigate and resolve problems between citizens and public institutions.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers, among them several domestic committees.

Improvements: In February the government issued a decree mandating that all newly constructed prisons meet minimum space and sanitation standards, as well as establishing that existing prisons meet these standards by 2039.

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

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

#### **Arrest Procedures and Treatment of Detainees**

Under the constitution, an individual may be arrested only while committing a crime or by a judge's order, which must be carried out within 48 hours. The law provides detainees the right to prompt judicial determination of the legality of their detention, and 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 was a functioning bail system, and a suspect could be released by meeting other obligations or conditions as determined by the judge.

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

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

### **Trial Procedures**

The constitution provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants are presumed innocent and have the right to be informed promptly and in detail of the charges against them; to a fair, timely, and public trial; to be present at their trial; to communicate with an attorney of their choice (or have one provided at public expense if unable to pay); to have adequate time and facilities to prepare a defense; to have free assistance of an interpreter (for any defendant who cannot understand or speak the language used in court); to confront prosecution or plaintiff witnesses and present one's own witnesses and evidence; to not be compelled to testify or confess guilt; and to appeal. The law extends these rights to all defendants.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

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

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

### **Property Restitution**

Holocaust-era restitution was no longer a significant issue in the country. The government has laws and mechanisms in place, and nongovernmental organizations (NGOs) and advocacy groups, including the country's Jewish community, reported the government had resolved virtually all Holocaust-era claims where ownership can be traced, including for foreign citizens.

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

The constitution and legal code prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

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

### **a. Freedom of Expression, Including for the Press**

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

Freedom of Expression: Holocaust denial, defamation, sexist remarks and attitudes that target a specific individual, and incitement to hatred are criminal offenses punishable by a minimum of eight days (for Holocaust denial) or one month (incitement to hatred and sexist remarks or attitudes) and up to one year in prison and fines, plus a possible revocation of the right to vote or run for public office. If the incitement to hatred was based on racism or xenophobia, the case would be tried in the regular courts. If, however, the incitement stemmed from other motives, including homophobia or religious bias, a longer and more costly trial by jury generally would be required. The government prosecuted and courts convicted persons under these laws.

Press and Media, Including Online Media: The prohibition of Holocaust denial, defamation, sexist remarks, attitudes that target a specific individual, and incitement to hatred applies to print and broadcast media, books, and online newspapers and journals.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

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

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

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

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement**

The constitution and the law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

### **e. Internally Displaced Persons**

Not applicable.

### **f. Protection of Refugees**

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, or other persons of concern.

Access to Asylum: The law provides 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 1951 Convention relating to the Treatment of Refugees and its 1967 protocol. Refugee status and residence permits are limited to five years and become indefinite if extended.

Authorities continued to face a significant flow of “transit migrants,” defined as those who remained in the country without requesting asylum while attempting illegal travel to the United Kingdom. To address the flow, the federal government started to detain transit migrants physically to ensure their repatriation, in those cases where they could be deported to a safe country of origin. Subsidiary protection is available to transit migrants if they request it, and local governments and NGOs did inform migrants of this option. Many transit migrants, however, do

not request legal status in the country, even if they are aware of the possibility to apply for subsidiary protection.

Safe Country of Origin/Transit: The country denied asylum to asylum seekers who arrived from a safe country of origin or transit, pursuant to the EU's Dublin III Regulation.

Durable Solutions: The country accepted refugees through UNHCR, including persons located in Italy and Greece, under the EU Emergency Relocation Mechanism. The country also conducted a voluntary return program for migrants in cooperation with the International Organization for Migration.

Temporary Protection: The government also provided temporary "subsidiary" protection to individuals who did not satisfy the legal criteria for refugee status but who could not return to their country of origin due to a real risk of serious harm. Under EU guidelines, individuals granted "subsidiary protection" are entitled to temporary residence permits, travel documents, access to employment, and equal access to health care, education, and housing. In 2018 authorities granted subsidiary protection to 1,777 individuals.

### **g. Stateless Persons**

According to UNHCR, by mid-2018 there were 8,984 persons in the country who fell under UNHCR's statelessness mandate. The country does not have a significant number of residents who are stateless, de jure or de facto, and does not contribute to statelessness, as the legal framework for stripping an individual of his or her citizenship does not exist except in cases of dual citizenship with another country.

To be recognized as stateless, a requestor must go through legal proceedings and acquire a court ruling on his or her stateless status. Since July 2017 family courts have been tasked with handling these requests in hopes of decreasing wait times. The requestor may appeal the court's ruling. Recognition of statelessness does not automatically afford a stateless person resident status in the country. Stateless persons may apply for nationality after meeting the requirements for legal residency in the country.

## **Section 3. Freedom to Participate in the Political Process**

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal 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 on May 26 were considered free and fair.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption.

Corruption: The law provides criminal penalties for official corruption, and the government generally implemented the law effectively. Following several corruption scandals in 2017 and 2018, no significant cases were reported in the current year.

Financial Disclosure: The law does not require elected officials to disclose their income or revenue, but they must report if they serve on any board of directors, regardless of whether in a paid or unpaid capacity. Officials in nonelective offices are held to the same standard. Sanctions for noncompliance are infrequent but have been used in the past when triggered by public outcry.

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

A variety of domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

Government Human Rights Bodies: Federal and regional government ombudsmen monitored and published reports on the workings of agencies under their respective jurisdictions. The Interfederal Center for Equal Opportunities (UNIA) is

responsible for promoting equal opportunity and combating discrimination and exclusion at any level (federal, regional, provincial, or local). The center enjoyed a high level of public trust, was independent in its functioning, and was well financed by the government.

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

### **Women**

Rape and Domestic Violence: Rape of women or men, including spousal rape, is illegal, and the government prosecuted such cases. A convicted rapist may receive 10 to 30 years in prison. The law prohibits domestic violence and provides for fines and incarceration. Legal sanctions for domestic violence are based on the sanctions for physical violence against a third person; the latter range from eight days to 20 years in prison. In cases of domestic violence, these sanctions are doubled.

The NGO StopFemicide reported that 36 women died in connection with rape or domestic violence in 2018. According to 2018 statistics from the federal police, there were approximately 39,000 official complaints of physical, psychological, and economic violence, including 139 complaints of sexual violence.

In May, Julie Van Espen, a 23-year-old student, was killed on her way to Antwerp. Police arrested Steve Bakelmans after a review of surveillance camera data. Bakelmans had been sentenced to four years in prison in a 2017 rape case, a ruling he had appealed. Bakelmans had been set free pending the ruling of the appellate court, scheduled later in the year. The case made media headlines as proof of the deficiencies of the justice system and of its protections for women against violence.

A number of government-supported shelters and telephone helplines were available across the country for victims of domestic abuse.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C for women and girls, and it was not a widespread practice in the country. Reported cases were primarily filed by recent immigrants or asylum seekers. Criminal sanctions apply to persons convicted of FGM/C. According to 2017 estimates, there were more than 17,000 female minor and adult victims of FGM/C in the country, while more than 8,000 were at risk. The vast majority of potential victims were asylum seekers from Guinea, Somalia, Cote d'Ivoire, and Egypt.

Sexual Harassment: The law aims to prevent violence and harassment at work, obliging companies to set up internal procedures to handle employee complaints. Sexist remarks and attitudes targeting a specific individual are illegal; fines for violations range from 50 to 1,000 euros (\$55 to \$1,100). The government generally enforced antiharassment laws. Politicians and organizations such as the Federal Institute for the Equality of Men and Women worked to raise awareness of the problem.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Women have the same legal rights as men. The law requires equal pay for equal work and prohibits discrimination on the grounds of gender, pregnancy, or motherhood as well as in access to goods, services, social welfare, and health care. The government generally enforced the law effectively, although many NGOs and feminist organizations reported women often had to accept part-time work due to conflicting family obligations.

## **Children**

Birth Registration: The government registered all live births immediately. Citizenship is conferred on a child through a parent's (or the parents') citizenship, but, except for a few circumstances, not through birth on the country's territory.

Child Abuse: The government continued to prosecute cases of child abuse and punish those convicted.

Early and Forced Marriage: The law provides that both (consenting) partners must be at least 18 years of age to marry.

Sexual Exploitation of Children: The law prohibits sexual exploitation, abduction, and trafficking of children and includes severe penalties for child pornography and possession of pedophilic materials. Authorities enforced the law. The penalties for producing and disseminating child pornography range up to 15 years' imprisonment and up to one year in prison for possessing such material. Local girls and foreign children were subjected to sex trafficking within the country.

The minimum age for consensual sex is 16. Statutory rape carries penalties of imprisonment for up to 30 years.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

## **Anti-Semitism**

The country’s Jewish community was estimated at 40,000 persons. There were 101 reports of anti-Semitic acts in 2018, a significant increase from the 56 notifications in 2017. Anti-Semitic acts included physical attacks, verbal harassment, and vandalism of Jewish property. A poll by the EU’s Fundamental Rights Agency found that 39 percent of local Jews had encountered verbal abuse. Authorities generally investigated and where appropriate prosecuted such cases.

In August, Dimitri Verhulst, a columnist for the Brussels daily *De Morgen*, published an op-ed stating that, “Being Jewish is not a religion. No God would give creatures such an ugly nose.” The paper later withdrew the comments after widespread criticism that they were anti-Semitic and Verhulst later admitted he should have made a clearer distinction between Israelis and Jews. There was also widespread criticism of a float in the March carnival parade in Aalst, which featured puppets of two stereotypical Orthodox Jews sitting on bags of money amid crawling rats. Aalst’s mayor, a member of a right-wing nationalist party, declined to take action and denied that the float was offensive. Jewish groups and international organizations, including the European Commission, condemned the float.

Online hate speech continued to be a problem. In August, UNIA stated that the number of notices it received on online speech (targeting the Jewish community among others) doubled during the campaign for the May general elections, from 369 during the first six months of 2018 to 740 for the same period in 2019. UNIA added that such an increase is not unusual during an electoral campaign.

The law prohibits public statements that incite national, racial, or religious hatred, including denial of the Holocaust. The government prosecuted and convicted individuals under this law (see section 2.a.). The government also provided enhanced security at Jewish schools and places of worship.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The government generally enforced the provisions.

While the government mandated that public buildings erected after 1970 must be accessible to persons with disabilities, many older buildings were still inaccessible. Although the law requires that prison inmates with disabilities receive adequate treatment in separate, appropriate facilities, there were still many such inmates incarcerated in inadequate facilities.

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

There were reports of physical and verbal attacks against Muslims. In 2018, the most recent year of available data, the Collective Against Islamophobia in Belgium reported they had opened investigations into 90 Islamophobic attacks, 76 percent of which were against Muslim women. In February students at a Catholic high school in Melle dressed up as "Saudi Muslims," including one wearing a black face mask and a fake explosive vest. In March, two veiled Muslim women picking up their children from school in Uccle were verbally abused by a driver, who then attempted to run over the women. Police later arrested the driver.

Ethnic minorities continued to experience discrimination in access to housing, education, and employment. Discriminatory acts primarily took place over the internet, at work, or when individuals attempted to gain access to various public and private services, such as banking and restaurants.

Discrimination against women who wear a headscarf was common in the labor market. The law also prohibits the wearing of a full-face veil (niqab) in public places. Authorities may punish persons who discriminate on the basis of ethnic origin with a fine of up to 137.50 euros (\$150) and a jail sentence of up to seven days. There were reports of discrimination against persons of African and Middle Eastern ancestry. Government efforts to address such problems included internal training of officials and police officers and enforcement of laws prohibiting such discrimination.

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

The law prohibits discrimination against LGBTI persons in housing, employment, application of nationality laws, and access to government services such as health care. The government enforced the law, but the underreporting of crimes against the LGBTI community remained a problem.

UNIA reported in May that it received 125 complaints of homophobic acts in 2018, compared with 84 in 2017 and 104 in 2016. The complaints included 17 incidents of physical aggression, 42 incidents of verbal aggression, and 17 of discrimination in renting a property or providing a commercial service.

LGBTI persons from immigrant communities reported social discrimination within those communities. The government supported NGOs working to overcome the problem.

The law provides protections for transgender persons, including legal gender recognition without first undergoing sex reassignment surgery.

## **Other Societal Violence or Discrimination**

UNIA received complaints of discrimination based on physical characteristics, political orientation, social origin, or status. Restrictions on Islamic clothing in public and private sector employment, schools, and public spaces affected Muslim women in particular. The Muslim community was also targeted as part of the increase in online hate speech during the election campaign.

## **Section 7. Worker Rights**

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

For companies with more than 50 employees, 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, and citizen and noncitizen workers enjoyed the same rights. Work council elections are mandatory in enterprises with more than 100 employees, and safety and health committee elections are mandatory in companies with more than 50 employees. Employers sometimes sought judicial recourse

against associations attempting to prevent workers who did not want to strike from entering the employer's premises.

The law provides for the right to strike for all public and private sector workers except the military. The law prohibits antiunion discrimination and employer interference in union functions, and the government protected this right. Trade union representatives cannot be fired for performing their duties and are protected against being fined by their employers; they are also entitled to regular severance payments.

The government generally enforced applicable laws. Resources, inspections, and remediation were adequate. Penalties were generally not sufficient to deter violations, as employers often paid fines rather than reinstate workers fired for union activity. At the same time, fines on workers for strike or collective bargaining actions often resulted in breaking strike movements. Administrative or judicial procedures related to trade unions were not longer than other court cases.

Freedom of association and the right to bargain collectively were inconsistently respected by employers. Worker organizations were generally free to function outside of government control. Unions complained that judicial intervention in collective disputes undermined collective bargaining rights.

In July a court sentenced an employer for abusive termination of four employees who went on strike without support from their trade union. The court highlighted that all employees are protected equally during a protest, regardless of the trade union position.

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

The law prohibits all forms of forced or compulsory labor, but such practices occurred. The government effectively enforced the law; resources, inspections, and remediation efforts were adequate. Legal penalties were sufficient to deter violations.

Instances of forced and compulsory labor included men who were forced to work in restaurants, bars, sweatshops, agriculture, construction, cleaning, and retail sites. Foreign victims were subjected to forced domestic service. Forced begging continued, particularly in the Romani community.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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

The law prohibits the worst forms of child labor. The minimum age of employment is 15. Persons between the ages of 15 and 18 may participate in part-time work/study programs and work full time up to a limited number of hours during the school year. The Ministry of Employment regulated industries that employ juvenile workers to ensure that labor laws were followed; it occasionally granted waivers for children temporarily employed by modeling agencies and in the entertainment business. Waivers were granted on a short-term basis and for a clearly defined performance or purpose that had to be listed in the law as an acceptable activity. The law clearly defines, according to the age of the child, the maximum amount of time that may be worked daily and the frequency of performances. A child's earnings must be paid to a bank account under the name of the child, and the money is inaccessible until the child reaches 18 years of age.

There are laws and policies to protect children from exploitation in the workplace. The government generally enforced these laws with adequate resources, inspections, and penalties, although such practices reportedly occurred mainly in restaurants. Persons found in violation of child labor laws could face penalties sufficient to deter violations.

### **d. Discrimination with Respect to Employment and Occupation**

Labor laws and regulations related to employment or occupation prohibit discrimination based on race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status but permit companies to prohibit outward displays of religious affiliation, including headscarves (see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>). The government effectively enforced these laws and regulations.

Penalties were not sufficient to deter violations. Some employers discriminated in employment and occupation against women, persons with disabilities, and members of certain minorities as well as against internal and foreign migrant workers. The government took legal action based on antidiscrimination laws. UNIA facilitated arbitration or other settlements in some cases of discrimination.

Such settlements could involve monetary payments, community service, or other penalties imposed on the offender.

The Employment and Labor Relations Federal Public Service generally enforced regulations effectively. Trade unions or media sometimes escalated cases, and UNIA often took a position or acted as a go-between to find solutions or to support alleged victims in the courts.

The Federal Institute for the Equality of Men and Women is responsible for promoting gender equality and may initiate lawsuits if it discovers violations of equality laws. Most complaints received during the year were work related and most concerned the termination of employment due to pregnancy. Economic discrimination against women continued. According to Eurostat, women's hourly wage rates were 6 percent less than those of their male colleagues in 2017. The law requires that one-third of the board members of publicly traded companies, but not private ones, be women.

The law requires companies with at least 50 employees to provide a clear overview of their compensation plans, a detailed breakdown by gender of their wages and fringe benefits, a gender-neutral classification of functions, and the possibility of appointing a mediator to address and follow up on gender-related problems.

#### **e. Acceptable Conditions of Work**

There is a monthly national minimum wage, and it is higher than the official estimate for poverty income level.

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 or 50 hours per week. An 11-hour rest period is required between 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, an employee may not work more than 65 hours of overtime during any 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 labor regulations. These ministries jointly

worked to ensure that standards were effectively enforced in all sectors, including the informal sector, and that wages and working conditions were consistent with collective bargaining agreements. Wage, overtime, and occupational safety violations were most common in the restaurant, construction, and logistics industries. Penalties were not sufficient to deter violations. Some employers still operated below legal standards.

A specialized governmental department created to fight the informal economy conducted investigations, mainly in the construction, restaurant and hotel, and cleaning sectors. Authorities may fine employers for poor working conditions but may also treat such cases as trafficking in persons.

Workers may remove themselves from situations that endanger health or safety without jeopardy to their employment. The Employment and Labor Relations Federal Public Service protected employees in this situation.