OSCE ODIHR
HATE CRIME REPORTING

Information contained in this report was compiled as part of ODIHR's 2022 Hate Crime Report.
For more information, including on previous years' reporting, please visit: hatecrime.osce.org/belgium

For more information about ODIHR's Hate Crime Report, visit: hatecrime.osce.org/our-methodology

1 2022

Summary

Belgium regularly reports hate crime data to ODIHR. Recent initiatives to improve hate crime identification, recording, and data collection have been implemented through ODIHR's Information Against Hate Crimes Toolkit (INFAHCT) programme. In particular, Belgium has implemented the programme's recommendations on the operational practice of police, prosecutors, and equality bodies.

Crime victimization surveys and research are frequently conducted in Belgium. "Safe.brussels", the Brussels public service responsible for crime prevention and security within the Brussels-Capital Region, conducts surveys on the perception of security and crime victimization among the general public every two years.

Hate crime data collection in Belgium
Support for hate crime victims in Belgium
Hate crime capacity building in Belgium
Belgium's hate crime legislation

ODIHR's Key Observation

ODIHR recognizes Belgium's efforts to amend the existing legal framework to ensure that bias motivation can be effectively acknowledged and appropriate penalties can be imposed on the perpetrators. Based on the available information, ODIHR observes that Belgium's hate crime recording and statistics do not sufficiently distinguish hate crimes from other crimes. In addition, ODIHR observes that Belgium would benefit from ensuring that hate crimes are addressed in a comprehensive manner, including by introducing a co-ordination mechanism.

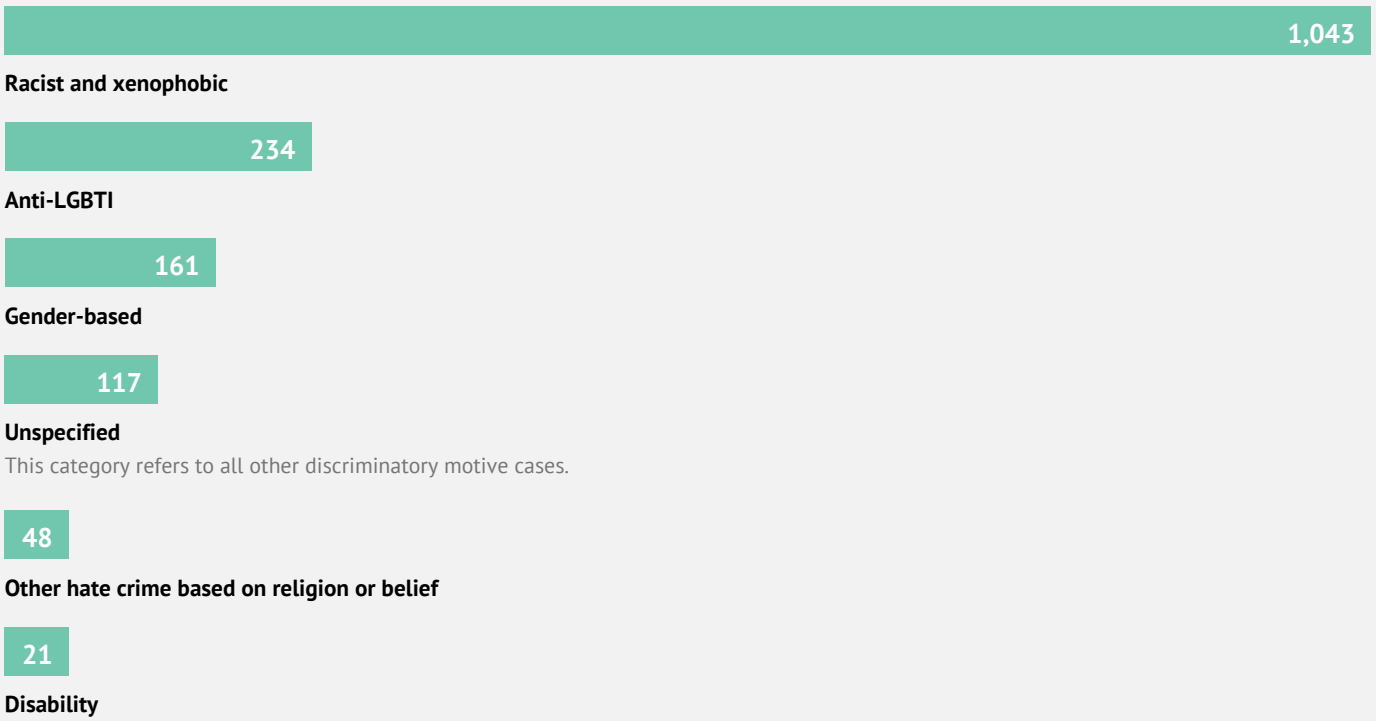
Official Data

In addition to hate crimes, the above numbers include other types of crimes, such as discrimination and hate speech, which fall outside of the OSCE's definition of hate crime but could not be separated from the total number. Some cases may have been registered several times by the police, such as when there was more than one victim, whereas the prosecution register such cases only once. Data on prosecuted cases contain all cases that were sent to the public prosecutor's office. Data on sentenced cases for 2022 were not available at the time of publishing ODIHR's Hate Crime Report.

Year	Hate crimes recorded by police	Prosecuted	Sentenced
2022	1,682	1,263	not available

Police data by bias motivation

The police figures below include incidents of discrimination and hate speech, which fall outside of the OSCE's definition of hate crime but could not be separated from the total number.



Police data by type of crime

The police figures below include incidents of discrimination and hate speech, which fall outside of the OSCE's definition of hate crime but could not be separated from the total number.



Unspecified crime type

National Developments

In 2022, the **Belgian Criminal Code** was amended and a general aggravating circumstance was introduced for all offences. For offences motivated by hatred, contempt or hostility towards a person on the basis of a protected characteristic, the court must take this into account during sentencing. At the same time, the court cannot impose a higher punishment than the maximum penalty laid down for the offence, except in cases where the discriminatory motive constitutes a specific aggravating circumstance by law. The amendments also specify that a bias motive may exist even if a victim is targeted because of an alleged characteristic, and when a victim has a (perceived) connection with someone towards whom the perpetrator harbours hatred, contempt or hostility. The amended Criminal Code contains an expanded list of protected characteristics, including pregnancy, childbirth, breastfeeding, medically assisted reproduction, parenthood, alleged gender reassignment, gender identity, gender expression, sex characteristics, and social position.

Belgian is currently developing its first National Action Plan against Racism (NAPAR), which aims to provide a comprehensive policy on combating racism. A new federal action plan titled "For an LGBTQI+ friendly Belgium" was adopted in 2022.

In December 2022, the Belgian authorities concluded a study of the violence experienced by LGBTI+ people in Flanders (titled "Genoeg. Assez. Enough"). The study, which began in January 2021, investigated the extent to which the target group had experienced hate crimes.

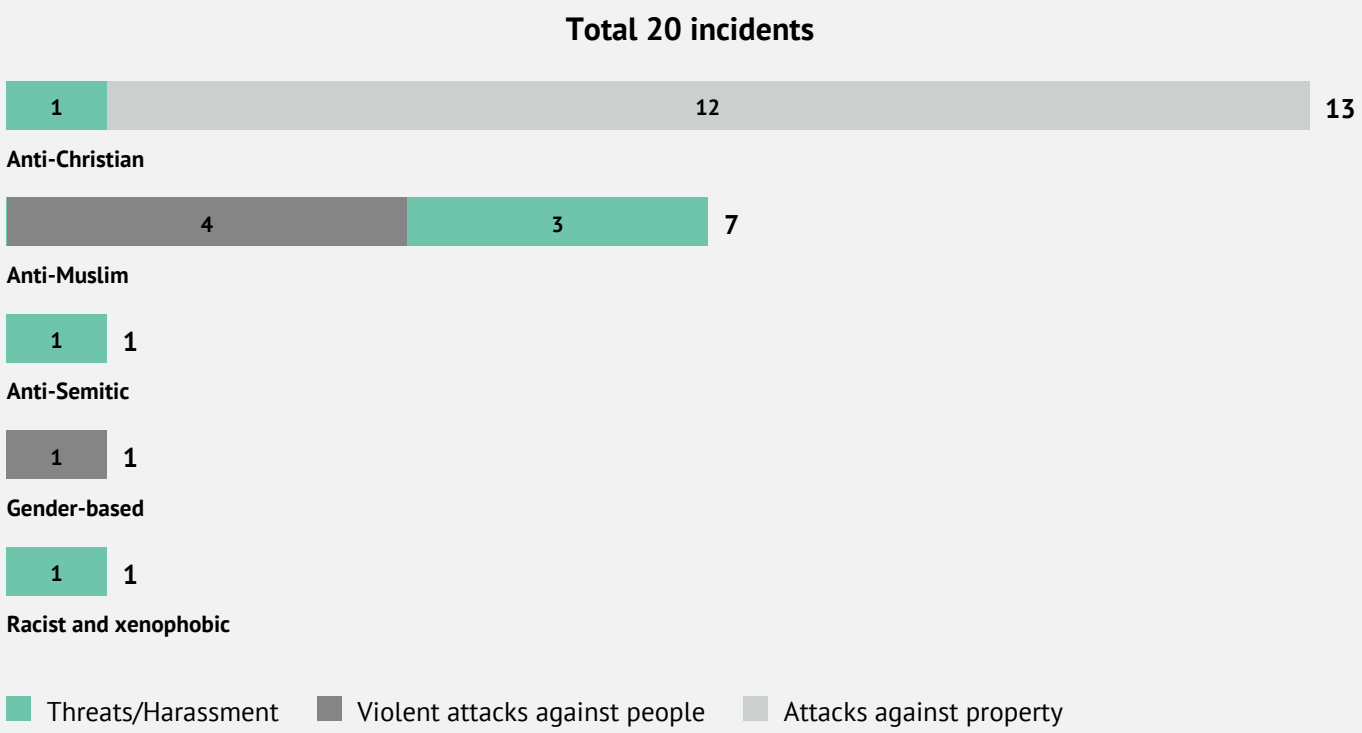
In addition, the Brussels-Capital Region conducted an analysis of violence motivated by bias against LGBTQIA+ persons in the Brussels-Capital Region. The analysis was carried out based on reports conducted by the "Rainbow House" civil society organization. The first analysis was published in May 2022 and covers incidents until the end of 2020.

The Kazerne Dossin, which houses the Memorial, Museum and Documentation Centre on the Holocaust and Human Rights in Mechelen, in collaboration with the Antwerp public prosecutor's office, developed a training programme for perpetrators of some less violent hate crime.

Court judgments on a number of notable cases were issued in 2022. In March 2022, the Court of Appeal of Brussels ruled on the case of a 15-year-old boy who was racially insulted, physically assaulted and pushed onto the train track at a train station. The Court upheld the verdict of the court of first instance, finding the crime proven and recognizing the bias motive. The court explicitly underlined the enormous and lasting consequences of the aggression for the then 15-year-old victim, who subsequently suffered from anxiety and mood disorders.

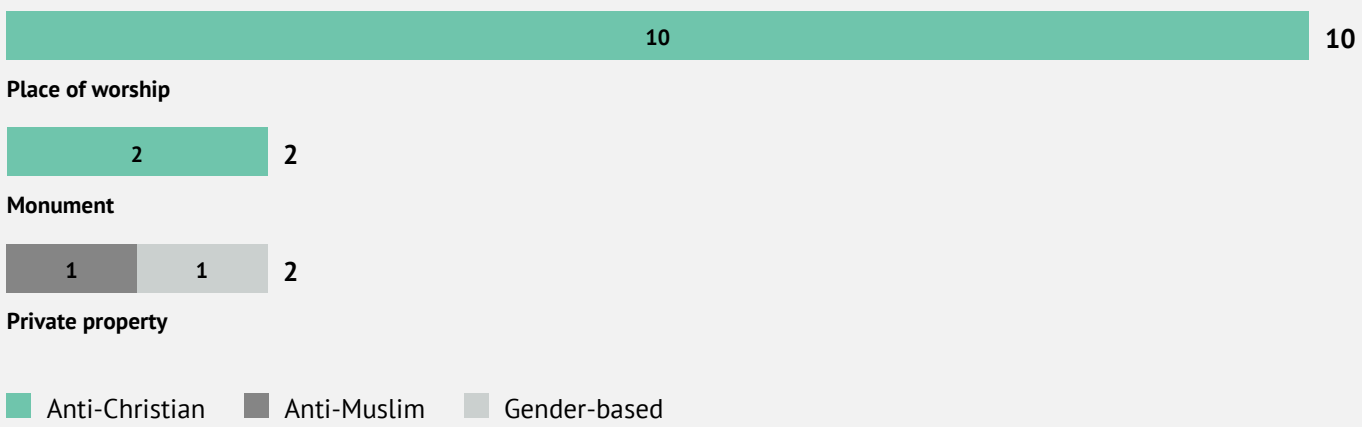
In September 2022, the Criminal Court of Namen ruled that a bias motivation was behind an attack against a 15-year-old boy who was in a relationship with a girl of Chechen origin. The attackers aimed at preventing the relationship. The court noted that social pressure should not prevent a person entering into a relationship with another person.

Incidents reported by civil society

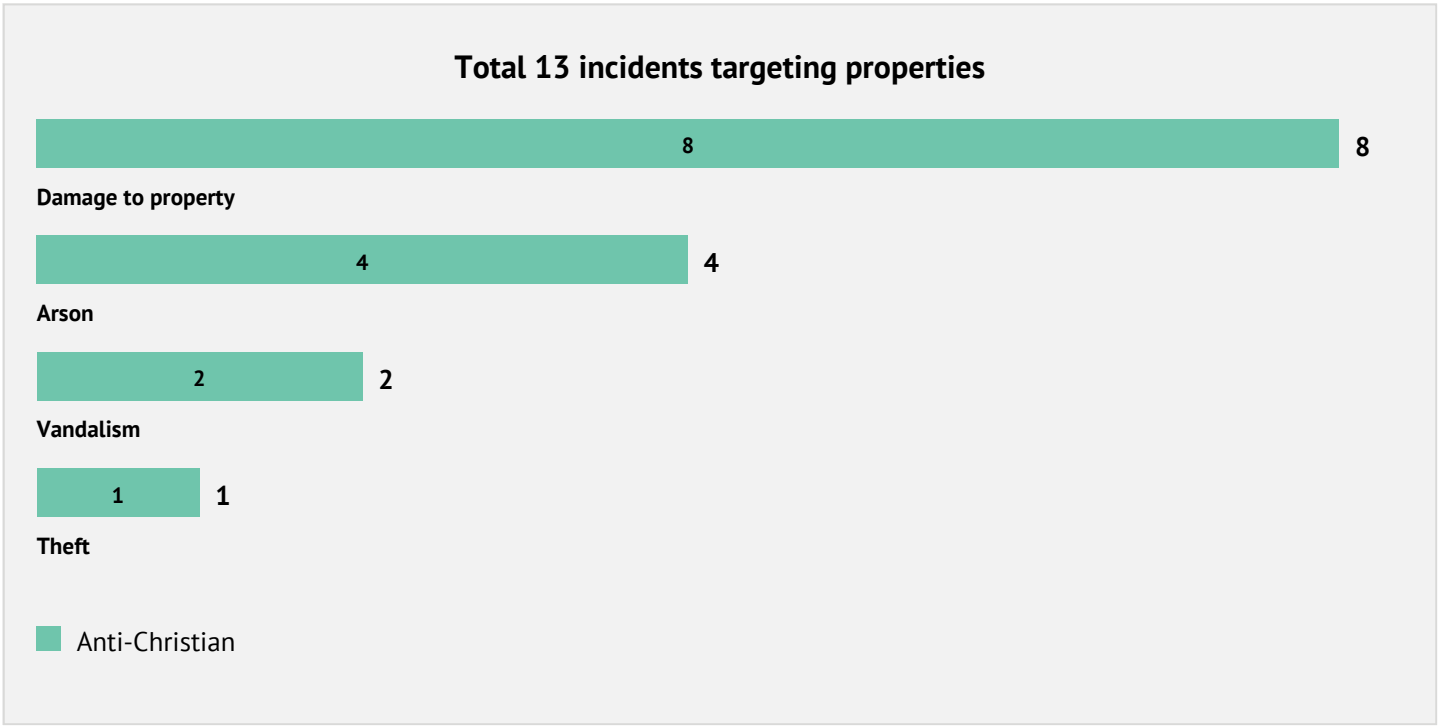


Please note that the total number of incidents may be lower than the sum of incidents presented in the breakdown chart above, as some incidents involve multiple bias motivations.

Targeted properties



Type of property attack



View civil society incidents for Belgium, 2022