

CHILD PROTECTION AGAINST ALL FORMS OF VIOLENCE



Summary of key issues from previous UPR cycles

During the third cycle of the Universal Periodic Review, Belgium received several recommendations relating to the protection of children against all forms of violence, including violence in education, abuse and juvenile justice. These recommendations, in particular recommendations 35.177, 35.178, 35.181 and 35.182, recalled Belgium's obligations under the Convention on the Rights of the Child (CRC), in particular Article 19 on the right to protection from all forms of violence and Article 37 on juvenile justice.

Belgium has taken important legislative measures, such as the **decree of 23 January 2024 prohibiting violence against children in facilities approved, subsidised or organised by the French Community**. However, certain national practices remain out of step with international standards, in particular: the **use of so-called educational violence within the family, the excessive use of security or punitive measures for children in conflict with the law, and the limitation of means of prevention and protection for children who are victims of violence or abuse** (recommendations 35.177, 35.178 and 35.182).

National framework

Belgium is also **awaiting the adoption of a law against so-called ordinary educational violence** (VDEO). This provision aims to bring Belgian law into line with international standards and to explicitly prohibit any use of corporal punishment or other forms of educational violence within the family.

With regard to the justice system applicable to children suspected, accused or convicted of an offence, Community legislation and practices show a **growing trend towards security and punishment, to the detriment of an educational, protective and restorative approach**: the use of deprivation of liberty, electronic tagging or municipal administrative sanctions from the age of 14, and the removal of youth judges from cases involving young people aged 16 and over. These practices may compromise the best interests of the child, their access to fair and appropriate justice, and their social reintegration.

In terms of child protection, the legal and institutional framework is based on communities and regions, which leads to a diversity of practices and sometimes insufficient coordination between authorities. While child protection in educational and public institutions has been strengthened, **prevention and support for children who are victims of violence or abuse remain inadequate**. **Removing children from their families** is not always used as a last resort, and **placements** do not systematically guarantee personalised follow-up tailored to each child's needs.

Challenges and impact

The main challenges identified have direct and lasting impacts on children:

- **Educational and ordinary violence** : the persistence of corporal punishment and violent educational practices within the family, leading to violations of the child's safety, dignity and psychological and physical integrity.

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- **Child-friendly justice** : use of security measures or measures involving deprivation of liberty, early removal and administrative sanctions, leading to a risk of stigmatisation, undermining of judicial protection and violation of fundamental rights.
- **Violence and abuse** : inadequate prevention measures, placement of children that is sometimes not in their best interests, lack of personalised support and regular monitoring, which can exacerbate children's vulnerability and trauma.

RECOMMENDATIONS

- Strengthen protection against so-called educational and ordinary violence by promptly adopting a law explicitly prohibiting all corporal punishment or degrading treatment in the family, and accompanying this measure with awareness-raising campaigns, trainings for educational staff and support for parents, in order to ensure Belgium's full compliance with international standards and UPR recommendations.
- Ensure child-friendly justice by strictly limiting the use of security and custodial measures, investing in restorative justice measures and removing any possibility of removal or application of municipal administrative sanctions to minors.
- Ensure that removing a child from their family is a measure of last resort, unless it is contrary to the best interests of the child, and that all placements include high-quality support tailored to specific needs and evaluated periodically.

Online file :

<https://lacode.be/projet/upr-2026-factsheets/>



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This fact sheet is part of a series of fact sheets written on the situation of children's rights in Belgium for information purposes in the context of Belgium's Periodic Review. Their drafting was coordinated by CSOs and NHRIs that are members of a working group on the UPR, led by the National Commission for Children's Rights.