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**STATUS OF HUMAN RIGHTS IN THE KINGDOM OF BELGIUM
FOR THE 52ND SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is a non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Kingdom of Belgium (Belgium) for the 52nd session of the Universal Periodic Review (UPR).

Background

2. Belgium is a country located in northwestern Europe and has a population of approximately 11.8 million people.¹ The population is predominantly Christian, with approximately 60% identifying as Roman Catholic, 31% as nonreligious, 4% as Muslim, 2% as Protestant, 1% as Jewish, and 2% as other.²

3. Belgium's last review was held on May 5, 2021.³ As a result of the review, Belgium received 308 recommendations, 232 of which it accepted.⁴ It was recommended by Bangladesh, but only noted by Belgium, that the government "[p]rotect and promote the right to life of all people until natural death, without discrimination on the basis of age, disability or any other grounds."⁵ Since 2002, Belgium has permitted euthanasia.⁶

Legal Framework

4. Under Article 23 of the Constitution of Belgium, "[e]veryone has the right to lead a life in keeping with human dignity."⁷ Respecting the dignity of the human being has been undermined by The Belgian Act on Euthanasia of May 28th, 2002.⁸ Under section 3 of the law:

The physician who performs euthanasia commits no criminal offence when he/she ensures that:

- the patient has attained the age of majority or is an emancipated minor, and is legally competent and conscious at the moment of making the request;

¹ Leen Van Molle, et. al., *Belgium*, BRITANNICA (Oct. 7, 2025), <https://www.britannica.com/place/Belgium>.

² *Id.*

³ *Universal Periodic Review – Belgium*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/be-index>.

⁴ *Infographic Belgium*, OHCHR, <https://www.ohchr.org/sites/default/files/2022-01/UPR38-Belgium-Infographic.pdf>.

⁵ OHCHR, UPR of Belgium (3rd Cycle – 38th Session) Thematic List of Recommendations, 79, <https://www.ohchr.org/sites/default/files/2022-01/UPR38-Belgium-Thematic-List-of-Recommendations.docx>.

⁶ *See* THE BELGIAN ACT ON EUTHANASIA OF MAY, 28TH 2002 [BELGIAN ACT ON EUTHANASIA], <http://eol.law.dal.ca/wp-content/uploads/2015/06/Euthanasia-Act.pdf>.

⁷ CONSTITUTION OF BELGIUM 1831 rev. 2014 art. 23, https://www.constituteproject.org/constitution/Belgium_2014.

⁸ BELGIAN ACT ON EUTHANASIA sec. 3, <http://eol.law.dal.ca/wp-content/uploads/2015/06/Euthanasia-Act.pdf>.

- the request is voluntary, well-considered and repeated, and is not the result of any external pressure;

- the patient is in a medically futile condition of constant and unbearable physical or mental suffering that cannot be alleviated, resulting from a serious and incurable disorder caused by illness or accident;

and when he/she has respected the conditions and procedures as provided in this Act.⁹

5. This same section also lays out the process for approval to be euthanized. To obtain approval, a physician must “discuss with the patient his/her request for euthanasia and the possible therapeutic and palliative courses of action and their consequences” and determine that “there is no reasonable alternative to the patient’s situation.”¹⁰ Then, another physician must review the patient’s medical records and “be certain of the patient’s constant and unbearable physical or mental suffering.”¹¹ Further, it must be established that the patient’s request to be euthanized is entirely voluntary.¹²

6. In 2014, the law was amended to allow everyone, regardless of age, to apply to be euthanized.¹³ Under this amendment, children must have chronic pain or have a terminal or incurable disease.¹⁴ Further, children must be evaluated by a pediatric psychiatrist and have parental consent.¹⁵

7. Belgium is a party to the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of Persons with Disabilities (CRPD), and has a responsibility to uphold the rights enshrined in the Universal Declaration of Human Rights (UDHR).¹⁶ Article 6 of the ICCPR states that “[e]very human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”¹⁷ Additionally, the CRPD requires States Parties to recognize “the need to promote and protect the human rights of all persons with disabilities, including those who require more intensive support.”¹⁸ Moreover, under Article 10 of the CRPD, “States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.”¹⁹

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Child Euthanasia in Belgium*, O’NEILL INST. (Feb. 10, 2020), <https://oneill.law.georgetown.edu/child-euthanasia-in-belgium/>.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Ratification Status for Belgium*, OHCHR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=17&Lang=EN.

¹⁷ International Covenant on Civil and Political Rights art. 6, *adopted* Dec. 16, 1966, 999 U.N.T.S. 171, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> [hereinafter ICCPR].

¹⁸ Convention on the Rights of Persons with Disabilities pmbl., *adopted* Dec. 12, 2006, 2515 U.N.T.S. 3, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>.

¹⁹ *Id.* art. 10.

Further, under Article 3 of the UDHR, “[e]veryone has the right to life, liberty and security of person.”²⁰

Euthanasia

8. Since Belgium legalized euthanasia in 2002, the number of people who have been killed under this law has increased year after year.²¹ In 2024, 3,991 people were euthanized and accounted for 3.6% of all deaths nationwide.²² This is a 17% increase from the number of people euthanized the previous year.²³

9. Of those euthanized in 2024, fifty of them were younger than forty and only 76.6% of patients were deemed to be terminal.²⁴ Recently, there has been an increase in euthanasia for non-terminal patients.²⁵ Euthanasia for people who were not expected to die in the short term also increased from 2023 to 2024.²⁶ In 2023, 713 people were euthanized who were not expected to die in the short term, compared with 932 in 2024.²⁷

10. Since Belgium’s last review, an amendment to Belgium’s law concerning euthanasia has been introduced that would permit people with dementia to be euthanized as long as they had previously signed a “Declaration of Intent” while they were still mentally competent.²⁸ This proposed expansion further strips away the dignity of human beings. Eric Salmon, a Belgian neurologist at the University of Liège, expressed his concerns in a report stating: “What is particularly shocking for many is how people with dementia are degraded—as individuals who merely live in a ‘vegetative’ state” and that “[t]he bill reflects negative narratives: dementia thus becomes the bogeyman of a society that previously defined autonomy and cognitive performance as the essence of human existence.”²⁹

11. Belgium’s normalization of euthanasia since 2002 has also impacted the way society views and treats the sick and elderly.³⁰ Susan Kummer, a bioethicist and director of The Institute for Medical Anthropology, stated:

Depriving seniors of medically adequate care for cost reasons in order to save money, combined with the offer that they could still use active euthanasia, represents a dangerous mix for a society The argument of self-determination thus quietly tips over into external determination. As soon as

²⁰ G.A. Res. 217 (III) A, Universal Declaration of Human Rights, art. 3 (Dec. 10, 1948).

²¹ See *Euthanasia Surged by 17% in Belgium in 2024 and Killed One Child*, SOC’Y FOR THE PROT. OF UNBORN CHILD. (Mar. 1, 2025), <https://spuc.org.uk/euthanasia-surged-by-17-in-belgium-in-2024-and-killed-one-child>.

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ See *Euthanasia – Publication of the 2024 Figures for Euthanasia in Belgium*, THE FED. COMM’N FOR THE CONTROL AND EVALUATION OF EUTHANASIA (Mar. 19, 2025), https://consultativebodies.health.belgium.be/sites/default/files/documents/fccee-pressrelease_20250319-figures euthanasia 2024_.pdf.

²⁷ *Id.*

²⁸ Chris Eyte, *Belgium Considers Euthanasia Law Expansion to Include Dementia Patients*, CHRISTIAN DAILY (May 5, 2025), <https://www.christiandaily.com/news/belgium-considers-euthanasia-law-expansion-to-include-dementia-patients>.

²⁹ *Id.*

³⁰ *Id.*

euthanasia becomes a normal option, the pressure for a socially acceptable early death grows.³¹

12. Belgium's law concerning euthanasia is based on the premise that individuals are better off dead than living with a potentially serious medical condition. Because euthanasia has become so prevalent in the country, sick patients might feel pressured into being euthanized because they feel that they are a burden on their families and society. It is important for the sick and elderly to be given compassionate and palliative care to help them live out their final days. They should not be pressured into an early grave. Anything other than providing compassionate and palliative care to these individuals is inhumane and morally wrong.

13. Unfortunately, Belgium's law does not just apply to the sick and elderly who are approaching the end of their life; it also applies to children.³² In 2024, one of the people euthanized was a child, bringing the total number of children euthanized in Belgium since the age restriction was lifted in 2014 to six.³³ It is unconscionable to believe that a child can make an informed and well-reasoned decision to end his or her life at such a young age. No individual, let alone a child, should be killed due to a medical condition.

14. Not only is euthanasia inhumane, but it is also in contravention of numerous human rights documents that protect the right to life, such as the UDHR, ICCPR, and the CRPD. These instruments require States Parties to respect and protect the lives of all people without exception.³⁴ Belgium has an obligation to protect the lives of its citizens and not allow its citizens to be intentionally killed. It is extremely troubling that Belgium has chosen not to support the recommendation calling for the government to protect all human life until natural death and has also failed to uphold the right to life for all its citizens.

Recommendations

15. Belgium must repeal its euthanasia law. By doing this, Belgium will be living up to its obligation to protect the lives of all its citizens, not just those deemed to be healthy. We urge Belgium to uphold the rights enshrined in the UDHR, ICCPR, and CRPD, and not sanction the killing of its citizens through euthanasia.

³¹ *Id.*

³² *Euthanasia Surged by 17% in Belgium in 2024 and Killed One Child*, *supra* note 22.

³³ *Id.*

³⁴ *See supra* notes 17-20.