

BELGIUM

The applications

1. The number of applications

Belgium's ratification of the Hague Convention took effect on 1st May 1999. According to the Central Authority for Belgium, they received 9 incoming return but no incoming access applications in 1999. Additionally, they made 6 outgoing return but no outgoing access applications in that year. Altogether, therefore, the Central Authority for Belgium handled 15 new applications in 1999. It is interesting that Belgium neither received nor made any access applications.

2. The Contracting States which made the application

Requesting States

	Number of Applications	Percent
France	2	22
UK - England and Wales	2	22
Germany	1	11
Israel	1	11
Italy	1	11
Netherlands	1	11
USA	1	11
Total	9	100

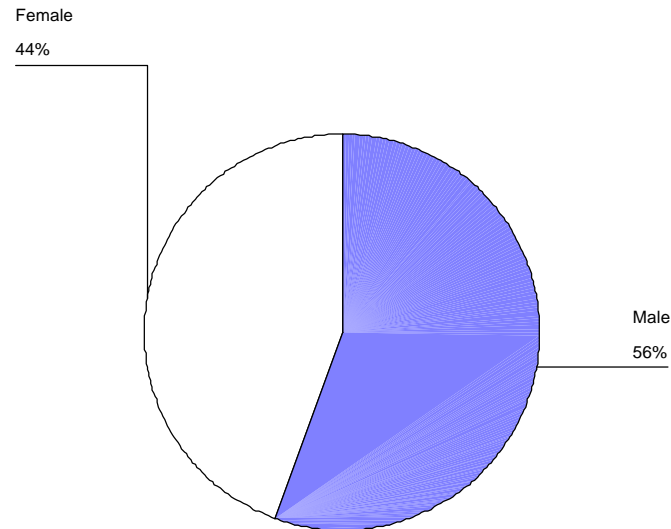
As may have been expected, Belgium received applications mainly from those countries which are geographically proximate.

The taking person/respondent

3. The gender of the taking person/respondent

Gender of the Taking Person

	Number	Percent
Male	5	56
Female	4	44
Total	9	100

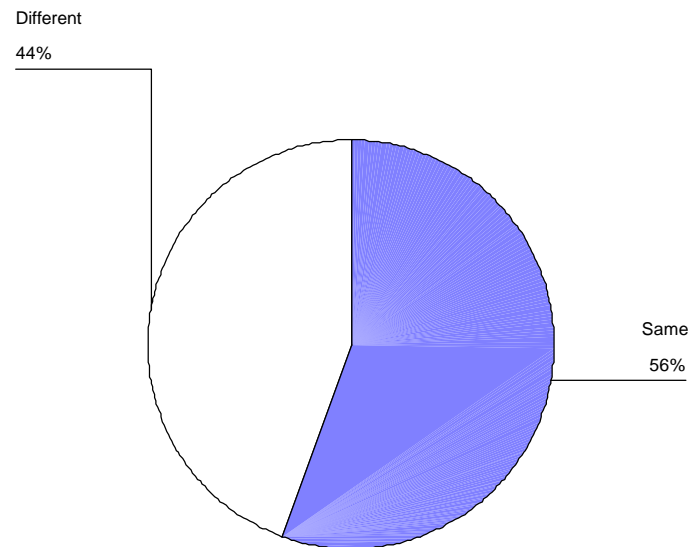


Unusually, there were more male than female taking persons, which differs from the global norm, where 69% of taking persons were female. This pattern was also found in some other European States, such as Italy, where the proportion of female taking persons was just 41%.

4. The nationality of the taking person/respondent

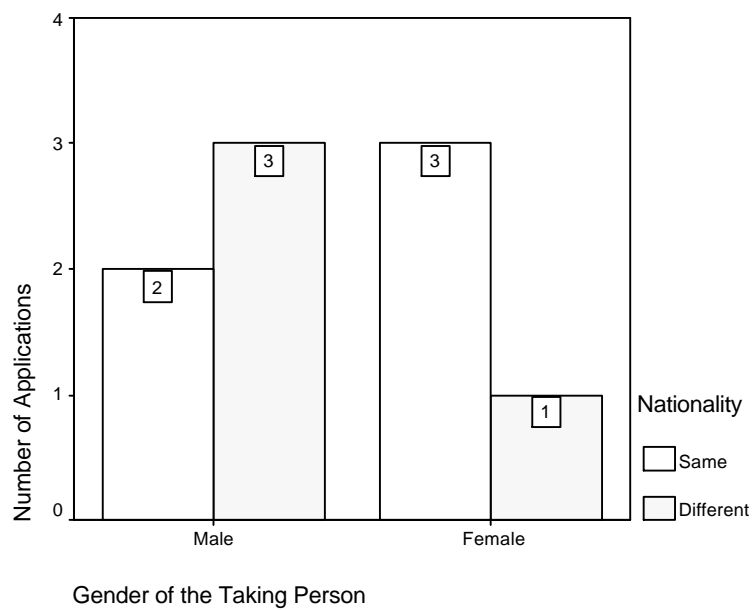
Taking Person Same Nationality as Requested State

	Number	Percent
Same Nationality	5	56
Different Nationality	4	44
Total	9	100



The nationality of the taking person was split almost equally, with 5 out of the 9 taking persons (56%) having Belgian nationality. Globally, 52% of taking persons had the nationality of the requested State.

5. The gender and nationality of the taking person/respondent combined



Globally, 53% of males and 52% of females had the nationality of the requested State, for Belgium these proportions were 40% and 75% respectively.

The children

6. The total number of children

There were at least 12 children involved in the 9 return applications.¹

7. Single children or sibling groups²

Single Child or Sibling Group

	Number	Percent
Single Child	5	63
Sibling Group	3	38
Total	8	100

The proportion of single children, 63%, is identical to the global norm. There were 2 children in 1 of the sibling groups, but the number of children in the other 2 sibling groups was not stated.

8. The age of the children³

Age of the Children

	Number	Percent
0-4 years	3	30
5-9 years	5	50
10-16 years	2	20
Total	10	100

Compared with the global norm there were fewer children in the youngest age category, 30% as opposed to 38%. Conversely, there were more children in the middle age group, 50% compared with a global norm of 42%.

9. The gender of the children⁴

Gender of the Children

	Number	Percent
Male	6	60
Female	4	40
Total	10	100

A higher proportion of male children were involved in applications to Belgium, 60%, compared with a global norm of 53%.

¹ The exact number of children in 3 applications was not stated, 2 of these applications however involved sibling groups. Consequently, at least 5 children were involved in these applications and this number has been included in the number quoted in the text.

² In one application, it was not stated whether a single child or sibling group was involved. See note 1 above.

³ Additionally, the ages of at least 2 children were not stated.

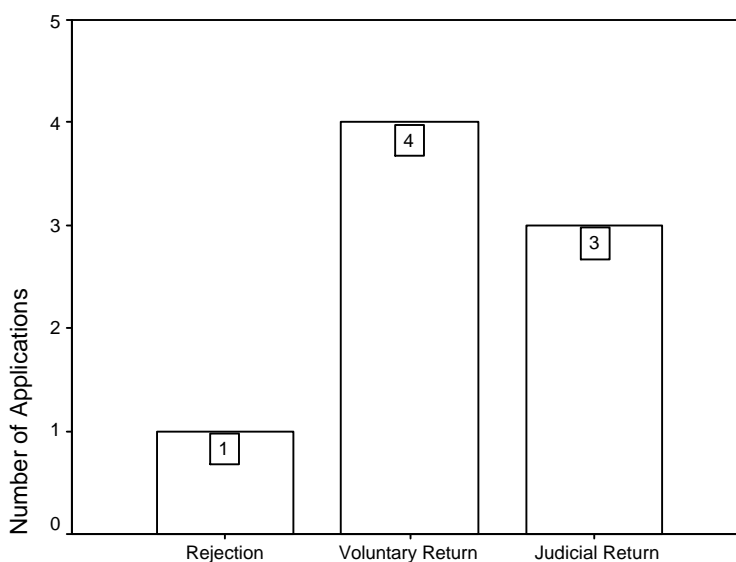
⁴ Additionally, the genders of at least 2 children were not stated.

The outcomes

10. Overall outcomes⁵

Outcome of Application

	Number	Percent
Rejection	1	13
Voluntary Return	4	50
Judicial Return	3	38
Judicial Refusal	0	0
Withdrawn	0	0
Pending	0	0
Other	0	0
Total	8	100



Outcome of Application

Globally, 50% of applications resulted in the child's return, whereas in Belgium, this proportion was 88%. Half of the applications made to Belgium resulted in a voluntary return, which was significantly higher than the global norm of 18%. No application was refused.

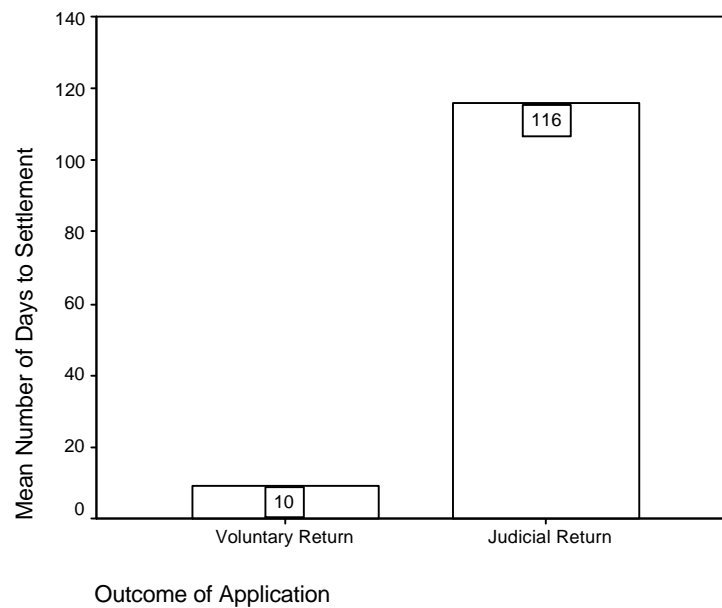
11. The reasons for rejection

The reason for the one rejection was because the child was located in another country.

⁵ Additionally, in one application, the outcome was not stated.

Speed

12. The time between application and outcome



Information was only available regarding the timing of 1 voluntary return and 2 judicial returns. The voluntary return was concluded considerably faster than the global norm of 84 days. On the other hand, the judicial returns were slightly slower than the global norm of 107 days, although, as will be seen below, the 2 judicial decisions to return were made at appellate level.

13. Appeals

There were two judicial appeals, both of which resulted in the return of the children. The two cases took 92 days and 140 days respectively which was considerably faster than the global norm of 208 days.