

THE PARLIAMENTS OF BELGIUM AND THEIR INTERNATIONAL POWERS

This brochure aims to provide readers with a bird's eye perspective of the distribution of power in Federal Belgium in plain language. Particular emphasis goes out to the role of the Parliamentary assemblies in international affairs.

Federal Belgium as we now know it today is the result of a peaceful and gradual political development seeking to give the country's various Communities and Regions wide-ranging self-rule. This enables them to run their own policies in a way that is closely geared to the needs and wishes of their own citizens. In amongst other elements, the diversity and self-rule of the Regions and Communities manifest themselves in their own Parliaments and Governments. Same as the Federal Parliament, each of these Regional Parliamentary assemblies has its own powers, is able to autonomously adopt laws and regulations for its territory and population and ratify international treaties in respect of its own powers.

HISTORICAL DEVELOPMENT

Belgium became an independent state in 1830 with a bicameral Parliament (Chamber of Representatives and Senate) and a Government. The only administrative language at the time was French. Dutch and German were only gradually recognised as administrative languages. The four linguistic regions (Dutch, French, German and the bilingual Region of Brussels-Capital) were established in 1962.

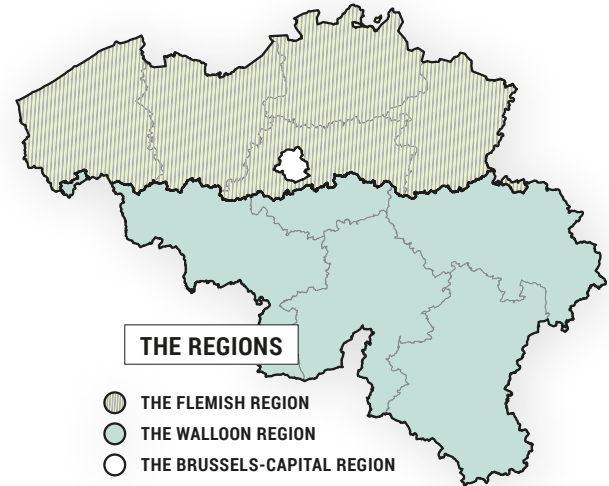
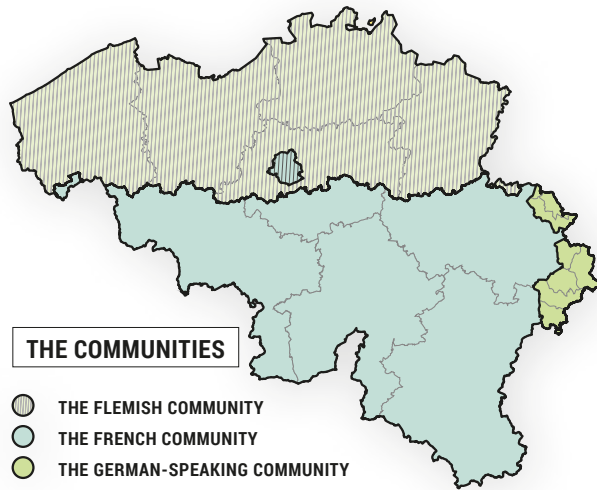
Over the course of the second half of the twentieth century came the growing awareness that the best way forward was for the various Communities to be given the widest possible level of self-rule, enabling them to make their own decisions in matters such as culture and language. This led to the institution of the three Communities (the Flemish Community, the French Community and the German-speaking

Community), which in due course went on to be given powers in respect of the so-called 'person-based' policy areas (health and assistance to persons) and education.

In order to better accommodate the dissimilar economic needs and developments in the various parts of the country, three Regions were instituted: the Flemish Region, the Walloon Region and the Brussels-Capital Region. In amongst other things, the Regions were given powers in the areas of

town and country planning, economy in the broad sense, environmental health and agriculture.

Between 1970 and 2014, the country witnessed six state reforms, which gradually transformed Belgium from a unitary state with a bicameral Parliament into a Federal state with far-reaching powers for the federated entities and their Parliamentary assemblies.



UNICITY OF THE BELGIAN SYSTEM

The Belgian state structure is complicated, not only because there are two types of federated entities – Regions and Communities which each have different types of powers – but also because the successive reforms have led to an institutional asymmetry between the federated entities. This complexity and asymmetry are also seen in the Parliaments, which differ depending on the federated entity both in terms of their constitution and in terms of the powers they have.

Under the Belgian federal system, the Regions and Communities exercise the powers expressly devolved to them. The residual powers are exercised by the federal level.

An essential hallmark of the Belgian federal system is that it is built on the notion of the exclusivity of powers of each of the federated entities. Powers are exercised either exclusively at the federal level or exclusively by the federated entities (Regions or Communities). This principle rules out any hierarchy of norms between the levels so that federal Acts and Decrees or Ordinances adopted by the federated entities are on an equal footing.

INTERNATIONAL POWERS

Belgium has a special system in place for regulating international powers. The Government that exercises a certain power at Belgian level also exercises that power at international level.

In federal countries, as a rule only the federal level is qualified to negotiate, conclude and ratify international treaties, with the said treaties only required to be debated and adopted by the Federal Parliaments.

In Belgium, it is for the federated entity governments to negotiate, conclude and ratify treaties if those treaties relate to the powers of the federated entities concerned. Which means these treaties are to be debated and adopted by the Parliamentary assemblies of the federated entities.

Belgian Parliamentary delegations to European institutions for instance may consist both of members of the Federal Parliament and members of the federated entity Parliaments, depending on which Parliament is qualified.

Declaration 51, made by the Kingdom of Belgium upon signing of the Treaty of Lisbon as annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union illustrates the Belgian constitutional reality in relation to Europe: “The Kingdom of Belgium wishes to make clear that, in accordance with its constitutional law, not only the Chamber of Representatives and Senate of the Federal Parliament but also the parliamentary assemblies of the Communities and the Regions act, in terms of the competences exercised by the Union, as components of the national parliamentary system or chambers of the national Parliament”.

A treaty that is not about the exclusive powers of Communities, Regions or the Federal State is referred to as a “mixed treaty”. Such treaties must be adopted by all assemblies involved



The Chamber of Representatives

The Federal Chamber of Representatives is home to 150 members of parliament, elected in the five Flemish provinces, the five Walloon provinces and Brussels. Along with the Senate, the Chamber is qualified for constitutional matters and for the legislation on the organisation and functioning of the Federal State and the federated entities. Moreover, the Chamber of Representatives is qualified for all matters not assigned to the Community and Regional Parliamentary assemblies (the residual matters), including justice (with some exceptions), home affairs, defence and social security.

2 Place de la Nation / Natieplein, 1000 Bruxelles/Brussel

www.dekamer.be | www.lachambre.be



@DeKamerBE



@LaChambreBE



The Senate

The Senate has 60 members. Fifty senators are members of a federated entity Parliament and are appointed by a federated entity Parliament. The 50 federated entity senators in turn appoint 10 co-opted senators (six Dutch speakers and four French speakers). Together with the Chamber, the Senate is qualified for constitutional matters and for the legislation on the organisation and functioning of the Federal State and the federated entities. Furthermore, by implementing the so-called evocation procedure the Senate may propose amendments to some legal texts that have been adopted by the Chamber. The Senate does not have the power to ratify international treaties.

1 Place de la Nation / Natieplein, 1000 Bruxelles/Brussel

www.senate.be |  @SenaatSenat  SenaatSenat





The Flemish Parliament

The Flemish Parliament is home to 124 members, elected in the five Flemish provinces (118) and Brussels (6). It is qualified for community and regional affairs in the Dutch-speaking region (five Flemish provinces). In the bilingual Brussels-Capital Region, the Flemish Parliament is qualified for institutions, which through their activities (cultural matters) or their organisation (person-based matters) exclusively belong to the Flemish Community.

6 Hertogsstraat, 1000 Brussel

www.vlaamsparlement.be



@vlaparl



VlaamsParlement



The Walloon Parliament

The Walloon Parliament, also known as the “Parlement de Wallonie”, has 75 members elected in the five Walloon provinces. The Walloon Parliament is qualified in the five Walloon provinces for regional affairs and a limited number of community affairs transferred by the French Community.

6 Square Arthur Masson, 5000 Namur

www.parlement-wallonie.be



@ParlWallonie



parlementwallonie





The Brussels-Capital Region Parliament

The Brussels-Capital Region Parliament has 89 members: 72 French-speaking and 17 Dutch-speakers elected on separate French and Dutch electoral rolls. The Brussels-Capital Region Parliament is qualified for regional affairs in the 19 Brussels municipalities. Together, the 89 members of the Brussels-Capital Region Parliament also make up the Joint Assembly of the Common Community Commissions, which is qualified in the areas of health and assistance to persons in Brussels, except for the institutions which exclusively belong to the Flemish or French Community.

69 Rue du Lombardstraat, 1000 Bruxelles/Brussel

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The Parliament of the French Community

The Parliament of the French Community, also known as the “Parlement de la Fédération Wallonie-Bruxelles” has 94 members. It consists of 75 members of the Walloon Parliament and 19 members elected from and by the French-speaking members of the Brussels-Capital Parliament. The Parliament of the French Community is qualified for community affairs in the French-speaking region (five Walloon provinces without the nine German-speaking municipalities) and in the bilingual Brussels-Capital Region for institutions, which through their activities (cultural affairs) or their organisation (social affairs) exclusively belong to the French Community.

6 Rue de la Loi, 1000 Bruxelles | www.pfwb.be



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parlement.federation





The Parliament of the German-speaking Community

The Parliament of the German-speaking Community has 25 members elected in the German-speaking region (nine German-speaking municipalities: Eupen, Kelmis, Lontzen, Raeren, Amel, Büllingen, Bütgenbach, Burg-Reuland and Sankt-Vith). In the German-speaking region, it is qualified for community affairs and a number of regional affairs transferred by the Walloon Region.

1 Platz des Parlaments, 4700 Eupen | www.pdg.be



Parlament der DG



Parliament of the German-speaking Community



The Assembly of the French Community Commission

The Assembly of the French Community Commission, also known as the “Parliament of French-speaking citizens of Brussels”, consists of the 72 French-speaking representatives elected into the Brussels-Capital Parliament. In legislative matters, the Assembly, is qualified for a number of community affairs transferred by the French Community and in regulatory matters it is qualified for a number of matters, which in the rest of the country are exercised by the local authorities.

77 Rue du Lombard, 1000 Bruxelles/Brussel

www.parlementfrancophone.brussels



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The Assembly of the Flemish Community Commission

The Assembly of the Flemish Community Commission consists of the 17 Dutch-speaking representatives elected into the Brussels-Capital Region Parliament. The Assembly deals with the Dutch-language policy areas of culture, education and health in the Brussels-Capital Region and in regulatory matters it is qualified for a number of areas, which in the rest of the country are exercised by the local authorities. This Assembly does not have the power to ratify international treaties.



67 Lombardstraat, 1000 Brussel | www.raadvvc.be

Overview of the International Powers	CR	FP	WP	BRP	PFC	PGC	AFCC
Civic integration		•	•	•	•	•	•
Family policy and welfare (including child benefits)		•	•	•	•	•	•
Equal opportunities	•	•	•	•	•	•	•
Education		•			•	•	•
Training		•	•	•		•	•
Culture, Sports and Youth		•			•	•	•
Health	•	•	•	•	•	•	•
Tourism		•	•	•		•	
Media		•			•	•	
Poverty policy		•	•	•	•	•	•
Spatial planning		•	•	•			
Nature and the Environment		•	•	•			
Public works		•	•	•			
Work	•	•	•	•		•	
Economy	•	•	•	•			
Agriculture and fisheries		•	•	•			
Energy	•	•	•	•			
Housing		•	•	•			
Immovable heritage: monuments and landscapes		•	•	•		•	
Local authorities		•	•	•		•	
Science and Innovation	•	•	•	•	•	•	•
Justice	•	• (4)		• (4)	• (4)	• (4)	
Home Affairs and Security	• (1)						
Foreign Affairs	• (2)						
Defence	•						
Development cooperation/International relations	•	•	•	•	•	•	•
Tax law	•	•	•	•		•	
Traffic, transport and mobility	• (3)	•	•	•			
Industrial and intellectual property	•						
Social security (except for child benefits)	•						

CR Chamber of Representatives - FP Flemish Parliament - WP Walloon Parliament - BRP Brussels-Capital Region Parliament - PFC Parliament of the French Community
PGC Parliament of the German-speaking Community - AFCC Assembly of the French Community Commission

- (1) Incl. Borders and Migration, Police
- (2) Incl. Diplomatic and consular relations, Privileges and Immunities, Maritime law
- (3) Exclusive powers in the areas of Aviation, Shipping, Railways and Driving Licences
- (4) Exclusively competent for juvenile sanctioning law, the prosecution policy in respect of their powers and the Houses of Justice (including the frontline legal assistance)

Colophon

Texts and illustrations
the parliaments of Belgium

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