

CORONAVIRUS COVID-19 QUESTIONNAIRE

SITUATION IN BELGIUM



1. What are the corona measures for all citizens in your country?

After a short period of just recommendations, we are obliged to follow confinement rules from 18th March 2020 at noon. The government doesn't want to speak of a full lockdown. The rules are the following :

- Everyone should stay at home and only necessary displacements are allowed
Is considered necessary :
 - Going to work or a doctor
 - Shopping for alimentation, pet-food or pharmaceuticals
 - Doing sports (without taking your car or motorbike, but without restriction of distance)
 - Help people in need
- Teleworking should be the rule and if it is necessary to be on the work-floor, a distance of 1,5m should be guaranteed unless the activity is seen as an essential activity (such as advocacy)

According to data from network-providers, 80% of the Belgians remain in their neighbourhood.

People are fined (judicially but also administratively) and could be imprisoned if not complying.

The measures are prolonged until 19th April (and probably 3rd May)

2. What is the legal situation and in the courts?

The courts decided all non-urgent cases were postponed (except for cases with detainees). Lawyers are asked to represent their clients even when procedure doesn't normally permit it. (It is still possible to insist on the presence of a client).

No more new cases will be brought before the courts (except in rare ultra-urgent affairs).

On 26th March, the government received special powers from parliament so will be able to make special (by-)laws.

Incessantly it is expected to have a prolongment of all delays in civil and criminal cases.

3. How is the situation of the lawyers and what are the Bars doing?

Economic activity is at its very low, so even non-litigation lawyers are becoming out of work. Litigation-lawyers (apart from those who have mainly a detainee-clientele) are completely out of work. The government has taken measures to support the employers and employees (temporary-unemployment), the self-employed (suspension-allocation of 1.291 to 1.600€) and for companies who had to close (4.000€). The payment of mortgage loans suspended. All delays for payment of taxes and social security are postponed.

The Bars are giving a daily update on the situation, repeating the past information that is still valid and pointing out what has changed.

They are also organising free webinars about the (by-) laws (see above), the financial compensations of the government(s), how to organise tele-working (with video-conferencing) etc.

The (formerly charged) service developed by the 2 communitarian Bars (national level) by which you can

communicate with the courts (letters, writs etc) is for free during the corona- measures.

The Bars also brought back to the attention of its members that confraternité/solidarity is a fundamental characteristic of our profession and understanding is required.

4. Which measures are the most appreciated and what are the challenges?

The daily information given by the Bar is much appreciated. Not only about the new arrangements for exercising the profession, but equally about the measures taken by the government(s) in support of individuals and businesses. The major challenge for the profession will be the survival of the profession and the adaptation of lawyers to the new circumstances as well during, but also after the crisis.

5. Additional comments

Not only now, but also in the aftermath of this crisis, our democracies based on individual freedom and rights are under enormous pressure. It will be a great challenge to reconcile the demands for more (sanitary) security and fundamental rights. The European project is facing enormous challenges too. As a profession, we should learn from what happened and give the example in working even more together to overcome all the challenges our future has in store for us.

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