

U.S. Country Commercial Guides



Belgium

2018

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Doing Business in Belgium

Market Overview

Belgium is a compact and diverse market, sitting on the cultural and linguistic border of Germanic and Latin Europe. It is composed of the francophone Wallonia region to the south, the Dutch speaking Flanders region in the north, and the bilingual capital region of Brussels. There is also a small enclave of German speakers. This diversity makes it an ideal market for many U.S. firms to test their products before expanding distribution throughout Europe. With a population of 11.35 million people in a territory comparable in size to the state of Maryland, it is densely populated. It enjoys one of the highest per capita incomes in Europe, with a relatively balanced income distribution, resulting in widely distributed purchasing power.

Belgium GDP was a total of \$493,909 in 2017. Bilateral trade was worth over \$56.1 billion for the year 2017. With its major ports (Antwerp is the second largest port in Europe) and excellent logistical infrastructure, a significant portion of bilateral trade either originates in, or is destined for, other countries in Europe. The U.S. ranked as Belgium's 5th principal and most important non-EU trading partner; with Belgium ranking as the 10th largest recipient of U.S. exports in 2017.

Often referred to as "the capital of Europe", the Belgian capital of Brussels is home to the headquarters of the European Union (EU) and of the North Atlantic Treaty Organization (NATO), as well as hundreds of international institutions, associations and multinational corporations.

Market Challenges

The Belgian economy is expected to grow 1.8 percent in 2018, primarily driven by domestic demand and net exports. Private consumption growth was slower than in surrounding countries, mainly caused by higher inflation. Low energy prices and interest rates, and a favorable euro/dollar exchange rate continue to stimulate economic growth and fuel exports, especially given Belgium's unique position as a logistical hub and gateway to Europe. In 2016 and again in 2017, Belgium posted a current account surplus. However, the recovery remains fragile: any potential shift to a less trade friendly global environment would have negative repercussions on the export sector. Since June 2015, the Belgian government has undertaken a series of measures aiming to reduce the tax burden on labor and to increase Belgium's economic competitiveness and attractiveness to foreign investment. The July 2017 decision to lower the corporate tax rate from 35 to 25 percent is expected to make a big improvement in the investment climate.

Belgium boasts an open market well connected to the major economies of the world. As a logistical gateway to Europe, host to the EU institutions and a central location closely tied to the major European economies (Germany in particular), Belgium is an attractive market and location for U.S. investors. Foreign and domestic investors are expected to take advantage of improved credit opportunities and increased consumer and business confidence. Finally, Belgium is a highly developed, long-time economic partner of the United States that benefits from an extremely well-educated workforce, world-renowned research centers, and the infrastructure to support a broad range of economic activities.

To fully realize Belgium's employment potential, it will be critical to address the severe fragmentation of the labor market. Jobs growth accelerated in 2016 and 2017, driven by the cyclical recovery and the positive impact of past reforms. Older workers account for much of the employment increase, whereas progress has been more limited in integrating vulnerable groups—especially immigrants born outside the EU, the young, and the low-skilled. Moreover, large regional disparities in unemployment rates persist, and there is a significant skills mismatch.

Belgium has a dynamic economy and continues to attract significant levels of investment in chemicals, petrochemicals, plastic and composites; environmental technologies; food processing and packaging; health technologies; information and communication; and textiles, apparel and sporting goods, among other sectors.

Market Opportunities

Top U.S. exports to Belgium include chemicals and petrochemicals; plastics and machinery. Post sees major existing or developing opportunities for U.S. exporters in (in alphabetical order): Energy, ICT Services, Medical Devices, Safety and Security, and Travel & Tourism. As the host of NATO and EU headquarters, and hundreds of other international organizations, Belgium also offers opportunities for specific projects.

Belgium's central location in the wealthiest region of Europe makes it an ideal gateway for exports to destinations throughout Europe. Within a radius of 300 miles, 140 million EU consumers can be reached, representing 60% of Europe's purchasing power.

Belgium is also seen as a test market. Belgium contains a few distinctly separate socio-demographic groups such as the Dutch-speaking Flemings and the French-speaking Walloons, governed by the same legal system. The Belgian economy largely reflects the overall European economy and consumer, a mini-Europe that is easier to enter than starting with larger European markets.

Moreover, Belgian productivity levels are the result of high investment in the quality of its labor force. Because of its location and history, the educational system in Belgium is highly oriented towards the instruction of foreign languages. U.S. companies contemplating the Belgian market will be encouraged by the large number of English speakers.

Market Entry Strategy

U.S. exporters can penetrate the Belgian market through importers/distributors, wholesalers or specialized retailers, depending on their products and their company size. Interested U.S. exporters will have to focus on innovation, quality and competitive pricing to successfully enter the market.

In support of U.S. commercial interests in Belgium, the U.S. Embassy in Brussels uses the combined resources of the various U.S. Government agencies to promote exports of U.S. goods and services. It also supplies information on trade and investment opportunities and serves as an advocate for U.S. firms. For specific requests, firms can contact the applicable Commercial Specialist at the U.S. Embassy in Brussels for counseling and market entry strategies tailored to their products and services (see: [Export.gov - What can CS Belgium do for you?](#)).

Political Environment

Political Environment

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

<http://www.state.gov/r/pa/ei/bgn/2874.htm>

Selling US Products & Services

Using an Agent to Sell US Products and Services

Companies wishing to use distribution, franchising and agency arrangements need to ensure that the agreements they put into place are in accordance with EU and member state national laws. Council Directive 86/653/EEC establishes certain minimum standards of protection for self-employed commercial agents who sell or purchase goods on behalf of their principals. The Directive establishes the rights and obligations of the principal and its agents, the agent's remuneration and the conclusion and termination of an agency contract. It also establishes the notice to be given and indemnity or compensation to be paid to the agent. U.S. companies should be particularly aware that according to the Directive, parties may not derogate from certain requirements. Accordingly, the inclusion of a clause specifying an alternate body of law to be applied in the event of a dispute will likely be ruled invalid by European courts.

Key Link:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31986L0653:EN:HTML>

The European Commission's Directorate General for Competition enforces legislation concerned with the effects on competition in the internal market of "vertical agreements." U.S. small- and medium-sized companies (SMEs) are exempt from these regulations because their agreements likely would qualify as "agreements of minor importance," meaning they are considered incapable of impacting competition at the EU level but useful for cooperation between SMEs. Generally speaking, companies with fewer than 250 employees and an annual turnover of less than €50 million are considered small- and medium-sized. The EU has additionally indicated that agreements that affect less than 10% of a particular market are generally exempted (Commission Notice 2014/C 291/01).

Key Link:

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C.2014.291.01.0001.01.ENG>

The EU also looks to combat payment delays. Directive 2011/7/EU covers all commercial transactions within the EU, whether in the public or private sector, primarily dealing with the consequences of late payment. Transactions with consumers, however, do not fall within the scope of this Directive. Directive 2011/7/EU entitles a seller who does not receive payment for goods and/or services within 30 days of the payment deadline to collect interest (at a rate of eight percent above the European Central Bank rate) as well as 40 Euro as compensation for recovery of costs. For business-to-business transactions a 60-day period may be negotiated subject to conditions. The seller may also retain the title to goods until payment is completed and may claim full compensation for all recovery costs.

Key Link.: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:048:0001:0010:EN:PDF>

Companies' agents and distributors can take advantage of the European Ombudsman when victim of inefficient management by an EU institution or body. Complaints can be made to the European Ombudsman only by businesses and other bodies with registered offices in the EU. The Ombudsman can act upon these complaints by investigating cases in which EU institutions fail to act in accordance with the law, fail to respect the principles of good administration, or violate fundamental rights. In addition, SOLVIT, a network of national centers, offers online assistance to citizens and businesses who encounter problems with transactions within the borders of the single market.

Key Links:

<http://www.ombudsman.europa.eu/home/en/default.htm>

http://ec.europa.eu/solvit/site/about/index_en.htm

Establishing an Office

U.S. companies wishing to start business activities in Belgium can choose to set up either a subsidiary or a branch. A subsidiary is incorporated under foreign law and the branch under Belgian law. The choice between a subsidiary and a branch often depends on the taxation structure in the foreign country from which the investment is made. Incorporation generally takes six weeks. No prior government authorization is required and there is no restriction on the transfer of capital into Belgium, with the exception of industries such as banking, insurance, pharmaceuticals, and broadcasting. When planning to open an office or set up a company in Belgium, U.S. companies should contact the foreign investment offices of the Belgian region where they will be located ([Flanders](#) , [Wallonia](#), and [Brussels](#)). These offices will be able to provide support and advice on matters of tax, employment, location and accounting.

Legal Features

A subsidiary is a separate legal entity; thus, liability is limited to its own assets. However, a branch does not constitute a separate entity and has unlimited liability. The parent company is liable for all obligations and debts of the branch.

Setting up a Subsidiary

Subsidiaries are usually set up either as a public limited liability company (SA/NV) or a private limited liability company (SPRL/BVBA). The private limited liability company is generally suited for smaller companies. Steps for setting up public and private companies are relatively similar.

Deposit initial capital (€62,000 for SA/NV; €19,000 for SPRL/BVBA) with a Belgian bank. A certificate indicating the amount of capital held in a blocked account will be issued by the bank.

File signed financial plan with a notary. A financial plan shows how the initial capital covers the company's operations for the next two years.

In the presence of a notary, sign the deed of incorporation and the by-laws.

The notary will file the deed of incorporation with the local commercial court and submit the corporate charter for publication in the Belgian Official Gazette. (Cost is approximately €1,000-1,500 for notary, €207 for publication in the Belgian Official Gazette.) Upon registration, an official corporate registration number is issued.

Register at the "one-stop shop for companies" (guichet d'entreprise / ondernemingsloket) to activate the corporate registration number and register with the Value Added Tax (VAT) administration. (Cost is €71 for registration fee and €61 for VAT registration)

Register with social security administration for salaried workers (ONSS/RSZ).

Within three months of incorporation, companies must register with the social insurance fund for self-employed persons and begin annual contributions to this fund.

Setting up a Branch

To open a branch office in Belgium, the following documents must be brought to a notary to be legalized and translated:

Articles of incorporation and bylaws of the foreign incorporation with subsequent amendments.

Minutes from the Board Meeting when it was decided by the parent company to open a branch office in Belgium.

Minutes from the Board Meeting to appoint a legal representative along with a description of powers delegated to him.

Consolidated annual accounts of the parent company.

The translation of these documents must be done by an official translator in Belgium into French or Dutch, depending on the location in Belgium.

The documents must be submitted to the local Court of Commerce and the annual accounts must be filed at the National Bank of Belgium.

Register at the “one-stop shop for companies” (guichet d’entreprise / ondernemingsloket) to activate the corporate registration number and register with VAT administration.

Publish the documents in the Belgian Official Gazette. (The costs will be the fee for the translation, registration fee, and publishing fee)

Register with social security administration for salaried workers (ONSS/RSZ).

Within three months of incorporation, branches must register with social insurance fund for self-employed persons and begin annual contributions to this fund.

A list of notaries in Belgium is available at <http://www.notaire.be>

In an effort to modernize and streamline the procedure of setting up a company or an office in Belgium, the Belgian Government established the "Crossroads Bank for Enterprises" ([Banque Carrefour des Entreprises](#)). It is a repository that assigns business entities a unique identification number that replaces the social security number, its register of commerce number, its VAT number, and the number granted by the national register of legal entities. Data are entered one time only and all government entities share this database. The database tracks relevant identification details, such as name, address, VAT number, and business type. For third parties (including the administration), this number serves as the main identification number of the branch. It must appear on all documents originating from the subsidiary or branch.

Franchising

According to the Belgian Franchise Federation, Belgium’s franchising system represents 6% of the Belgian retail, about 100 franchisors, 3,500 franchisees, 30,000 jobs and a market of € 2.4 billion. This places Belgium, along with Denmark and Finland, among the European countries with the lowest number of franchise units per capita. The largest part of the franchise concepts are in D-I-Y, distribution and confection. Over the past 10 years the franchising of services has grown slowly. The largest increase is found in in-house, electrical household equipment and fast-food.

In 2005, Belgium adopted a law on pre-contractual information in the framework of commercial agreements. Franchise agreements fall under this law. In the case of a franchisor–franchisee relationship proposal, the franchisor is obliged to provide a pre-contractual information document (PID) and a draft of the proposed agreement one month before concluding the agreement. This document must contain all the necessary information, as described in the law, to allow the franchisee to accurately evaluate the consequences of the contract. Disrespect for the required “cooling-off” period, of the required content and even of the accuracy of the information provided, result in the nullity of the agreement.

In the long-standing market economies governed by Civil Codes, there is very limited franchise specific legislation. Franchising, which is not usually distinguished from commerce in general in national economic statistics, is governed in each EU country by the many laws that usually govern mainstream commercial and distribution contracts. These include the general principles of contractual and civil law, specific commercial

regulations, IPR protection laws, fiscal and social laws, etc. as well as national or European jurisprudence. <http://www.eff-franchise.com/>

Since its foundation in 1972, the European Franchise Federation has promoted its European Code of Ethics for Franchising. The EFF's Code of Ethics for franchising has been recognized as an industry reference both by the European Commission, the European Court of Justice, and in franchise jurisprudence in countries like France and Germany. Its purpose is to promote a self-regulatory set of ethical standards by which the actors of the industry themselves define the means by which to protect its practice from behavior which could otherwise be detrimental to its image and ultimately to its business development.

Direct Marketing

The EU has yet to adopt legislation harmonizing the direct-selling of consumer products. However, there is a wide-range of EU legislation that impacts the direct marketing sector. Compliance requirements are stiffest for marketing and sales to private consumers. Companies need to focus, in particular, on the clarity and completeness of the information they provide to consumers prior to purchase and on their approaches to collecting and using customer data. The following gives a brief overview of the most important provisions flowing from EU-wide rules on distance-selling and on-line commerce. In addition, it is important for exporters relying on a direct-selling business model to ensure they comply with member state requirements.

Processing Customer Data

The EU has strict laws governing the protection of personal data, including the use of such data in the context of direct marketing activities. For more information on these rules, please see the Protection Intellectual Property section.

Distance Selling Rules

In 2011, the EU overhauled its consumer protection legislation and merged several existing rules into a single rulebook - "the Consumer Rights Directive". The provisions of this Directive have been in force since June 13, 2014. The Directive contains provisions on core information to be provided by traders prior to the conclusion of consumer contracts. It also regulates the right of withdrawal, includes rules on the costs for the use of means of payment and bans pre-ticked boxes.

Alternative Dispute Resolution

In 2013, the EU adopted rules on Alternative Dispute Resolution which provide consumers the right to turn to quality alternative dispute resolution entities for all types of contractual disputes including purchases made online or offline, domestically or across borders. A specific Online Dispute Resolution Regulation, operational in January 2016, sets up an EU-wide online platform to handle consumer disputes that arise from online transactions.

New Legislation

In December 2015 the European Commission released a package of two draft Directives, respectively on "contracts for the supply of digital content" and another on "contracts for the online and other distance sales of goods." This package addresses the legal fragmentation and lack of clear contractual rights for faulty digital content and distance selling across the EU. The package only addresses B2C contracts, although its scope uses a very broad definition of both digital content (including music, movies, apps, games, films, social media, cloud storage services, broadcasts of sport events, visual modelling files for 3D printing) and distance selling goods so as to cover Internet of Things (such as connected households appliances and toys). It also applies to transactions whether in the context of a monetary transaction or in exchange of (personal) consumer data. Healthcare, gambling and financial services are excluded. The package is currently under scrutiny at both the European Parliament and Council. Its adoption is expected the first half of 2017.

Key Links:

Consumer Affairs Homepage: http://ec.europa.eu/consumers/index_en.htm

Consumer Rights: http://ec.europa.eu/justice/consumer-marketing/rights-contracts/directive/index_en.htm

Distance Selling of Financial Services

Financial services are the subject of a separate directive that came into force in June 2002 (2002/65/EC). This piece of legislation amended three prior existing Directives and is designed to ensure that consumers are appropriately protected with respect to financial transactions taking place where the consumer and the provider are not face-to-face. In addition to prohibiting certain abusive marketing practices, the Directive establishes criteria for the presentation of contract information. Given the special nature of financial markets, specifics are also laid out for contractual withdrawal.

Key Link: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002L0065:EN:NOT>

Direct Marketing over the Internet

The e-commerce Directive (2000/31/EC) imposes certain specific requirements connected to the direct marketing business. Promotional offers must not mislead customers and the terms that must be met to qualify for them have to be clear and easily accessible. The Directive stipulates that marketing e-mails must be identified as such to the recipient and requires that companies targeting customers on-line must regularly consult national opt-out registers where they exist. When an order is placed, the service provider must acknowledge receipt quickly and by electronic means, although the Directive does not attribute any legal effect to the placing of an order or its acknowledgment: this is a matter for national law. Vendors of electronically supplied services (such as software, which the EU considers a service and not a good) must also collect value added tax (see Electronic Commerce section below). The European Commission has performed a stakeholder's consultation and is currently assessing the opportunity to propose a revision of the e-commerce Directive.

Key Link: http://ec.europa.eu/internal_market/e-commerce/index_en.htm

Joint Ventures/Licensing

In addition to the Commercial Service, there are numerous banks, professional organizations, service companies, and financial organizations prepared to advise and assist parties considering joint ventures and licensing within Belgium. Belgium has a very sophisticated business community with many potential qualified joint venture and licensing partners.

Selling to the Government

Many governments finance public works projects through borrowing from the Multilateral Development Banks. Please refer to "[Project Financing](#)" section in "[Trade and Project Financing](#)" for more information.

Selling to the Belgian Government and the EU

Government procurement in Europe is governed by both international obligations under the WTO Government Procurement Agreement (GPA) and EU-wide legislation under the EU Public Procurement Directives. U.S.-based companies are allowed to bid on public tenders covered by the GPA, while European subsidiaries of U.S. companies may bid on all public procurement contracts covered by the EU Directives in the European Union.

The EU directives on public procurement have recently been revised and new legislation on concession has also been adopted. Member States were required to transpose the provisions of the new directives by April 16, 2016. The four relevant legislations are:

[Directive 2014/24/EU](#) (replacing Directive 2004/18/EC) on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts applies to the general sector;

[Directive 2014/25/EU](#) (replacing Directive 2004/17/EC) coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors;

[Directive 2009/81/EC](#) on defense and sensitive security procurement. This Directive sets Community rules for the procurement of arms, munitions and war material (plus related works and services) for defense purposes, but also for the procurement of sensitive supplies, works and services for non-military security purposes;

[Directive 2014/23/EU](#) on the award of concession contracts. A concession contract (either for the delivery of works or services) is conducted between a public authority and a private enterprise that gives the right to the company to build infrastructure and operate businesses that would normally fall within the jurisdiction of the public authority (e.g. highways).

The EU has three remedy directives imposing common standards for all Member States to abide by in case bidders identify discriminatory public procurement practices.

Electronic versions of the procurement documentation must be available through an internet URL immediately on publication of the Official Journal of the European Union (OJEU) contract notice. Full electronic communication (with some exceptions) will become mandatory for public contracts 4.5 years after the Public Contracts Directive 2014/24 comes into force (i.e. October 2018). For central purchasing bodies, the deadline is three years (April 2017).

Electronic invoicing (e-invoicing) will be introduced from the 3rd quarter of 2018, based on the requirement set forth in [Directive 2014/55/EU](#). The Directive makes the receipt and processing of electronic invoices in public procurement obligatory. Standards for e-invoicing are being developed by the European Committee for Standardization (CEN).

There are restrictions for U.S. suppliers in the EU utilities sector, both in the EU Utilities Directive and in EU coverage of the GPA. Article 85 of Directive 2014/25 allows EU contracting authorities to either reject non-EU bids where the proportion of goods originating in non-EU countries exceeds 50 percent or give preference to the EU bid if prices are equivalent (meaning within a three percent margin). Moreover, the Directive allows EU contracting authorities to retain the right to suspend or restrict the award of service contract to undertaking in third countries where no reciprocal access is granted.

There are also restrictions in the EU coverage of the GPA that apply specifically to U.S.-based companies. U.S. companies are not allowed to bid on works and services contracts procured by sub-central public contracting authorities in the following sectors:

Water sector

Airport services

Urban transport sector as described above, and railways in general

Dredging services and procurement related to shipbuilding

Selling to NATO

NATO purchases anywhere between \$2 to \$4 billion worth of products and services each year. A large portion of this falls under NATO's Security and Investment Program or NSIP. It is the NATO common funding program, investing in infrastructure. The Program finances the provisions and facilities needed to support NATO Strategic Commands. The investments cover communications and information systems, radar, military headquarters, airfields, fuel pipelines and storage, harbors, and navigational aids. It also includes Peace

Support Operations such as NATO Stabilization Force (SFOR) and NATO Kosovo Force (KFOR) including communications, information systems, local headquarters facilities, power systems, and repairs to airfields, rail, and roads.

This budget is supplemented by NATO's Military Budget which covers the International Military Staff, the two NATO Strategic Commands and associated command, control and information systems, research and development agencies, procurement and logistics agencies, and the NATO Airborne Early Warning and Control Force.

Funded by the above budgets and other external sources, NATO procures goods and services mainly through two acquisition agencies: NATO Communications and Information Agency (NCI-A) and NATO Support Agency (NSPA).

Over the past years, NATO has been overhauling and streamlining its acquisition agencies. Fourteen agencies, all accredited to procure, have been amalgamated into two main acquisition agencies: NCI-A and NSPA. The agencies account for over 80% of NATO procurement. NCI-A, or NATO Computer Information Agency is the principal agency involved in the research and development, procurement and implementation of Consultation, Command and Control within NATO. NCI-A procures technology that can support the objectives of its NATO member nations, partner nations, and Crisis Response Operations in Afghanistan and Kosovo for example.

NSPA, located in Luxembourg, is the main logistics agency for NATO. It provides logistic services in support of weapon and equipment systems held in common by NATO nations, in order to promote materiel readiness, to improve the efficiency of logistic operations and to effect savings through consolidated procurement in the areas of supply, maintenance, calibration, procurement, transportation, technical support, engineering services and configuration management.

Both agencies procure goods and services through preferred suppliers and International Competitive Bidding (ICB) for larger projects. NCI-A and NSPA's suppliers' lists are respectively known as the Basic Ordering Agreement (BOA) and the Source File. Procurement contracts, though smaller than ICBs, can reach up to \$5 million. U.S. companies interested in being added to the BOA and/or Source File should contact Ira Bel ira.bel@trade.gov at the U.S. Commercial Service in Belgium for assistance. U.S. companies interested in tracking and bidding on ICBs should monitor Commerce's bulletin board recapping NATO opportunities: www.fbo.gov.

NATO only buys from its member nations. This gives U.S. suppliers a distinct advantage. As the United States is underrepresented in maintenance and supply contracts, the NATO Maintenance and Supply Agency (NAMSA) will offer U.S. companies the opportunity to match the most competitive bid, providing the firm is within 10% of the lowest bid meeting minimum military requirements.

We expect NATO to focus on the purchase of information technology security software with a focus on information assurance and services, cybersecurity, auditing and business management services, and logistical solutions enhancing deployability.

The next few years should see a spike in IT spending reaching an additional \$3 billion, notably to replace the AWACS system with a new "Systems of Systems" employing a variety of air, land, sea and satellite technologies. The program, Alliance Future Surveillance and Command, of AFSC, is in its infancy but the related industry days have already begun. For more information, see here:

<https://www.youtube.com/watch?v=6ZT67RnTyeU&t=14s>

Key Links:

www.fbo.gov

For NATO procurement specific videos, see: <https://www.youtube.com/channel/UCwIwTKyqEV1s-eLdyEq907A>

Distribution & Sales Channels

Belgium has very well developed infrastructure and is regarded as an excellent transit and distribution center. It has the second most extensive canal network in Europe and benefits from modern road and rail networks. Antwerp is Europe's largest container port for U.S.-EU trade; Liege, located 90 kilometers east of Brussels, is the third largest European river port, and Liege Airport is also an important center for freight with 660,665 metric tons sent in 2016. Brussels Airport is located only 15 minutes from the center of Brussels is also among the busiest by cargo traffic in Europe, sending a little over 494,637 tons of freight in 2016.

The dense population and pattern of urban development means that for 91% of Belgian consumers, retail shops and department stores are accessible within a 10-mile radius of their homes. Compared to the U.S., or other European markets, the Belgian consumer has a relatively low ratio of square meters of retail space per capita. As a result, several major commercial centers or malls are being developed. These will offer U.S. retail brands and franchises with new, modern locations for their outlets.

The cultural, linguistic and economic differences of Belgium's three regions have a strong influence on how business is conducted. A good importer/distributor must be able to operate in all three areas. Belgian distributors tend to be small and specialized.

Express Delivery

For information on this topic please consult Commerce Department's Market Research Library, available from: <https://www.export.gov/Market-Intelligence>

Selling Factors & Techniques

It is important to remember that Dutch, French, and (to a very limited extent) German language divisions define consumer characteristics in the Belgian market. At the industrial level, where price and technical factors are usually paramount, the language issue is not particularly significant. At the consumer level however, issues such as labeling and marketing strategies take on greater weight. In both instances, language can influence the personal relationships between buyers and sellers, so it is necessary to determine whether importers and distributors can service the entire Belgian market.

The prevailing Belgium law for labeling simply requires that consumers of the targeted market must be able to read the product information. Typically this has been Dutch in the northern half of Belgium (Flanders), French in the southern half of Belgium (Wallonia), and German in two small communities of German-speaking Belgians on the Belgium-German border. Generally both Dutch and French appear on all products sold in the Belgium market and should be the most prudent option for all newcomers.

eCommerce

As a result of early internet infrastructure development, e-commerce is freely accessible in Belgium. High levels of broadband and cable access for high-speed internet are readily available in Belgium. In 2016, Belgium ranked sixth -in broadband (34.22 Mbps average) penetration rate in the European Union at 34.1%, with 78% of Belgians using the internet at least once a week. In 2016, 44% of Belgians accessed the internet via a mobile device; this is well above the EU average of 37%. Belgium's overall internet penetration is at 83% surpassing the European Union's 73%. The most popular activity is internet banking at 73%. However, only 64% of Belgian consumers have purchased goods or services online, ranking far behind Denmark, the Netherlands and Sweden's 70%. Social media is equally strong with over 50% of Belgian's population (independently of age) having an active Facebook account. Approximately 23% of Belgian companies are engaged in e-commerce,

which is significantly higher than the EU average of 14%. However, only 13% of Belgian SMEs (to the EU average of 7.5%) sell beyond the country's borders into other European countries.

The need to tailor offerings according to local laws, culture, and in two languages (French and Dutch), combined with a small population, make Belgium a somewhat more difficult market for those entering the EU e-commerce division. However, in February 2008, eBay introduced a system to allow users in Belgium to register using an electronic identity card instead of a credit card. Using this government-issued electronic identity card, known as eID, provides greater proof of identity and security in exchange of electronic data. Such increased security provides for greater trust in the e-commerce market and may offer a boost in attractiveness.

Although in the past the Belgian government has lagged in providing online public services, it is catching up and now offers tax filings online. In addition, the Belgian government is updating its electronic procurement structure and public tenders can now be submitted online. It is expected to soon launch its completed online-procurement system for purchasing goods from approved suppliers. In 2016, 39% of Belgian citizens made use of the internet for eGovernment services and 29% sent in online forms. These rates are above EU averages of 32% and 22% respectively. Despite its good overall ranking, Belgium still has potential to improve its online public services.

For information on electronic commerce in the EU please consult the Commerce Department's Country Commercial Guide on the European Union: [EU Country Commercial Guide](#), chapter 3 "Selling U.S. Products and Services", section on "Electronic Commerce".

Alternatively, search the Commerce Department's Market Research Library, available from: [Market Research](#), [Find Market Intelligence](#) | [Export.gov](#) | [export.gov](#) under Country and Industry Market Reports."

Trade Promotion & Advertising

General Legislation

Laws against misleading advertisements differ widely from member state to member state within the EU. To respond to this issue in the internal market, the Commission adopted a directive, in force since October 1986, to establish minimum and objective criteria regarding truth in advertising. The Directive was amended in October 1997 to include comparative advertising. Under the Directive, misleading advertising is defined as any "advertising which in any way, including its presentation, deceives or is likely to deceive the persons to whom it is addressed or whom it reaches and which, by reason of its deceptive nature, is likely to affect their economic behavior or which for those reasons, injures or is likely to injure a competitor." Member states can authorize even more extensive protection under their national laws.

Comparative advertising, subject to certain conditions, is defined as "advertising which explicitly or by implication identifies a competitor or goods or services by a competitor." Member States can, and in some cases have, restricted misleading or comparative advertising.

The EU's Audiovisual Media Services Directive (AMSD) lays down legislation on broadcasting activities allowed within the EU. Since 2009, the rules allowing for U.S.-style product placement on television and the three-hour/day maximum of advertising has been lifted. However, a 12-minute/hour maximum remains. The AMSD is currently under revision. The European Commission is aiming to extend the scope of the Directive to video-sharing platforms which tag and organize the content. The Commission is also aiming to provide more flexibility about the 12-minute/hour maximum restriction. Children's programming is subject to a code of conduct that includes a limit on junk food advertising to children. Following the adoption of the 1999 Council Directive on the Sale of Consumer Goods and Associated Guarantees, product specifications, as laid down in advertising, are considered as legally binding on the seller.

The EU adopted Directive 2005/29/EC concerning fair business practices in a further attempt to tighten consumer protection rules. These rules outlaw several aggressive or deceptive marketing practices such as pyramid schemes, "liquidation sales" when a shop is not closing down, and artificially high prices as the basis for discounts in addition to other potentially misleading advertising practices. Certain rules on advertising to children are also set out.

Key Links:

http://ec.europa.eu/consumers/consumer_rights/unfair-trade/false-advertising/index_en.htm

http://ec.europa.eu/consumers/consumer_rights/unfair-trade/unfair-practices/index_en.htm

<https://ec.europa.eu/digital-single-market/en/audiovisual-media-services-directive-avmsd>

Medicines

The advertising of medicinal products for human use is regulated by Council Directive

2001/83/EC as amended by Directive 2004/27/EC. Generally speaking, the advertising of medicinal products is forbidden if market authorization has not yet been granted or if the product in question is a prescription drug. Mentioning therapeutic indications where self-medication is not suitable is not permitted, nor is the distribution of free samples to the general public. The text of the advertisement should be compatible with the characteristics listed on the product label, and should encourage rational use of the product. The advertising of medicinal products destined for professionals should contain essential characteristics of the product as well as its classification. Inducements to prescribe or supply a particular medicinal product are prohibited and the supply of free samples is restricted.

Key Link: http://ec.europa.eu/health/human-use/information-to-patient/index_en.htm

Nutrition & Health Claims

On July 1, 2007, a regulation on nutrition and health claims entered into force. Regulation 1924/2006 sets EU-wide conditions for the use of nutrition claims such as "low fat" or "high in vitamin C" and health claims such as "helps lower cholesterol." The regulation applies to any food or drink product produced for human consumption that is marketed in the EU. Only foods that fit a certain nutrient profile (below certain salt, sugar and/or fat levels) are allowed to carry claims. Nutrition and health claims are only allowed on food labels if they are included in one of the EU's positive lists. Food products carrying claims must comply with the provisions of nutritional labeling Directive 90/496/EC and its amended version Directive 1169/2011.

In December 2012 a list of approved functional health claims went into effect. The list includes generic claims for substances other than botanicals which will be evaluated at a later date. Disease risk reduction claims and claims referring to the health and development of children require an authorization on a case-by-case basis, following the submission of a scientific dossier to the European Food Safety Authority (EFSA). Health claims based on new scientific data will have to be submitted to EFSA for evaluation but a simplified authorization procedure has been established.

The development of nutrient profiles, originally scheduled for January 2009, has been delayed. The original proposal has been withdrawn. In October 2015 the European Commission released a new roadmap on the potential development of nutrient profiles and botanicals. To obtain stakeholders' inputs, two consultations and an external study will be launched by mid-2017. Following this, the European Commission will assess the opportunity to proceed with a proposal and then potentially draft it. Nutrition claims, in place since 2006, can fail one criterion, i.e. if only one nutrient (salt, sugar or fat) exceeds the limit of the profile, a claim can still be made provided the high level of that particular nutrient is clearly marked on the label. For example, a yogurt can make a low-fat claim even if it has high sugar content but only if the label clearly states "high sugar

content.” A European Union Register of nutrition claims has been established and is updated regularly. Health claims cannot fail any criteria.

Detailed information on the EU’s Nutrition and Health Claims policy can be found on the USEU/FAS website at <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/nutrition-health-claims/> and in the [USDA Food and Agricultural Import Regulations and Standards EU 28 2017](#)

Key Link: <http://ec.europa.eu/nuhclaims/>

Food Information to Consumers

In 2011, the EU adopted a new regulation on the provision of food information to consumers (1169/2011). The new EU labeling requirements apply from December 13, 2014 except for the mandatory nutrition declaration which will apply from December 13, 2016.

Detailed information on the EU’s new food labeling rules can be found on the USEU/FAS website at <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/eu-labeling-requirements/> and in the [USDA Food and Agricultural Import Regulations and Standards EU 28 2017](#)

Key link: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:304:0018:0063:EN:PDF>

Food Supplements

[Directive 2002/46/EC](#) harmonizes the rules on labeling of food supplements and introduces specific rules on vitamins and minerals in food supplements. Ingredients other than vitamins and minerals are still regulated by member states.

Regulation 1925/2006, applicable as of July 1, 2007, harmonizes rules on the addition of vitamins and minerals to foods. The regulation lists the vitamins and minerals that may be added to foods. This list is updated most recently revised in 2014. A positive list of substances other than vitamins and minerals has not been established yet, although it is being developed. Until then, member state laws will govern the use of these substances.

Key Link: http://ec.europa.eu/food/food/labellingnutrition/supplements/index_en.htm

Tobacco

The EU Tobacco Advertising Directive bans tobacco advertising in printed media, radio, and internet as well as the sponsorship of cross-border events or activities. Advertising in cinemas and on billboards or merchandising is allowed, though these are banned in many member states. Tobacco advertising on television has been banned in the EU since the early 1990s and is governed by the Audiovisual Media Services Directive. A revised Tobacco Products Directive has been adopted and must now be transposed into national legislation by member states in 2016. The new legislation will include bigger, double-sided health pictorial warnings on cigarette packages and possibility for plain packaging along with health warnings, tracking systems.

Key link: <http://ec.europa.eu/health/tobacco/products/>

Pricing

Belgium is a highly competitive market in which the Belgian importer is looking for the best quality at the lowest price. American products and technology are highly regarded but do not command higher prices than comparable products. It is important to remember that while Belgium is a significant market in its own right, it is also the country of entry for many imports originating from many countries, with final destinations all throughout Europe. This characteristic gives Belgian buyers access to a wide range of products at competitive prices.

U.S. companies are advised to quote prices on a Cost Insurance Freight (CIF) basis, surface or airfreight. This is standard practice for most exporters, since it facilitates price comparison between EU suppliers. Import duties are usually quoted on a delivered to warehouse basis.

Sales Service/Customer Support

Conscious of the discrepancies among member states in product labeling, language use, legal guarantee and liability, the redress of which inevitably frustrates consumers in cross-border shopping, the EU institutions have launched a number of initiatives aimed at harmonizing national legislation. Suppliers within and outside the EU should be aware of existing and upcoming legislation affecting sales, service and customer support.

Product Liability

Under the 1985 Directive on Liability of Defective Products, amended in 1999, the producer is liable for damage caused by a defect in his product. The victim must prove the existence of the defect and a causal link between defect and injury (bodily as well as material). A reduction of liability of the manufacturer is granted in cases of negligence on the part of the victim. The first step in the review process of this law was launched at the end of 2016.

Key link: http://ec.europa.eu/growth/single-market/goods/free-movement-sectors/liability-defective-products/index_en.htm

Product Safety

The 1992 General Product Safety Directive introduced a general safety requirement at the EU level to ensure that manufacturers only place safe products on the market. It was revised in 2001 to include an obligation on the producer and distributor to notify the Commission in case of a problem with a given product, provisions for its recall, the creation of a European Product Safety Network, and a ban on exports of products to third countries that are not deemed safe in the EU. The legislation is still undergoing review.

Key link: http://ec.europa.eu/consumers/consumers_safety/product_safety_legislation/index_en.htm

Legal Warranties and After-sales Service

Under the 1999 Directive on the Sale of Consumer Goods and Associated Guarantees, professional sellers are required to provide a minimum two-year warranty on all consumer goods sold to consumers (natural persons acting for purposes outside their trade, businesses or professions), as defined by the Directive. The remedies available to consumers in case of non-compliance are:

- Repair of the good(s);
- Replacement of the good(s);
- A price reduction; or
- Rescission of the sales contract.

Other issues pertaining to consumers' rights and protection, such as the New Approach Directives, CE marking, quality control and data protection are dealt with in the Trade Regulations section of this report.

Key link: http://ec.europa.eu/consumers/consumer_rights/rights-contracts/sales-guarantee/index_en.htm

Protecting Intellectual Property

Several general principles are important for effective management of intellectual property ("IP") rights in Belgium. First, it is important to have an overall strategy to protect your IP. Second, IP may be protected differently in Belgium than in the United States. Third, rights must be registered and enforced in Belgium,

under local laws. For example, your U.S. trademark and patent registrations will not protect you in Belgium. There is no such thing as an “international copyright” that will automatically protect an author’s writings throughout the entire world. Protection against unauthorized use in a particular country depends, basically, on the national laws of that country. However, most countries do offer copyright protection to foreign works in accordance with international agreements.

Granting patents registrations are generally is based on a first-to-file [or first-to-invent, depending on the country basis. Similarly, registering trademarks is based on a first-to-file [or first-to-use, depending on the country], so you should consider how to obtain patent and trademark protection before introducing your products or services to the Belgian market. It is vital that companies understand that intellectual property is primarily a private right and that the U.S. government cannot enforce rights for private individuals in Belgium. It is the responsibility of the rights' holders to register, protect, and enforce their rights where relevant, retaining their own counsel and advisors. Companies may wish to seek advice from local attorneys or IP consultants who are experts in Belgian law. The U.S. Commercial Service can provide a list of local lawyers upon request.

While the U.S. Government stands ready to assist, there is little we can do if the rights holders have not taken these fundamental steps necessary to securing and enforcing their IP in a timely fashion. Moreover, in many countries, rights holders who delay enforcing their rights on a mistaken belief that the USG can provide a political resolution to a legal problem may find that their rights have been eroded or abrogated due to legal doctrines such as statutes of limitations, laches, estoppel, or unreasonable delay in prosecuting a law suit. In no instance should U.S. Government advice be seen as a substitute for the responsibility of a rights holder to promptly pursue its case.

It is always advisable to conduct due diligence on potential partners. A good partner is an important ally in protecting IP rights. Consider carefully, however, whether to permit your partner to register your IP rights on your behalf. Doing so may create a risk that your partner will list itself as the IP owner and fail to transfer the rights should the partnership end. Keep an eye on your cost structure and reduce the margins (and the incentive) of would-be bad actors. Projects and sales in Belgium require constant attention. Work with legal counsel familiar with Belgian laws to create a solid contract that includes non-compete clauses, and confidentiality/non-disclosure provisions.

It is also recommended that small and medium-size companies understand the importance of working together with trade associations and organizations to support efforts to protect IP and stop counterfeiting. There are a number of these organizations, both Belgian or U.S.-based. These include:

The U.S. Chamber and local American Chambers of Commerce

National Association of Manufacturers (NAM)

International Intellectual Property Alliance (IIPA)

International Trademark Association (INTA)

The Coalition Against Counterfeiting and Piracy

International Anti-Counterfeiting Coalition (IACC)

Pharmaceutical Research and Manufacturers of America (PhRMA)

Biotechnology Industry Organization (BIO)

IP Resources

A wealth of information on protecting IP is freely available to U.S. rights holders. Some excellent resources for companies regarding intellectual property include the following:

For information about patent, trademark, or copyright issues -- including enforcement issues in the US and other countries -- call the STOP! Hotline: **1-866-999-HALT** or visit www.STOPfakes.gov.

For more information about registering trademarks and patents (both in the U.S. as well as in foreign countries), contact the U.S. Patent and Trademark Office (USPTO) at: **1-800-786-9199**, or visit <http://www.uspto.gov/>.

For more information about registering for copyright protection in the United States, contact the U.S. Copyright Office at: **1-202-707-5959**, or visit <http://www.copyright.gov/>.

For more information about how to evaluate, protect, and enforce intellectual property rights and how these rights may be important for businesses, please visit the "Resources" section of the STOPfakes website at <http://www.stopfakes.gov>.

For information on obtaining and enforcing intellectual property rights and market-specific IP Toolkits visit: <https://www.stopfakes.gov/Country-IPR-Toolkits>. The toolkits contain detailed information on protecting and enforcing IP in specific markets and also contain contact information for local IPR offices abroad and U.S. government officials available to assist SMEs.

In any foreign market companies should consider several general principles for effective protection of their intellectual property. For background, please link to our article on [Protecting Intellectual Property](#) and [Stopfakes.gov](#) for more resources.

IP Attaché Contact responsible for Belgium:

Geneva, Switzerland

Deborah Lashley-Johnson

deborah_e_lashley-johnson@ustr.eop.gov

European Union

Susan Wilson

Susan.Wilson@trade.gov

For additional information on Member States' protection of property rights, please consult the Commerce Department's Country Commercial Guides of the 28 EU Member States found at the following website: EU Member States' Country Commercial Guides https://www.export.gov/article?series=a0pt0000000PATkAAG&type=Country Commercial_kav

Due Diligence

To assist companies to conduct due diligence prior to entering into a financial or other agreement, the Commercial Service recommends that the U.S. firm contact a company that offers commercial information reports. CS Belgium also offers a service known as the International Company Profile report. For more information contact us at office.brussels@trade.gov

Local Professional Services

Local service providers focusing on EU law, consulting, and business development can be viewed on the website maintained by the Commercial Service at the U.S. Mission to the European Union at: <http://export.gov/europeanunion/businessserviceproviders/index.asp>.

Principal Business Associations

Euro Info Centers

[Enterprise Europe Network](#)

AmCham EU

<http://www.amchameu.eu/>

Invest in Flanders

<http://www.investinlanders.be/>

Invest in Wallonia

<http://www.investinwallonia.be/?lang=en>

Invest in Brussels

<http://www.investinbrussels.com/en/>

Creating Subsidiaries and Branches

<http://www.diplobel.us/tradeinvestment/investingbelgium.asp>

Limitations on Selling US Products and Services

EU websites:

Coordination of the laws of the member states relating to self-employed commercial agents (Council Directive 86/653/EEC):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31986L0653:EN:HTML>

Agreements of Minor importance which do not appreciably restrict Competition under Article 101(1) of the Treaty establishing the European Community:

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_2014.291.01.0001.01.ENG

Directive on Late Payment:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:048:0001:0010:EN:PDF>

European Ombudsman:

<http://www.ombudsman.europa.eu/home/en/default.htm>

EU's Data Protection Directive (95/46/EC):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1995:281:0031:0050:EN:PDF>

EU's General Data Protection Regulation (GDPR) (2016/679/EC):

<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&from=EN>

Safe Harbor:

<http://www.export.gov/safeharbor/>.

Information on contracts for transferring data outside the EU:

http://ec.europa.eu/justice/data-protection/document/international-transfers/transfer/index_en.htm - Bing

EU-U.S. Privacy Shield:

<https://www.commerce.gov/privacyshield> or http://ec.europa.eu/justice/newsroom/data-protection/news/160229_en.htm

EU Data Protection Homepage: http://ec.europa.eu/justice_home/fsj/privacy/index_en.htm

Consumer Rights Directive

http://ec.europa.eu/consumers/consumer_rights/rights-contracts/directive/index_en.htm

Distance Selling of Financial Services:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:271:0016:0024:EN:PDF>

E-commerce Directive (2000/31/EC): http://ec.europa.eu/internal_market/e-commerce/index_en.htm

VAT on Electronic Service:

[EU VAT Directive 2006/112/EC](#) and its [Implementing Regulation 282/2011](#).

The Unfair Commercial Practices Directive:

<http://ec.europa.eu/consumers/rights/>

Nutrition and health claims made on foods - Regulation 1924/2006

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:012:0003:0018:EN:PDF>

Regulation on Food Information to Consumers:

[Regulation 1169/2011](#)

EU-28 FAIRS EU Country Report on Food and Labeling requirements:

[USDA Food and Agricultural Import Regulations and Standards EU 28 2014](#)

Health & Nutrition Claims http://ec.europa.eu/food/food/labellingnutrition/claims/index_en.htm

Tobacco

http://ec.europa.eu/health/tobacco/policy/index_en.htm

Product Liability:

http://ec.europa.eu/growth/single-market/goods/free-movement-sectors/liability-defective-products/index_en.htm

Product Safety

http://ec.europa.eu/consumers/consumers_safety/product_safety_legislation/index_en.htm

Legal Warranties and After-Sales Service:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:01999L0044-20111212&qid=1395670475658&from=EN>

Copyright: http://ec.europa.eu/internal_market/copyright/index_en.htm

European Patent Office (EPO)

<http://www.european-patent-office.org/>

Office for Harmonization in the Internal Market (OHIM)

<http://oami.europa.eu/>

World Intellectual Property Organization (WIPO) Madrid

<http://www.wipo.int/madrid/en>

U.S. websites:

IPR Toolkit: <https://www.stopfakes.gov/servlet/servlet.FileDownload?file=015t00000004q81>

EU Public Procurement:

<http://export.gov/europeanunion/marketresearch/eufundingandgovernmentprocurementsectors/index.asp>

Leading Sectors for US Exports & Investments

Agricultural Sectors

USDA'S Global Agriculture Information Network (GAIN) provides timely information on the agricultural economy, products and issues in foreign countries since 1995 that are likely to have an impact on United States agricultural production and trade. U.S. Foreign Service officers working at posts overseas collect and submit information on the agricultural situation in more than 130 countries to USDA's Foreign Agricultural Service (FAS), which maintains the GAIN reports.

Production, Supply, and Distribution (PSD) data in GAIN reports are NOT official USDA data, but represent estimates made by FAS Attachés. Official USDA PSD data are determined after analyzing all overseas reports and drawing on additional sources, including more than 1,500 documents received from private and public sources around the world, global weather information, and satellite imagery analysis. After this analysis, official USDA data are released in USDA's World Agricultural Supply and Demand Estimates monthly report and in FAS' World Production, Market, and Trade reports.

Further information on agricultural sectors and sub-sectors offering significant opportunities for U.S. exporters in Belgium can be found by contacting the [Foreign Agricultural Service](#) at the [U.S. Mission to the European Union](#) by email at AgUSEUBrussels@fas.usda.gov

Energy

Overview

Currently, several shifting factors influence the rapidly changing Belgian energy market, including the continuing EU-wide process of deregulation and liberalization; the incentives to develop renewable energy sources; and the changing structure of the country's energy distribution. U.S. companies wanting to export to the Belgian energy market must be aware and take into account these uncertain or changing factors, which will determine the potential for exports of relevant goods and services to this market.

Except for some limited renewable energy potential, Belgium has no natural energy sources. In 2016, the net importation (=importation –exportation) of electricity covered almost 26% of the total consumption of net electricity in Belgium. The country imports all its natural gas and petroleum requirements for its energy needs, amounting to almost 42,000 ktoe (kilo-ton oil equivalent). 4,2 tons per habitant of primary energy and 18 tWh of net electricity are imported each year. In 2015, the final consumption of electricity amounted to 84 tWh. It is divided between different sectors: industry (34%), transport (29%), housing (22%), services 13%), and agriculture (less than2%).

	Generation for 2017 in GWh	In percentage (%)
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Total net generation	81896	100 %
Non-Renewable Net generation	66502	81.20% (of total net generation)
Nuclear net generation	41284	62.07% (of the non-renewable net generation)
Non-renewable hydro net generation	1248	1.87% (of the non-renewable net generation)
Of which hydro pure pumped storage	1248	
Fossil fuels net generation	22784	34.26% (of the non-renewable net generation)
Of which Fossil Gas	20222	
Of which Fossil Hard coal	2457	
Of which Fossil Oil	105	
Non-renewable Waste net generation	1152	1.72% (of the non-renewable net generation)
Other non-renewable net generation	34	0.307% (of the non-renewable net generation)
Renewable net generation	13835	16.89% (of total net generation)
Wind net generation	5910	42.71% (of the renewable net generation)

Of which Wind offshore	2367	
Of which Wind onshore	2697	
Solar net generation	2925	21.14% (of the renewable net generation)
Bio net generation	3419	24.71% (of the renewable net generation)
Of which Biomass	2518	
Of which Biogas	901	
Geothermal net generation	n.a	n.a
Renewable Waste net generation	1213	8.76% (of the renewable net generation)
Renewable Hydro net generation	324	2.34% (of the renewable net generation)
Of which Hydro Pure storage	0	
Of which Hydro Run-of-river and pondage	324	
Of which Hydro mixed pumped storage (renewable part)	0	
Of which Hydro Marine (tidal/wave)	0	
Other renewable net generation	44	0.31%

		(of the renewable net generation)
Non identified net generation	147	0.17% (of the total net generation)
Total Hydro net generation	1412	1.72% (of the total net generation)
Consumption of pumps	1474	
Transmission losses, mainly 380kV & 220kV	n.a	
Imports	14648	
Exports	8465	
National electrical consumption	84187	

Source: *ENTSOE (European Network of Transmission System Operators for Electricity)*

Leading Sub-Sectors

Generation, Transmission, and Distribution of Electricity

Generation, transmission, and distribution activities for the electricity system have been separated and deregulated with a goal to increase grid efficiency. However, this has not yet led to a satisfactory level of competition, mainly among distribution firms. The federal and regional governments will most likely continue to create incentives to improve the efficiency of market forces on the industry. While the various government bodies have persistently warned against a likely shortage of Belgian electricity, the industry itself seems reluctant to invest in relevant infrastructure to meet the market's need. Key factors for this are the inability to pass along costs to rate payers, limited cross-border network capacity impairing exports of excess production, uncertainties with respect to environmental policies, the phasing out of the civil nuclear electricity program, and the market behavior of the incumbent utility Engie-Electrabel. U.S. firms can therefore expect opportunities in those areas when some of these bottlenecks are removed.

Emissions-controlling Measures and Renewable Energies

Belgium is committed to lowering its CO₂ output under the Kyoto Protocol. Several studies made specifically for the Belgian market have shown that a wide approach will be needed to attain the national emissions-reduction targets. These comprise a mixture of consumption reduction, green/ renewable technologies, and investments in cleaner, more efficient production facilities.

There are still a few plants in Belgium that use a mix of coal and natural gas as primary source. Some parties suggest their replacement with more modern versions, which would serve the purpose of capacity expansion

as well as lowering the country's output of CO₂ and other pollutants. Retro-fitting these facilities with pollution-mitigating devices could also present opportunities for U.S. firms.

Further investments come from large industrial sites active in the (petro) chemical industries that have a focus on co-generation. For example, ExxonMobil has just commissioned co-generation facilities at its Antwerp refinery that generate 125 MW of power; they will cut CO₂ emissions by 200,000 tons a year. Given the importance of the chemical industry in Belgium, similar investments can be expected from other companies.

Many smaller businesses have invested in renewable energies given the advantages of using electricity from their own sources and the incentives proposed by the government (these incentives are now largely being phased out). Distribution centers and other businesses with large surface areas that allow the installation of wind turbines and/or photovoltaic cells are driving this market.

According to an annual report from the CREG, the volume of renewable energy production, especially wind and solar energy, decreased by 6.3% in 2016 while nuclear energy production increased to reach 67% of the total net generation. However, it is expected that, by 2050, renewable energy sources will cover almost two thirds of the final energy consumption in transport, between 26 and 38% in heating and cooling, and between 39 and 46% for electricity production.

Finally, the European Union has set up a strategic plan for 2020 in order to increase the proportion of renewable energy in the final consumption of energy within the EU. Each member state has its own objective calculated based on the potential of renewable energy production and economic performance. Nevertheless, Belgium is one of countries with the least proportion of renewable energy with 7.9%. The 2020 objective for Belgium is 13%. This plan has been renewed for 2030, with EU member states having agreed to reach a minimum of 27% of renewable energy by that time.

Maintenance and Provision of Spare Parts

Despite economic uncertainties and relatively low investments, maintenance and repairs to facilities are needed, in particular in the secondary (transforming) sector that is well represented in Belgium. Opportunities for small equipment manufacturers specializing in process control and similar equipment can find a market in Belgium, especially when working through an effective, well-established distributor.

Main Trade Shows:

POWER-GEN Europe & Renewable Energy World , June 20-22, 2017, Cologne, Germany

http://www.powergeneurope.com/en_GB/index.html

European Utility Week, October 3-5, 2017, Amsterdam, Netherlands <http://www.european-utility-week.com/>

Web Resources

Belgian Regulator for Gas and Electricity: <https://www.febeg.be/fr/statistiques-electricite>

Belgian Federal Public Service for Energy: <http://economie.fgov.be/en/consumers/Energy/#.WSRM-mfU7ct>

European Commission Statistics Department for Energy: http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Net_imports_of_primary_energy,_2004%E2%80%932014_YB16-fr-fr.png

APERE - Belgian Association for the Promotion of Renewable Energies:

<http://www.apere.org/fr/observatoire-belge-de-l-energie>

ENTSOE – European Network of Transmission System Operators for Electricity:

https://www.entsoe.eu/data/statistics/Pages/monthly_domestic_values.aspx

Federal Planning Bureau of Belgium:

http://www.plan.be/admin/uploaded/201504270958240.WP_1503_10941.pdf

ICT Services

Overview

Belgium has a vibrant ICT market. According to the Digital Economy & Society Index (DESI) that ranks European Union member states on digital performance and competitiveness, in 2018 Belgium ranked eighth overall out of 28 countries in terms of digital economy development. The ranking takes into account digital public services, connectivity, integration of digital technology, use of internet and human capital. Belgium's total ICT market size in 2016 was assessed at \$13.5 billion, employing some 70,000 people -- 45,000 in hardware, services and software; 15,000 in operations and maintenance; and 10,000 with telecom operators.

Belgium's ICT market is bolstered by a solid DSL telecom infrastructure developed by the majority state-owned operator, Proximus, and a pervasive co-axial cable infrastructure (particularly in Flanders) developed by the regions and communities. Effectively 100% of households have access to the internet. Some 78% of users have broadband subscriptions at 30 Mbps or greater. With three mobile operators -- Proximus, Orange and Telenet -- 4G has reached 92% penetration countrywide. Proximus and Orange are working on 4.5G and 5G infrastructure to be rolled out in 2020. Proximus is exploring the roll out of Fiber-To-The-Home. Fiber-To-The-Curb is already pervasive.

Belgium has a strong political will to develop ICT. In April 2015, the Belgian Federal government launched the "Digital Belgium" Agenda for Belgium, including plans for faster connectivity, next generation mobile data, and digital skills. Furthermore, various cities are implementing Smart Cities development programs, with Antwerp being at the forefront and acting as a "living lab" for other regions and European countries.

Although in the past the Belgian government had lagged in providing online public services, it is catching up and now offers tax filings online. In addition, the Belgian government is updating its electronic procurement structure and public tenders can now be submitted online. It is expecting to soon launch its completed online-procurement system for purchasing goods from approved suppliers.

In 2016, 39% of Belgian citizens made use of the internet for e-Government services and 29% sent in online forms. These rates are above the EU averages of 32% and 22% respectively. Despite its good overall ranking, Belgium recognizes that it still has to improve its online public services.

Belgians are eager internet users and readily participate in eCommerce. Sixty-five percent of Internet users listen to music, play games and watch videos online, ranking 3rd in the EU. In 2016, 78% of Belgians used the internet at least once a week, with 44% of Belgians accessing the internet via a mobile device. The latter is well above the EU average of 37%.

The most widespread internet activity is banking, with 73% of Belgians performing their banking transactions online. 64% of Belgian consumers have purchased goods or services online, trailing only Denmark, the Netherlands and Sweden's 70%.

Over the past 5 years, e-commerce in Belgium has skyrocketed. In 2016, consumers spent a record \$9.2 Billion online with Flanders spending \$5 Billion online to Wallonia's \$4.2 Billion. Overall, this represents 10% growth over the previous year.

Currently there are 15,000 Belgian shops online, up 26% since 2015. Only 15% of these shops have an online turnover above \$100,000. Furthermore, 3% of online shops account for 86% of the turnover including: Amazon, 2dehands and Office.com. Approximately 23% of Belgian companies are engaged in e-commerce, which is significantly higher than the EU average of 14%. However, only 13% of Belgian SMEs (to the EU average of 7.5%) sell beyond the country's borders into other European countries.

The fastest growing market segment, if not the largest, is online grocery shopping, which is up 165% since 2015. This led to a growth spurt of supermarket e-commerce with Delhaize, Colruyt and Carrefour, the three

largest supermarket chains, all rolling out their own platforms. In March 2017, Amazon launched Amazon Pantry in Belgium. Toys are also very popular, with 29% of Belgians purchasing games online in 2016.

Demand for e-commerce platform services is strong. However the need to tailor offerings according to local laws, culture, and in two languages (French and Dutch), combined with a small population, make Belgium a somewhat more difficult market for those entering the EU market via the e-commerce segment. On the other hand, there is cross border opportunity. Dutch and French eCommerce platforms have had respectively limited success in the Dutch-speaking northern part of the country and French-speaking southern part of the country.

Belgium's ICT labor supply is seriously lagging. It has a low output of graduates in Science, Technology, Engineering and Mathematics (STEM) disciplines. Shortages in these fields could become a major barrier to growth and innovation, with scarcities already emerging for certain functions including shortages of qualified ICT experts such as application developers. In 2015, 46.1% of enterprises with job vacancies requiring specialized ICT skills reported problems in filling these positions. In 2017, over 50% of STEM jobs remained vacant for over 6 months. For the ICT workforce alone, this shortfall is projected to rise from about 8,000 persons in 2012 to 30,000 in 2020.

Internet security is also lagging in Belgium. In a ranking compiled by Rapid7, an internet security company, Belgium has the least secure networks among the 50 sample countries surveyed. Polled Belgian SME companies with no CIO report 'being of little interest to cyber-criminals' and 'having no valuable information needing to be secured' as reasons for their lack of initiative securing their networks. This position is slowly changing as awareness develops and global cyber criminality attacks, such as WannaCry, expand.

ICT Equipment & Services	2015	2016	2017	2018 (estimated)
Total Market Size	12,506	13,500	13,500	14,400
Total Local Production	8,046	8,500	8,500	8,900
Total Exports	65,415	66,000	64,000	64,200
Total Imports	69,875	71,000	72,500	69,700
Imports from the U.S.	57%	58%	59%	59%
Exchange Rate: 1 USD	1.1095	-		-

Unit: USD Millions

Total Market Size = (Total Local Production + Total Imports) – (Total Exports)

Source: World Integrated Trade Solutions and the European Commission's Digital Economy & Society Index (Information and communication technology (ICT) refers to both different types of communications networks and the technologies used in them. The ICT sector combines manufacturing and services industries whose products primarily fulfil or enable the function of information processing and communication by electronic means, including transmission and display.)

Leading Sub-Sectors

Best prospects include:

Unified security management and software,

Consulting services

Cloud securing services,

VPN related products and services, and

eCommerce enabling turnkey solutions

Web Resources

Top sited in Belgium <http://www.alexa.com/topsites/countries/BE>

Digital Belgium <http://www.digitalbelgium.be/en>

Public services online in Belgium

https://www.belgium.be/fr/services_en_ligne

Smart Cities initiatives in Belgium

<http://smartcity.bruxelles.be/en>

<https://stad.gent/smartcity-en>

<https://www.imec-int.com/en/articles/imec-collaborates-with-city-of-antwerp-and-flanders-to-establish-smart-city-living-lab>

Upcoming trade shows

<https://www.infosecurity.be/>

<http://www.infosecurityeurope.com/>

<http://www.smau.it/company/pages/home/>

<https://websummit.com/>

<http://www.cebit.de/>

Medical Devices

Overview

Belgium produces less than 10 percent of medical equipment consumed domestically. This leaves the market open for heavy competition among suppliers from the U.S., Germany, France and U.K. According to the latest available figures, the U.S. has a 28 percent share of total medical equipment imports into Belgium. U.S. suppliers are particular dominant in the sectors of diagnostic imaging apparatus, orthopedic and implantable products, and medical and surgical instruments.

The Belgian market for medical equipment and supplies is estimated at \$2.4 billion in 2017. Over the past 5 years, this sector has seen an annual growth of approximately 4 percent. The Belgian Social Security System, which includes the Health Care System, is considered among the most extensive and efficient in Europe. It covers nearly 100 percent of the population of 11 million inhabitants.

Following data are in billions of dollars:

	2015	2016	2017 (Est.)	2018 (Est.)
Total Market Size	2.2	2.2	2.4	2.5

Total Local Production	3.9	4.0	3.6	5.2
Total Exports	12.7	13.3	12.5	13.7
Total Imports	11	11.5	11.3	11
Imports from the U.S.	2.9	2.9	2.9	2.9

1 Euro = 1.1095 1.1069 1.1297 1.23

Source BMI

Differentials can be explained by the fact that Belgium is a large transshipment hub.

Belgium is for many companies a regional distribution center and more than two-thirds of medical device exports are sent to other countries within the EU.

Leading Sub-Sectors

Belgium's healthcare system is currently facing several challenges. A growing elderly population and higher health expectations have had and will have an important impact on healthcare expenditures in the coming years. In this context, the government is looking at various cost-saving measures. Thus, innovative technologies and equipment offering cost savings will have a strong market potential. Diagnostic products to detect chronic diseases in their early stages, orthopedic products, homecare products, obesity and diabetes products are in high demand.

Furthermore, there is a trend towards treating chronic diseases with new technologies allowing patients to stay home and minimizing the impact on their quality of life. Medical software, telemedicine, ehealth and mhealth are as a consequence sectors with a strong market potential. Belgium's current nomenclature and reimbursement system is under revision and a legal framework will be put in place so that telemonitoring, medical apps, and wearable medical technologies can be used and reimbursed in the near future.

Opportunities

Belgium is an effective entry point and base for marketing medical equipment to the rest of Europe due to its geographical location, its effective healthcare system, and its relatively open attitude regarding procurement. Belgium is a distribution center for many multinationals: products are imported into Belgium and exported to other European countries. Consequently, the value of the Belgian medical imports is significantly higher than the value of the market itself.

Belgium is also home to many HealthTech start-ups. Traditionally, the HealthTech sector has a large number of spin-offs, but new businesses no longer have to have a research background to be successful. Nonetheless, universities, knowledge centers and university hospitals remain fertile ground for new entrepreneurship in health. However, many health startups often find it difficult to develop the business model at an international level and to source risk and growth capital.

In order to enter the medical equipment market in Belgium, American suppliers should be familiar with the EU directives concerning the registration, marketing and health/safety standards required throughout Europe as well as regulations specific to Belgium. It is therefore advisable to work with a local partner/distributor.

The European Directive 2004/18/EC on public procurement applies to all hospitals for the purchase of medicines and medical devices. The directive requires that for purchases over the threshold of €200,000, a

European tender should be released and published in the supplement of the Official Journal of the European Union. Procurement with a threshold between €85,000 and €200,000 requires a tender in Belgium and publication in the Official Journal.

Web Resources

Belgian Ministry of Health

http://www.fagg-afmps.be/en/human_use/health_products/medical_devices_accessories/

The Belgian Association of manufacturers and importers of medical devices

<http://www.bemedtech.be>

CE Mark

<http://export.gov/europeanunion/eustandardsandcertification/index.asp>

EU Medical Devices Legislation

https://ec.europa.eu/growth/sectors/medical-devices/regulatory-framework_en

REACH Directive

https://ec.europa.eu/growth/sectors/chemicals/reach_en

WEEE and RoHS Directives

<http://2016.export.gov/europeanunion/weeerohs/>

Supplement of the Official Journal of the European Union

<http://ted.europa.eu/TED/main/HomePage.do>

Medica Duesseldorf – November 12-15, 2018

International Fair for Medical Equipment

<http://www.medica-tradefair.com/>

Safety and Security

Overview

Belgium ranks 19th for Safety in the Global Peace Index, the presence of several international organizations and embassies has increased the demand for sophisticated security equipment and guarding services. Interest has also risen due to recent terrorist attacks and the inflow of refugees from the Middle East, which have increased security awareness. A strong emphasis has been placed on counter-terrorism, homeland security, transportation, and critical infrastructure protection.

The Belgian market for security equipment is largely an import market, where approximately 90% of the equipment is imported from neighboring countries. Only very special and customized products and safety apparel are manufactured locally. Direct sales are still the main channel for products that require consulting, although E-trade is getting foothold. With the strong industry clusters such as petro-chemicals, food, the building and construction industry and pharmaceutical research centers, the Belgian market for safety equipment and safety apparel can be seen as a strong relatively mature market worth \$ 450 million.

Belgian authorities developed an extensive legislative framework on workplace safety, mainly in order to protect workers and employees from safety risks. This legislation is bundled in the general regulations on labor protection, the so called “A.R.A.B.” Belgium also applied EU Directive 89/686 on personal protective

equipment. Very recently this directive has been followed with the enactment 2016/425 which adapts the existing regulation to the current market situation. In terms of security, the law from January 13, 2014 defines the scope of the market for security firms. The installation and use of camera systems for policing are strictly regulated by the law on cameras published on March 21st, 2007, all other systems follow the regulation of the Belgian and European privacy law.

The introduction of electronics such as active RFID chips, body and surrounding monitoring sensors in apparel, robotic equipment such as drones and improved communication tools will support growth in this sector. There will be an increased attention towards safety and health protection of workers through adapted personal protective gear in which evolutions such as antibacterial, self-repairing and lighter products in which the use of very specialized fibers and technologies will give a competitive advantage. Other distinctive selling proposition will be linked to durability, used “clean” energy sources and the cradle-to-cradle philosophy.

The market for electronic detection systems, such as fire detection, camera monitoring, burglary prevention and access control are considered as growing. A stronger interest is noticed for technology that can facilitate the task of security service providers. The increased attention to terrorism seems to be a catalyst for growth for high tech security equipment and installation services. Since the regulation on drones took effect there is a noticeable and increased interest in the use of UAV within security environment but also in anti-UAV’s equipment and detection devices.

Leading Sub-Sectors

Products in the HS categories 9027 and 852190 are considered best prospects for export to Belgium. Over the years there is a substantial increase in camera monitoring systems installed in Belgium. A large part of the security related equipment is U.S. Export.

Registered Security Cameras in Belgium

2013	2014	2015	2016	2017 (est)
259,850	287,236	319,186	357,489	393,238

U.S. Export (\$ 000) to Belgium of security equipment related materials*

2013	2014	2015	2016*	2017*
288,115	276,579	261,602	277,298	288,390

* HS codes included: 852190 Other Video Recording or Reproducing Apparatus; 854370 Electrical Machines And Apparatus, Having Individual Functions; 8531 Electric sound or visual signaling apparatus, pts; 9006 Cameras used for divers purposes; 9027 Instruments etc. for physical etc. analysis etc., microtome, pts; 9105 Clocks, with clock movements other than instrument panel etc..

Sources: Global Trade Atlas, CBPL Year review 2015

Opportunities

The introduction of electronics such as active RFID chips; body and surrounding monitoring sensors in apparel; robotic equipment such as drones; and improved communication tools will support growth in this sector. There will be an increased attention towards safety and health protection of workers through adapted personal protective gear in which features such as antibacterial, self-repairing and lighter products in which the use of

very specialized fibers and technologies will give a competitive advantage. Another distinctive selling proposition will be linked to durability, using “clean” energy sources.

The market for electronic detection systems, such as fire detection, camera monitoring, burglary prevention and access control are growing. There is growing interest in technology that can facilitate the task of security service providers. The increased attention to terrorism is a catalyst for the growth of high tech security equipment and installation services. Since the regulation of drones took effect there is a noticeable and increased interest in the use of UAVs within security environments but also in anti-UAV equipment and detection devices.

The Belgian authorities plan to invest €110 million in order to digitalize police operations. The budget will be used for “enterprise cloud solutions” (improving communication sharing between different services); for “artificial search intelligence” (searching tools for criminal patterns in data); and “automated follow-up and alarming systems” which would warn users when new relevant data is available.

Web Resources

Infosecurity.be / Brussels Expo

Location: Brussels Expo – Trade Show and Seminars on IT Security

Date: March, 2018

URL: <http://www.infosecurity.be/en/Bezoeker.aspx>

Description: With 100 exhibitors, 4500 visitors this trade fair offers ICT professionals an overview of the latest IT security technologies, products and services.

SECURA 2018

Location: Brussels

Date: March, 2018

URL: http://www.easyfairs.com/events_216/secura-brussels2015_52836/secura-brussels-2015_52837/?utm_source=www.secura-expo.be

Description: This is the biannual business fair in Belgium for Safety and Security products and services. It is held every two years and featured 185 exhibitors in 2013 and 7170 visitors.

INFOPOL 2018

Location: Kortrijk

Date: April, 2018

URL: <http://www.infopol.be/>

Description: International biannual trade fair for the equipment for police, surveillance and security services.

Travel and Tourism

Overview

The United States is still one of the top long-haul destinations for Belgian travelers. With 272,671 (est.) Belgians visiting the U.S. in 2017, Belgium is in the top 40 of countries that travel most to the U.S. The outlook for 2018 remains optimistic but fluctuations in the dollar exchange rate and economic uncertainties could have an impact on the number of Belgians traveling to the U.S.

Number of Belgian Arrivals in the U.S.

Year	Arrivals
2015	316,985
2016	275,601
2017	272,671 (est.)
2018	270,543 (est.)

Source: NTTO

(In April 2018, the International Trade Administration's National Travel and Tourism Office (NTTO) announced the suspension of data releases on overseas arrivals to the United States pending resolution of underlying technical issues with a significant number of I-94 records received from the Department of Homeland Security's (DHS) U.S. Customs and Border Protection (CBP))

Two U.S. airlines, Delta and United, offer daily flights from Brussels to a number of American destinations including Chicago, Newark, New York/JFK, Atlanta and Washington. In addition, TUI fly offers two nonstop flights per week to Miami and Brussels Airlines has daily flights to New York, Washington and Chicago. Since June 2017, WOW Air is offering low cost flights (stopping in Reykjavik) to several U.S. destinations. Furthermore, Düsseldorf, Amsterdam and Paris are easy accessible from Belgium so offer enormous potential as well.

The United States remains very attractive. There has not been a great shift away from traditional destinations. The three most popular destinations are New York, California and Florida. However, states like Nevada, Arizona, New Mexico and Utah are gradually attracting more and more Belgian visitors.

Belgians generally have a high level of disposable income to spend on luxury items and leisure activities such as travel. Out of the five to six weeks of paid vacation that are standard for most Belgian workers, two of these are usually spent on long-haul travel. The average Belgian stays in the United States for 13 days and spends an average \$2,500 (not including airfare), making Belgians some of the biggest spenders out of all the visitors to the U.S.

A study by Touring (May 2018) shows that 60% of Belgians book their holiday online. Only 17.8% of the generation of 65 and above uses Internet. The rest still uses the services of travel agencies. The most active online bookings (66%) are made by 18 to 34 years old. Belgians usually book their holidays 1 to 6 months in advance. The most popular websites are Booking.com, Trivago, Airbnb and apps.

Opportunities

Extensive business and cultural ties between Belgium and the United States, as well as Belgian interest in the American Way of life, shopping opportunities, national parks, big cities, and attractions provide an excellent basis for market promotion of the U.S. tourism industry.

Opportunities for package deals combining flights, hotels, car rentals, and vacation destinations are often attractive to Belgian visitors, and are particularly popular with the middle-income population. Since around half of the Belgian visitors to the U.S. are leisure travelers, the potential fly-and-drive market accounts for roughly 50% of the total Belgian market. Business travelers should, however, not be overlooked since many business travelers combine a short vacation with their business trips and may thus find fly-and-drive combinations best suited to their needs as well. Approximately 45% of Belgian tourists in the U.S. rent vehicles to travel between cities, as opposed to 8% that use the interstate and inter-city rail system and 5% that use the interstate and inter-city bus system.

Web Resources

Visit USA Committee/Marketing and Promotion Bureau for Belgium and Luxembourg

<http://www.visitusa.org>

Visit USA Workshop (B2B), Fall 2018

BT Expo – December 10-11, 2018. Trade Show for tourism and MICE professionals

www.btexpo.com

Brussels Holiday Fair - February 3 – 10, 2019

This annual consumer show attracts over 110,000 visitors every year. Up to 65% of the visitors book their holidays after their visit to the fair.

<http://www.brusselsholidayfair.be/>

Customs, Regulations & Standards

Trade Barriers

For information on existing trade barriers, please see the National Trade Estimate Report on Foreign Trade Barriers, published by USTR and available through the following website:
<https://ustr.gov/sites/default/files/2015%20NTE%20Combined.pdf>

Information on agricultural trade barriers can be found at the following website:

<http://www.usda-eu.org/>

To report existing or new trade barriers and get assistance in removing them, contact either the Trade Compliance Center at <http://tcc.export.gov/> or the U.S. Mission to the European Union at <http://export.gov/europeanunion/>

Import Tariff

When products enter the EU, they need to be declared to customs according to their classification in the Combined Nomenclature (CN). The CN document is updated and published every year, and the latest version can be found on the European Commission's website:

https://ec.europa.eu/taxation_customs/business/calculation-customs-duties/what-is-common-customs-tariff/combined-nomenclature_en

U.S. exports to the European Union enjoy an average tariff of just three percent. All the same, U.S. exporters should consult "The Integrated Tariff of the Community", referred to as TARIC (Tarif Intégré de la Communauté), to identify the various rules which apply to specific products being imported into the customs territory of the EU. To determine if a license is required for a particular product, check the TARIC.

The TARIC can be searched by country of origin, Harmonized System (HS) Code, and product description on the interactive website of the Directorate-General for Taxation and the Customs Union. The online TARIC is updated daily.

Key Link:

http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm

Import Requirements & Documentation

The TARIC (Tarif Intégré de la Communauté), described above, is available to help determine if a license is required for a particular product. Moreover, the European Commission maintains an export helpdesk with

information on import restrictions of various products.
http://www.exporthelp.europa.eu/thdapp/display.htm?page=rt%2Frt_ImportRestrictions.html&docType=main&languageId=en

Many EU member states maintain their own list of goods subject to import licensing. For example, Germany's "Import List" (Einfuhrliste) includes goods for which licenses are required, their code numbers, any applicable restrictions, and the agency that will issue the relevant license. The Import List also indicates whether the license is required under German or EU law.

For information relevant to member state import licenses, please consult the relevant member state Country Commercial Guide: EU Member States' Country Commercial Guides <https://www.export.gov/ccg> or conduct a search on the Commerce Department's Market Research Library, available from: <https://build.export.gov/main/mrktresearch/index.asp>.

Import Documentation

The Single Administrative Document

The official model for written declarations to customs is the Single Administrative Document (SAD). The SAD describes goods and their movement around the world and is essential for trade outside the EU, or of non-EU goods. Goods brought into the EU customs territory are, from the time of their entry, subject to customs supervision until customs formalities are completed. Goods are covered by a Summary Declaration which is filed once the items have been presented to customs officials. The customs authorities may, however, allow a period for filing the Declaration which cannot be extended beyond the first working day following the day on which the goods are presented to customs.

The Summary Declaration is filed by:

the person who brought the goods into the customs territory of the Community or by any person who assumes responsibility for carriage of the goods following such entry; or

the person in whose name the person referred to above acted.

The Summary Declaration can be made on a form provided by the customs authorities. However, customs authorities may also allow the use of any commercial or official document that contains the specific information required to identify the goods. The SAD serves as the EU importer's declaration. It encompasses both customs duties and VAT and is valid in all EU member states. The declaration is made by whoever is clearing the goods, normally the importer of record or his/her agent.

European Free Trade Association (EFTA) countries including Norway, Iceland, Switzerland, and Liechtenstein also use the SAD. Information on import/export forms is contained in Council Regulation (EEC) No. 2454/93, which lays down provisions for the implementation of the Community Customs Code (Articles 205 through 221). Articles 222 through 224 provide for computerized customs declarations and Articles 225 through 229 provide for oral declarations.

More information on the SAD can be found at:

http://ec.europa.eu/taxation_customs/customs/procedural_aspects/general/sad/index_en.htm

The Union Customs Code (UCC) was adopted in 2013 and its substantive provisions went into effect on 1 May 2016. It has replaced the Community Customs Code (CCC). In addition to the UCC, the European Commission published delegated and implementing regulations on the actual procedural changes.

http://ec.europa.eu/taxation_customs/customs/customs_code/union_customs_code/index_en.htm

Economic Operator Registration and Identification (EORI)

Since July 1, 2009, all companies established outside of the EU are required to have an EORI number if they wish to lodge a customs declaration or an Entry/Exit Summary declaration. All U.S. companies should use this number for their customs clearances. An EORI number must be formally requested from the customs of the specific member state to which the company exports. Member state custom authorities may request additional documents to be submitted alongside a formal request for an EORI number. Once a company has received an EORI number, it can use it for exports to any of the 28 EU member states. There is no single format for the EORI number. Once an operator holds an EORI number s/he can request the Authorized Economic Operator (AEO: see below under “MRA”) status, which can give quicker access to certain simplified customs procedures

More information about the EORI number can be found at http://ec.europa.eu/taxation_customs/dds2/eos/eori_home.jsp?Lang=en

U.S. - EU Mutual Recognition Arrangement (MRA)

Since 1997, the U.S. and the EU have had a Customs Mutual Assistance Agreement (CMAA) on customs matters. For additional information, please see http://ec.europa.eu/taxation_customs/customs/policy_issues/international_customs_agreements/usa/index_en.htm

In 2012 the United States and the EU signed a Mutual Recognition Arrangement (MRA) aimed at providing facilitation of benefits to each other’s Authorized Economic Operator (AEO) companies identified through their respective domestic AEO programs. The MCC introduced the Authorized Economic Operator (AEO) program (known as the “security amendment”). This is similar to the United States’ voluntary Customs-Trade Partnership Against Terrorism (C-TPAT) program in which participants receive certification as a “trusted” trader. The World Customs Organization (WCO) SAFE Framework of Standards provides the global standard for AEO. AEO certification is issued by a national customs authority and is recognized by all Member States’ customs agencies. As of April 17, 2017 an AEO can consist of two different types of authorization: “customs simplification” or “security and safety.” The former allows for an AEO to benefit from simplification related to customs legislation, while the latter allows for facilitation through security and safety procedures. Shipping to a trader with AEO status could facilitate an exporter’s trade as its benefits include expedited processing of shipments, reduced theft/losses, reduced data requirements, lower inspection costs, and enhanced loyalty and recognition. Under the revised Union Customs Code, in order for an operator to make use of certain customs simplifications, the authorization of AEO becomes mandatory.

The United States and the EU recognize each other’s security certified operators and will take the respective membership status of certified trusted traders favorably into account to the extent possible. The favorable treatment provided by mutual recognition will result in lower costs, simplified procedures and greater predictability for transatlantic business activities. The newly signed arrangement officially recognizes the compatibility of AEO and C-TPAT programs, thereby facilitating faster and more secure trade between U.S. and EU operators. The MRA was originally signed in May 2012 and was implemented in two phases. The first commenced in July 2012 with U.S. Customs and Border Protection (CBP) placing shipments coming from EU AEO members into a lower risk category. The second phase took place in early 2013, with the EU re-classifying shipments coming from C-TPAT members into a lower risk category. CBP identification numbers for foreign manufacturers (MID) are therefore recognized by customs authorities in the EU, as per Implementing Regulation 58/2013 (which amends EU Regulation 2454/93 cited above): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:021:0019:0020:EN:PDF>

Additional information on the MRA can be found at:

<http://www.cbp.gov/newsroom/national-media-release/2013-02-08-050000/eu-us-fully-implement-mutual-recognition-decision>

Revised AEO guidelines (published March 2016):
http://ec.europa.eu/taxation_customs/resources/documents/customs/policy_issues/customs_security/aeo_guidelines_en.pdf

Batteries

The EU Battery Directive adopted in 2006 ([Directive 2006/66](#)) applies to all batteries and accumulators placed on the EU market. This includes automotive, industrial and portable batteries. The Directive seeks to protect the environment by restricting the sale of batteries and accumulators that contain mercury or cadmium (with an exemption for emergency and alarm systems, medical equipment and cordless power tools) and by promoting a high level of collection and recycling. It places the responsibility on producers to finance the costs associated with the collection, treatment, and recycling of used batteries and accumulators. The Directive also includes provisions on the labeling of batteries and their removability from equipment. The European Commission publishes a FAQ document – last updated in May 2014 - to assist interested parties in interpreting its provisions. For more information, see our market research report: <http://www.export.gov/europeanunion/marketresearch/index.asp>

Registration, Evaluation and Authorization and Restriction of Chemicals (REACH)

REACH applies to all chemicals manufactured or imported into the EU in quantities exceeding one metric ton. The regulation entered into force in 2007 (Regulation 1907/2006) and touches virtually every industrial sector, from automobiles to textiles. REACH imposes a registration obligation on all entities affected by the one metric ton criteria by May 31, 2018. The European Chemicals Agency (ECHA) is the agency responsible for receiving and ensuring the completeness of such registrations. U.S. companies without a presence in Europe need to rely on an EU-based partner, typically either an importer or a specialized ‘Only Representative’.

In addition to the registration requirement, U.S. exporters should carefully review the REACH ‘Candidate List’ of Substances of Very High Concern (SVHCs) and the ‘Authorization List’. Under certain conditions, substances on the Candidate List are subject to communication requirements prior to their export to the EU. Companies seeking to export chemicals on the ‘Authorization List’ will require an authorization. The Candidate List can be found at: <http://echa.europa.eu/web/guest/candidate-list-table>.

The Authorization List is available at <http://echa.europa.eu/addressing-chemicals-of-concern/authorisation/recommendation-for-inclusion-in-the-authorisation-list/authorisation-list>

Waste Electrical and Electronic Equipment (WEEE) Directive

EU rules on WEEE, while not requiring specific customs or import paperwork, may entail a financial obligation for U.S. exporters. The Directive requires U.S. exporters to register relevant products with a national WEEE authority or arrange for this to be done by a local partner. It also requires manufacturers to inform the consumer that their product should be recycled by including the “crossed out wheellie-bin” symbol on the product or with the packaging. (See the section entitled “Mandatory Marks and Labels” for more information.) The WEEE Directive was revised on July 4, 2012 and the scope of products covered was expanded to include all electrical and electronic equipment. U.S. exporters seeking more information on the WEEE Directive should visit:

<http://apps.export.gov/article?id=European-Union-Waste-Electrical-and-Electronic-Equipment-WEEE>

Restriction on Hazardous Substances RoHS

The ROHS Directive imposes restrictions on the use of certain chemicals in electrical and electronic equipment. It does not require specific customs or import paperwork however, manufacturers must self-certify that their products are compliant and affix a “CE” market. The 2011 revisions to the ROHS Directive significantly expanded the scope of covered products. Generally, U.S. exporters have until July 22, 2019 to bring products into compliance that were once outside the scope. U.S. exporters seeking more information on the RoHS Directive should visit: https://trade.my.salesforce.com/kA7t0000000800r?srPos=0&srKp=ka7&lang=en_US

Cosmetics Regulation

The EU legislation harmonizing the regulation of cosmetic products has applied since July 11, 2013. The most controversial element of the regulation was the introduction of an EU-wide system for the notification of cosmetic products to the European Commission prior to their placement on the EU market. Only an EU-established entity may submit such a notification. Therefore U.S. exporters must either retain a “Responsible Person” to act on their behalf, rely on their exporter, or establish a presence in an EU Member State.

For more general information, see:

<http://apps.export.gov/article?id=The-EU-Cosmetics-Regulation>

Agricultural Documentation

Phytosanitary Certificates: Phytosanitary certificates are required for most fresh fruits, vegetables, and other plant materials.

Sanitary Certificates: For commodities composed of animal products or by-products, EU countries require that shipments be accompanied by a certificate issued by the competent authority of the exporting country. This applies regardless of whether the product is for human consumption, for pharmaceutical use, or strictly for non-human use (e.g., veterinary biologicals, animal feeds, fertilizers, research). The vast majority of these certificates are uniform throughout the EU but the harmonization process is still ongoing. Most recently, certificates for a series of highly processed products including chondroitin sulphate, hyaluronic acid, hydrolyzed cartilage products, chitosan, glucosamine, rennet, isinglass and amino acids are being harmonized. Until harmonization is finalized, certain member state import requirements continue to apply. In addition to the legally required EU health certificates, a number of other certificates are used in international trade. These certificates, which may also be harmonized in EU legislation, certify origin for customs purposes and certain quality attributes. Up-to-date information on harmonized import requirements can be found at the following website: <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/fairs-export-certificate-report/>.

Sanitary Certificates (Fisheries)

In April 2006, the European Union declared the U.S. seafood inspection system as equivalent to the European one. Consequently, a specific public health certificate must accompany U.S. seafood shipments. The U.S. fishery product sanitary certificate is a combination of Commission Decision 2006/199/EC for the public health attestation and of Regulation 1012/2012 for the general template and animal health attestation. Unlike for fishery products, the U.S. shellfish sanitation system is not equivalent to that of the EU’s. The EU and the U.S. are currently negotiating a veterinary equivalency agreement on shellfish. In the meantime, the EU still has a ban in place (since July 1, 2010), that prohibits the import of U.S. bivalve mollusks, in whatever form, into EU territory. This ban does not apply to wild roe-off scallops.

Since June 2009, the only U.S. competent authority for issuing sanitary certificates for fishery and aquaculture products is the U.S. Department of Commerce, National Marine Fisheries Service (NOAA-NMFS).

In addition to sanitary certificates, all third countries wishing to export fishery products to the EU are requested to provide a catch certificate. This catch certificate certifies that the products in question have been caught legally.

For detailed information on import documentation for seafood, please contact the NOAA Fisheries office at the U.S. Mission to the EU (stephane.vrignaud@trade.gov) or visit the following NOAA dedicated web site:

http://www.seafood.nmfs.noaa.gov/export/export_certification/export_certification.html

Labeling/Marking Requirements

Information on labeling and marking requirements pertaining to Belgium can be found in the European Union Country Commercial Guide, chapter on Customs, Regulations & Standards, section on Labeling and Marking Requirements: <https://www.export.gov/article?id=European-Union-Marking-Labeling-and-Packaging-Overview>

U.S. Export Controls

The U.S. Department of Commerce's Bureau of Industry and Security (BIS) is responsible for implementing and enforcing the Export Administration Regulations (EAR), which regulate the export and re-export of some commercial items, including "production" and "development" technology.

The items that BIS regulates are often referred to as "dual use" since they have both commercial and military applications. Further information on export controls is available at: <http://www.bis.doc.gov/licensing/exportingbasics.htm>

BIS has developed a list of "red flags," or warning signs, intended to discover possible violations of the EAR. The list can be found in the "Know Your Customer" guidance document available at: <https://www.bis.doc.gov/index.php/forms-documents/pdfs/1320-know-your-customer/file>

Also, BIS has "Know Your Customer" guidance at: <https://www.bis.doc.gov/index.php/forms-documents/pdfs/1320-know-your-customer/file>

If there is reason to believe a violation is taking place or has occurred, report it to the Department of Commerce by calling the 24-hour hotline at +1(800) 424-2980, or via the confidential lead page at: <https://www.bis.doc.gov/index.php/about-bis/contact-bis>

The EAR does not control all goods, services, and technologies. Other U.S. government agencies regulate more specialized exports. For example, the U.S. Department of State has authority over defense articles and services. A list of other agencies involved in export control can be found on the BIS web <http://www.bis.doc.gov>.

It is important to note that in August 2009, the President directed a broad-based interagency review of the U.S. export control system, with the goal of strengthening national security and the competitiveness of key U.S. manufacturing and technology sectors by focusing on current threats, as well as adapting to the changing economic and technological landscape. As a result, the Administration launched the Export Control Reform Initiative (ECR Initiative) which is designed to enhance U.S. national security and strengthen the United States' ability to counter threats such as the proliferation of weapons of mass destruction.

The reform is being implemented in three phases. Phases I and II reconcile various definitions, regulations, and policies for export controls, all the while building toward Phase III, which will create a single control list, single licensing agency, unified information technology system, and enforcement coordination center.

For additional information on ECR see: <http://export.gov/ecr/index.asp>

BIS provides a variety of training sessions to U.S. exporters throughout the year. These sessions range from one to two day seminars and focus on the basics of exporting as well as more advanced topics. A list of upcoming seminars can be found at: <https://www.bis.doc.gov/seminarsandtraining/index.htm>

For further details about the Bureau of Industry and Security and its programs, please visit the BIS website at: <http://www.bis.doc.gov/>

Temporary Entry

Specific information on the ATA Carnet customs procedure used for temporary importation, transit and temporary admission of goods designed for specific purposes, duty-free and tax-free (such as professional equipment for presentations or trade fairs, for example) can be found here: <https://www.export.gov/article?id=ATA-Carnet>

For information on this topic please consult the Commerce Department's Country Commercial Guides on EU Member States: EU Member States' Country Commercial Guides <https://export.gov/ccg>

Alternatively, search the Commerce Department's Market Research Library, available from: <https://www.export.gov/Market-Intelligence> under Country and Industry Market Reports.

Prohibited & Restricted Imports

The Tarif Intégré de la Communauté (TARIC) is designed to show various rules applying to specific products being imported into the customs territory of the EU or, in some cases, when exported from it. To determine if a product is prohibited or subject to restriction, check the TARIC for the following codes:

CITES Convention on International Trade of Endangered Species

PROHI Import Suspension

RSTR Import Restriction

For information on how to access the TARIC, see the Import Requirements and Documentation Section.

Key

Link:

http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm

Customs Regulations

The following provides information on the major regulatory efforts of the EC Taxation and Customs Union Directorate:

The Union Customs Code (UCC) was adopted in 2013 and its substantive provisions apply from 1 May 2016. It replaces the Community Customs Code (CCC). In addition to the UCC, the European Commission has published delegated and implementing regulations on the actual procedural changes. These are included in Delegated Regulation (EU) 2015/2446, Delegated Regulation (EU) 2016/341 and the Implementing Regulation (EU) 2015/2447.

There are a number of changes in the revised customs policy which also require an integrated IT system from the customs authorities. In April 2016 The European Commission published an implementing decision (number: 2016/578) on the work program relating to the development and deployment of the electronic systems of the UCC. The EC continues to evaluate the timeline by which the EU-wide integration of the customs IT system can be implemented. The current deadline of December 2020 may be extended.

Key Link: Homepage of Customs and Taxation Union Directorate (TAXUD) Website

http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm

Customs Valuation – Most customs duties and value added tax (VAT) are expressed as a percentage of the value of goods being declared for importation. Thus, it is necessary to dispose of a standard set of rules for establishing the goods' value, which will then serve for calculating the customs duty.

Given the magnitude of EU imports every year, it is important that the value of such commerce is accurately measured for the purposes of:

- economic and commercial policy analysis;
- application of commercial policy measures;
- proper collection of import duties and taxes; and
- import and export statistics.

These objectives are met using a single instrument - the rules on customs value.

The EU applies an internationally accepted concept of 'customs value'.

The value of imported goods is one of the three 'elements of taxation' that provides the basis for assessment of the customs debt, which is the technical term for the amount of duty that has to be paid, the other ones being the origin of the goods and the customs tariff.

Key Link: http://ec.europa.eu/taxation_customs/customs/customs_duties/declared_goods/index_en.htm

Standards for Trade

Overview

Products tested and certified in the United States to U.S. regulations and standards are likely to have to be retested and re-certified to EU requirements as a result of the EU's different approach to the protection of the health and safety of consumers and the environment. Where products are not regulated by specific EU technical legislation, they are always subject to the EU's General Product Safety Directive as well as to possible additional national requirements.

European Union legislation and standards created under the New Approach are harmonized across the Member States and European Economic Area countries to allow for the free flow of goods. An example of the New Approach is CE marking.

The concept of New Approach legislation is slowly disappearing as the New Legislative Framework (NLF), which entered into force in January 2010, was put in place to serve as a blueprint for existing and future CE marking legislation. Existing legislation has been reviewed to bring them in line with the NLF concepts, which means that, as of 2016, *new requirements are being addressed and new reference numbers are to be used on declarations of conformity*. For more information about the NLF, go to <http://ec.europa.eu/growth/single-market/goods/new-legislative-framework/>

While harmonization of EU legislation can facilitate access to the EU Single Market, manufacturers should be aware that regulations (mandatory) and technical standards (voluntary) might also function as barriers to trade if U.S. standards are different from those of the European Union.

Agricultural Standards

The establishment of harmonized EU rules and standards in the food sector has been ongoing for several decades, and in January 2002 the EU publicized a general food law establishing the general principles of EU food law. This Regulation introduced mandatory traceability throughout the feed and food chain as of Jan 1, 2005. For specific information on agricultural standards, please refer to the Foreign Agricultural Service's website at: <http://www.usda-eu.org>

There are also export guides to import regulations and standards available on the Foreign Agricultural Service's website: <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/fairs-export-certificate-report/>

Standards

EU standards setting is a process based on consensus initiated by industry or mandated by the European Commission and carried out by independent standards bodies, acting at the national, European or international level. There is strong encouragement for non-governmental organizations, such as environmental and consumer groups, to actively participate in European standardization.

Many standards in the EU are adopted from international standards bodies such as the International Standards Organization (ISO). The drafting of specific EU standards is handled by three European standards organizations:

CEN, European Committee for Standardization, handling all other standards

(<http://www.cen.eu/cen/pages/default.aspx>)

CENELEC, European Committee for Electrotechnical Standardization

(<http://www.cenelec.eu/>)

ETSI, European Telecommunications Standards Institute (<http://www.etsi.org/>)

Standards are created or modified by experts in Technical Committees or Working Groups. The members of CEN and CENELEC are the national standards bodies of the member states, which have "mirror committees" that monitor and delegate experts to participate in ongoing European standardization. CEN and CENELEC standards are sold by the individual member states standards bodies. ETSI is different in that it allows direct participation in its technical committees from non-EU companies that have interests in Europe and provides some of its individual standards at no charge on its website. In addition to the three standards developing organizations, the European Commission plays an important role in standardization through its funding of the participation in the standardization process of small- and medium-sized companies and non-governmental organizations, such as environmental and consumer groups. The Commission also provides money to the standards bodies when it mandates standards development to the European Standards Organization for harmonized standards that will be linked to EU technical legislation. Mandates – or requests for standards - can be checked on line at: <http://ec.europa.eu/growth/tools-databases/mandates/index.cfm?>

Given the EU's vigorous promotion of its regulatory and standards system as well as its generous funding for its development, the EU's standards regime is wide and deep - extending well beyond the EU's political borders to include affiliate members (countries which are hopeful of becoming full members in the future) such as Albania, Belarus, Israel, and Morocco among others. Another category, called "partner standardization body" includes the standards organization of Mongolia, Kazakhstan and Australia, which are not likely to become a CEN member or affiliate for political and geographical reasons.

To know what CEN and CENELEC have in the pipeline for future standardization, it is best to visit their websites. Other than their respective annual work plans, CEN's "what we do" page provides an overview of standards activities by subject. Both CEN and CENELEC offer the possibility to search their respective database. ETSI's portal (http://portal.etsi.org/Portal_Common/home.asp) links to ongoing activities.

The European Standardization system and strategy was reviewed in 2011 and 2012. The new standards regulation 1025, adopted in November 2012, clarifies the relationship between regulations and standards and confirms the role of the three European standards bodies in developing EN harmonized standards. The emphasis is also on referencing international standards where possible. For information, communication and

technology (ICT) products, the importance of interoperability standards has been recognized. Through a relatively recent mechanism, a “Platform Committee” reporting to the European Commission will decide which deliverables from fora and consortia might be acceptable for public procurement specifications. The European standards bodies have been encouraged to improve efficiency in terms of delivery and to look for ways to include more societal stakeholders in European standardization. The Joint Initiative on Standardization, launched in 2016 with a number of action items to improve European standardization, involves a large group of stakeholders who are committed to deliver results by 2019.

Key Link: http://ec.europa.eu/growth/single-market/european-standards/policy/index_en.htm

Conformity assessment

Conformity Assessment is a mandatory step for the manufacturer in the process of complying with specific EU legislation. The purpose of conformity assessment is to ensure consistency of compliance during all stages, from design to production, to facilitate acceptance of the final product. EU product legislation gives manufacturers some choice regarding conformity assessment, depending on the level of risk involved in the use of their product. These range from self-certification, type examination and production quality control system, to full quality assurance system. Conformity assessment bodies in individual member states are listed in the New Approach Notification and Designated Organizations (NANDO) information system.

Key Link: [EUROPA - European Commission - Growth - Regulatory policy - NANDO](#)

To promote market acceptance of the final product, there are a number of voluntary conformity assessment programs. CEN’s certification system is known as the Keymark. Neither CENELEC nor ETSI offer conformity assessment services.

Product certification

To sell products in the EU market of 28 member states as well as in Norway, Liechtenstein and Iceland, U.S. exporters are required to apply CE marking whenever their product is covered by specific product legislation. CE marking product legislation offers manufacturers a number of choices and requires decisions to determine which safety/health concerns need to be addressed, which conformity assessment module is best suited to the manufacturing process, and whether or not to use EU-wide harmonized standards. The CE marking process is very complex and this section attempts to provide some background and clarification.

Products manufactured to standards adopted by CEN, CENELEC or ETSI, and referenced in the Official Journal as harmonized standards, are presumed to conform to the requirements of EU legislation. The manufacturer then applies the CE marking and issues a declaration of conformity. With these, the product will be allowed to circulate freely within the EU. A manufacturer can choose not to use the harmonized EU standards, but then must demonstrate that the product meets the essential safety and performance requirements. Trade barriers occur when design, rather than performance, standards are developed by the relevant European standardization organization, and when U.S. companies do not have access to the standardization process through a European presence.

The CE marking addresses itself primarily to the national control authorities of the member states, and its use simplifies the task of essential market surveillance of regulated products. As market surveillance was found lacking, the EU adopted the New Legislative Framework, which went into force in 2010. As mentioned before, this framework is like a blueprint for all CE marking legislation, harmonizing definitions, responsibilities, European accreditation and market surveillance.

The CE marking is not intended to include detailed technical information on the product, but there must be enough information to enable the inspector to trace the product back to the manufacturer or the local contact established in the EU. This detailed information should not appear next to the CE marking, but rather on the

declaration of conformity (which the manufacturer or authorized agent must be able to provide at any time, together with the product's technical file), or the documents accompanying the product.

Accreditation

Independent test and certification laboratories, known as notified bodies, have been officially accredited by competent national authorities to test and certify to EU requirements.

"European Accreditation" (<http://www.european-accreditation.org>) is an organization representing nationally recognized accreditation bodies. Membership is open to nationally recognized accreditation bodies in countries in the European geographical area that can demonstrate that they operate an accreditation system compatible to appropriate EN and ISO/IEC standards.

Publication of technical regulations

The Official Journal is the official publication of the European Union. It is published daily on the internet and consists of two series covering adopted legislation as well as case law, studies by committees, and more (<http://eur-lex.europa.eu/oj/direct-access.html?locale=en>). It also lists the standards reference numbers linked to legislation (http://ec.europa.eu/growth/single-market/european-standards/harmonised-standards/index_en.htm).

National technical regulations are published on the Commission's website <http://ec.europa.eu/growth/tools-databases/tris/en/> to allow other countries and interested parties to comment.

National Institute of Standards and Technology's (NIST) Notify U.S. Service

Members of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to notify to the WTO proposed technical regulations and conformity assessment procedures that could affect trade. Notify U.S. (www.nist.gov/notifyus) is a free, web-based e-mail registration service that captures and makes available for review and comment key information on draft regulations and conformity assessment procedures. Users receive customized e-mail alerts when new notifications are added by selected country(ies) and industry sector(s) of interest, and can also request full texts of regulations. This service and its associated web site are managed and operated by the USA WTO TBT Inquiry Point housed within the National Institute of Standards and Technology, part of the U.S. Department of Commerce.

Contact Information

U.S. Commercial Service, Belgium

Mitch Larsen, Counselor for Commercial Affairs

Mitch.Larsen@trade.gov

Tel.: +32 2 811 5269

U.S. Mission to the EU

Marianne Drain, Standards Attaché

Marianne.Drain@trade.gov

Tel: +32 2 811 5034

National Institute of Standards & Technology

Gordon Gillerman Standards Coordination Office

100 Bureau Dr.

Mail Stop 2100

Gaithersburg, Maryland 20899

Tel: (301) 975-4000

Website: <http://gsi.nist.gov/global/index.cfm/L1-2/L2-2>

CEN – European Committee for Standardization

Avenue Marnix 17

B – 1000 Brussels, Belgium

Tel: 32.2.550.08.11

Fax: 32.2.550.08.19

Website: <http://www.cen.eu>

CENELEC – European Committee for Electrotechnical Standardization

Avenue Marnix 17

B – 1000 Brussels, Belgium

Tel: 32.2.519.68.71

Fax: 32.2.519.69.15

Website: <http://www.cenelec.eu>

ETSI - European Telecommunications Standards Institute

Route des Lucioles 650

Sophia Antipolis

F-06560 Valbonne France

Tel: 33.4.92.94.42.00

Fax: 33.4.93.65.47.16

Website: <http://www.etsi.org>

SBS – Small Business Standards

4, Rue Jacques de Lalaing

B-1040 Brussels

Tel: 32.2.285.07.27 Fax : +32-2/230.78.61

Website: <http://sbs-sme.eu/>

ANEC - European Association for the Co-ordination of Consumer Representation in Standardization

Avenue de Tervuren 32, Box 27

B – 1040 Brussels, Belgium

Tel: 32.2.743.24.70

Fax: 32.2.706.54.30

Website: <https://www.anec.eu/>

ECOS – European Environmental Citizens Organization for Standardization

Rue d'Edimbourg 26

B – 1050 Brussels, Belgium

Tel: 32.2.894.46.68

Fax: 32.2.894.46.10

Website: <http://ecostandard.org/>

EOTA – European Organization for Technical Assessment (for construction products)

Avenue des Arts 40

B – 1040 Brussels, Belgium

Tel: 32.2.502.69.00

Fax: 32.2.502.38.14

Website: <https://www.eota.eu/en-GB/content/home/2/185/>

Trade Agreements

For a list of trade agreements with the EU and its Member States, as well as concise explanations, please see

<http://ec.europa.eu/trade/policy/countries-and-regions/agreements/>

Licensing Requirements for Professional Services

The recognition of skills and qualifications acquired by EU citizens in EU Member States, including the corresponding recognition procedures and charges are, in correspondence with article 165 of the TFEU, the responsibility of Member States. Similarly, recognition of skills and qualification earned in third countries is also a national responsibility.

However, the European Commission takes initiatives to facilitate recognition procedures. For example:

Recognition of professional qualifications obtained in one Member State for the purposes of access and pursuit of regulated professions in another Member State is subject to Directive 2005/36.

Recognition of qualifications for academic purposes in the higher education sector, including school-leaving certificates is subject to the *Lisbon Recognition Convention*. The ENIC-NARIC network provides advice on (cross-border) recognition of these qualifications.

Recognition in other cases is assessed and granted (or denied) by the receiving educational provider or employer. For them to be able to recognise skills and qualifications **understanding of the level, content and quality** is needed. The Commission currently explores the possibilities on how to better support these recognition decisions.

The “Your Europe” website maintains a webpage dedicated to help citizens what the regulated professions are and what document are needed for their recognition in each Member State. Please see: http://europa.eu/youreurope/citizens/work/professional-qualifications/recognition-of-professional-qualifications/index_en.htm.

Web Resources

EU websites:

Online customs tariff database (TARIC):

http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm

The Modernized Community Customs Code MCCC):

http://europa.eu/legislation_summaries/customs/do0001_en.htm

ECHA: <http://echa.europa.eu>

Taxation and Customs Union:

http://ec.europa.eu/taxation_customs/business/customs-procedures_en

Security and Safety Amendment to the Customs Code - Regulation (EC) 648/2005:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:117:0013:0019:en:PDF>

Electronic Customs Initiative: Decision N° 70/2008/EC <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:023:0021:0026:EN:PDF>

Modernized Community Customs Code Regulation (EC) 450/2008):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:145:0001:0064:EN:PDF>

Legislation related to the Electronic Customs Initiative:

http://ec.europa.eu/taxation_customs/customs/policy_issues/electronic_customs_initiative/electronic_customs_legislation/index_en.htm

Export Help Desk

http://exporthelp.europa.eu/thdapp/index_en.html

What is Customs Valuation?

https://ec.europa.eu/taxation_customs/business/calculation-customs-duties/customs-valuation_en

Establishing the Community Customs Code: Regulation (EC) n° 648/2005 of 13 April 2005

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:117:0013:0019:en:PDF>

Pre Arrival/Pre Departure Declarations:

http://ec.europa.eu/taxation_customs/customs/procedural_aspects/general/prearrival_predeparture/index_en.htm

AEO: Authorized Economic Operator:

http://ec.europa.eu/taxation_customs/customs/policy_issues/customs_security/aeo/index_en.htm

Contact Information at National Customs Authorities:

http://ec.europa.eu/taxation_customs/taxation/personal_tax/savings_tax/contact_points/index_en.htm

New Legislative Framework:

<http://ec.europa.eu/growth/single-market/goods/new-legislative-framework/>

Cenelec, European Committee for Electrotechnical Standardization:

<http://www.cenelec.eu/>

ETSI, European Telecommunications Standards Institute:

<http://www.etsi.org/>

CEN, European Committee for Standardization, handling all other standards:

<http://www.cen.eu/cen/Pages/default.aspx>

Standardisation – Mandates:

http://ec.europa.eu/growth/single-market/european-standards/requests/index_en.htm

ETSI – Portal – E-Standardisation :

http://portal.etsi.org/Portal_Common/home.asp

CEN – Sector:

<http://www.cen.eu/work/areas/Pages/default.aspx>

CEN - Standard Search:

<http://standards.cen.eu/dyn/www/f?p=CENWEB:105::RESET:::>

Nando (New Approach Notified and Designated Organizations) Information System:

<http://ec.europa.eu/growth/tools-databases/nando/>

European Co-operation for Accreditation:

<http://www.european-accreditation.org/home>

Eur-Lex – Access to European Union Law:

<http://eur-lex.europa.eu/en/index.htm>

Standards Reference Numbers linked to Legislation:

http://ec.europa.eu/growth/single-market/european-standards/harmonised-standards_en

http://ec.europa.eu/growth/news/index_en.htm

National technical Regulations:

<http://ec.europa.eu/growth/tools-databases/tris/en/>

NIST - Notify U.S.:

<http://www.nist.gov/notifyus/>

European Union Eco-label Homepage:

<http://ec.europa.eu/environment/ecolabel/>

U.S. websites:

National Trade Estimate Report on Foreign Trade Barriers:

<https://ustr.gov/about-us/policy-offices/press-office/reports-and-publications/2017/2017-national-trade-estimate>

Agricultural Trade Barriers:

<http://www.usda-eu.org/>

Trade Compliance Center:

<http://tcc.export.gov/>

U.S. Mission to the European Union:

<http://useu.usmission.gov/>

The New EU Battery Directive:

<http://www.export.gov/europeanuniossn/marketresearch/index.asp>

The Latest on REACH:

<http://export.gov/europeanunion/reachclp/index.asp>

CE Marking:

http://www.export.gov/cemark/eg_main_017267.asp

WEEE and RoHS in the EU:

<http://export.gov/europeanunion/weerohs/index.asp>

Overview of EU Certificates (FAS):

<http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/fairs-export-certificate-report/>

Center for Food Safety and Applied Nutrition:

<http://www.fda.gov/Food/default.htm>

Trade Agreements:

<http://ec.europa.eu/trade/policy/countries-and-regions/agreements/>

Investment Climate Statement

Executive Summary

The Belgian economy is expected to grow 1.8 percent in 2018, primarily driven by domestic demand and net exports. Private consumption growth was slower than in surrounding countries, mainly caused by higher inflation. Low energy prices and interest rates, and a favorable euro/dollar exchange rate continue to stimulate economic growth and fuel exports, especially given Belgium's unique position as a logistical hub and gateway to Europe. In 2016 and again in 2017, Belgium posted a current account surplus. However, the recovery remains fragile: any potential shift to a less trade friendly global environment would have negative repercussions on the export sector. Since June 2015, the Belgian government has undertaken a series of measures aiming to reduce the tax burden on labor and to increase Belgium's economic competitiveness and attractiveness to foreign investment. The July 2017 decision to lower the corporate tax rate from 35 to 25 percent is expected to make a big improvement in the investment climate.

Belgium boasts an open market well connected to the major economies of the world. As a logistical gateway to Europe, host to the EU institutions and a central location closely tied to the major European economies (Germany in particular), Belgium is an attractive market and location for U.S. investors. Foreign and domestic investors are expected to take advantage of improved credit opportunities and increased consumer and business confidence. Finally, Belgium is a highly developed, long-time economic partner of the United States that benefits from an extremely well-educated workforce, world-renowned research centers, and the infrastructure to support a broad range of economic activities.

To fully realize Belgium's employment potential, it will be critical to address the severe fragmentation of the labor market. Jobs growth accelerated in 2016 and 2017, driven by the cyclical recovery and the positive impact

of past reforms. Older workers account for much of the employment increase, whereas progress has been more limited in integrating vulnerable groups—especially immigrants born outside the EU, the young, and the low-skilled. Moreover, large regional disparities in unemployment rates persist, and there is a significant skills mismatch.

Belgium has a dynamic economy and continues to attract significant levels of investment in chemicals, petrochemicals, plastic and composites; environmental technologies; food processing and packaging; health technologies; information and communication; and textiles, apparel and sporting goods, among other sectors.

Table 1

Measure	Year	Index/Rank	Website Address
TI Corruption Perceptions Index	2017	16 of 180	http://www.transparency.org/research/cpi/overview
World Bank's Doing Business Report "Ease of	2017	52 of 190	www.doingbusiness.org
Global Innovation Index	2017	27 of 127	https://www.globalinnovationindex.org/analysis-indicator
U.S. FDI in partner country (\$M USD, stock positions)	2016	USD 55.8 bn	http://www.bea.gov/international/factsheet/
World Bank GNI per capita	2015	USD 41,860	http://data.worldbank.org/indicator/NY.GNP.PCAP.CD

Openness to and Restrictions upon Foreign Investment

Policies Towards Foreign Direct Investment

Belgium has traditionally maintained an open economy that is highly dependent on international trade. Since WWII, foreign investment has played a vital role in the Belgian economy, providing technology and employment. It is one of the key economic policies of the current center-right government to make Belgium a more attractive destination to foreign investment. Though the federal government regulates important elements of foreign direct investment such as salaries and labor conditions, it is primarily the responsibility of the regions to attract FDI. Flanders Investment and Trade (FIT), Wallonia Foreign Trade and Investment Agency (AWEX) and Brussels Invest and Export are the three investment promotion agencies who seek to attract FDI to Flanders, Wallonia and the Brussels Capital Region, respectively.

The regional investment promotion agencies have focused their industrial strategy on key sectors including aerospace and defense; agribusiness, automotive and ground transportation; architecture and engineering;

chemicals, petrochemicals, plastics and composites; environmental technologies; food processing and packaging; health technologies; information and communication; and services.

Foreign corporations account for about one-third of the top 3,000 corporations in Belgium. According to Graydon, a Belgian company specializing in commercial and marketing information, there are currently more than one million companies registered in Belgium. The federal government and the regions do not prioritize investment retention or maintain an ongoing dialogue with investors.

Limits on Foreign Control and Right to Private Ownership and Establishment

There are currently no limits on foreign ownership or control in Belgium. There are no distinctions between Belgian and foreign companies when establishing or owning a business or setting up a remunerative activity.

Other Investment Policy Reviews

Over the past 3 years, the country has not been the subject of third-party investment policy reviews (IPRs) through a multilateral organization such as the OECD, WTO, or UNCTAD.

Business Facilitation

In order to set up a business in Belgium, one has to take the following steps:

1. Deposit at least 20 percent of the initial capital with a Belgian credit institution and obtain a standard certification confirming that the amount is held in a blocked capital account;
2. Deposit a financial plan with a notary, sign the deed of incorporation and the by-laws in the presence of a notary, who authenticates the documents and registers the deed of incorporation. The authentication act must be drawn up in either French, Dutch or German (Belgium's three official languages);
3. Register with one of the Registers of legal entities, VAT and social security at a centralized company docket and obtain a company number.

In most cases, the business registration process can be completed within one week.

https://www.business.belgium.be/en/managing_your_business/setting_up_your_business

Based on the number of employees, the projected annual turnover and the shareholder class, a company will qualify as a small or medium-sized enterprise (SME) according to the meaning of the Promotion of Independent Enterprise Act of February 10, 1998. For a small or medium-sized enterprise, registration will only be possible once a certificate of competence has been obtained. The person in charge of the daily management of the company must prove his or her knowledge of business management, with diplomas and/or practical experience. In the Global Enterprise Register, Belgium currently scores 7 out of 10 for ease of setting up a limited liability company.

Business facilitation agencies provide for equitable treatment of women and underrepresented minorities in the economy.

The three Belgian regions each have their own investment promotion agency, whose services are available to all foreign investors.

Outward Investment

The Belgian governments do not promote outward investment as such. There are also no restrictions to certain countries or sectors, other than those where Belgium applies UN resolutions.

Bilateral Investment Agreements and Taxation Treaties

Belgium has no specific investment agreement with the United States; investment-related issues are covered in the 1951 Treaty of Friendship, Enterprise and Navigation. Belgium has bilateral investment treaties in force with Albania, Algeria, Argentina, Armenia, Bangladesh, Bolivia, Burkina Faso, Burundi, Chile, China, , Democratic Republic of the Congo, Egypt, El Salvador, Philippines, Gabon, Georgia, Hong Kong, India, Indonesia, Yemen, Cameroon, Kazakhstan, Kuwait, Korea, Lebanon, Lithuania, Macedonia, Morocco, Mexico, Moldavia, Mongolia, Ukraine, Uzbekistan, Paraguay, , Rwanda, Saudi Arabia, Singapore, South Africa, Sri-Lanka, Thailand, Tunisia, Uruguay, Russia, Venezuela, and Vietnam.

Additionally, Belgium and Luxembourg have jointly signed (as The Belgium Luxembourg Economic Union – BLEU) but not yet unimplemented agreements with Liberia, Mauritania, and Thailand. Belgium and Luxembourg also have joint investment treaties with Poland and Russia, but these are not BLEU agreements. All these agreements provide for mutual protection of investments.

Belgium does have a bilateral taxation treaty with the United States, the last version of which dates from 2006 but which has been augmented with various MOU's since then. In January 2016, the European Commission ruled that Belgium had to reclaim more than USD 900 million from companies that had benefitted from “excess profit” rulings. The scheme had reduced the corporate tax base of the companies by between 50% and 90% to discount for excess profits that allegedly result from being part of a multinational group

Legal Regime

Transparency of the Regulatory System

The Belgian government has adopted a generally transparent competition policy. The government has implemented tax, labor, health, safety, and other laws and policies to avoid distortions or impediments to the efficient mobilization and allocation of investment, comparable to those in other EU member states. Draft bills are never made available for public comment, but have to go through an independent court for vetting and consistency. Nevertheless, foreign and domestic investors in some sectors face stringent regulations designed to protect small- and medium-sized enterprises. Many companies in Belgium also try to limit their number of employees to 49, the threshold above which certain employee committees must be set up, such as for safety and trade union interests.

Recognizing the need to streamline administrative procedures in many areas, in 2015 the federal government set up a special task force to simplify official procedures, so far with little result. It also agreed to streamline laws regarding the telecommunications sector into one comprehensive volume after new entrants in this sector had complained about a lack of transparency. Additionally the government beefed up its Competition Policy Authority with a number of academic experts and additional resources. Traditionally, scientific studies or quantitative analysis conducted on the impact of regulations are made publicly available for comment. However, not all public comments received by regulators are made public.

Accounting standards are regulated by the Belgian law of January 30, 2001, and balance sheet and profit and loss statements are identical with international accounting norms. Cash flow positions and reporting changes in non-borrowed capital formation are not required. However, contrary to IAS/IFRS standards, Belgian accounting rules do require an extensive annual policy report.

Belgium publishes all its relevant legislation and administrative guidelines in an official Gazette, called Le Moniteur Belge (www.moniteur.be). The American Chamber of Commerce has called attention to the adverse impact of cumbersome procedures and unnecessary red tape on foreign investors, although foreign companies do not appear to be impacted more than Belgian firms.

International Regulatory Considerations

Belgium is a founding member of the EU, whose directives are enforced. However, member states can always apply stricter rules, as has been the case for Belgium when it comes to data privacy issues. However, on May 25, 2018 Belgium will implement the General Data Protection Regulation (GDPR) (EU) 2016/679, an EU regulation on data protection and privacy for all individuals within the European Union.

Through the European Union, Belgium is a member of the WTO, and notifies all draft technical regulations to the WTO Committee on Technical Barriers to Trade (TBT). The country does not maintain any measures that are inconsistent with the Agreement on Trade-Related Investment Measures (TRIMs) obligations.

Legal System and Judicial Independence

Belgium's (civil) legal system is independent of the government and is a means for resolving commercial disputes or protecting property rights. Belgium has a wide-ranging codified law system since 1830. There are specialized commercial courts which apply the existing commercial and contractual laws. As in many countries, the Belgian courts labor under a growing caseload, and backlogs cause delays. There are several levels of appeal.

Laws and Regulations on Foreign Direct Investment

Payments and transfers within Belgium and with foreign countries require no prior authorization. Transactions may be executed in euros as well as in other currencies.

Belgium has no debt-to-equity requirements. Dividends may be remitted freely except in cases in which distribution would reduce net assets to less than paid-up capital. No further withholding tax or other tax is due on repatriation of the original investment or on the profits of a branch, either during active operations or upon the closing of the branch.

Since there are three different regional Investment Authorities, the links to their respective websites are given below.

Flanders: www.flandersinvestmentandtrade.com

Wallonia; www.awex.be

Brussels: www.investinbrussels.com

Competition and Anti-Trust Laws

The contact address for competition-related concerns:

Federal Competition Authority

City Atrium, 6th floor

Vooruitgangsstraat 50

1210 Brussels

tel: +32 2 277 5272

fax: +32 2 277 5323

email: info@bma-abc.be

website: www.bma-abc.be

In 2017, the Belgian Competition Authority ruled in the case of the merger between a Belgian and a Dutch supermarket chain. The Authority ruled that the newly created supermarket chain would be in a position to abuse its dominant market position and ordered the chain to shed 19 stores.

Expropriation and Compensation

There are no outstanding expropriation or nationalization cases in Belgium with U.S. investors. There is no pattern of discrimination against foreign investment in Belgium.

When the Belgian government uses its eminent domain powers to acquire property compulsorily for a public purpose, adequate compensation is paid to the property owners. Recourse to the courts is available if necessary. The only expropriations that occurred during the last decade were related to infrastructure projects such as port expansion, roads, and railroads.

Dispute Settlement

ICSID Convention and New York Convention

Belgium is a member of the International Center for the Settlement of Investment Disputes (ICSID) and regularly includes provision for ICSID arbitration in investment agreements.

Investor-State Dispute Settlement

The government accepts binding international arbitration of disputes between foreign investors and the state. There have been no investment disputes involving a U.S. person within the past 10 years. Local courts are expected to enforce foreign arbitral awards issued against the government. To date, there has been no evidence of extrajudicial action against foreign investors.

International Commercial Arbitration and Foreign Courts

A. Alternative Dispute Resolution is not mandatory by law and is therefore not commonly used in disputes, except for matters where the determination by an expert is sought, whether appointed by the parties in agreement or in accordance with a contractual clause or appointed by the court in the context of dispute resolution.

B. Belgium has no domestic arbitration bodies.

C. Local courts recognize and enforce foreign arbitral awards. Judgments of foreign courts are recognized and enforceable under the local courts.

Bankruptcy Regulations

Belgian bankruptcy law is governed by the Bankruptcy Act of 1997 and is under the jurisdiction of the commercial courts. The commercial court appoints a judge-auditor to preside over the bankruptcy proceeding and whose primary task is to supervise the management and liquidation of the bankrupt estate, in particular with respect to the claims of the employees. Belgian bankruptcy law recognizes several classes of preferred or secured creditors. A person who has been declared bankrupt may subsequently start a new business unless the person is found guilty of certain criminal offences that are directly related to the bankruptcy. The Business Continuity Act of 2009 provides the possibility for companies in financial difficulty to enter into a judicial reorganization. These proceedings are to some extent similar to Chapter 11 as the aim is to facilitate business recovery. In the World Bank's Doing Business Report, Belgium ranks number 11 (out of 198) for the ease of resolving insolvency.

Industrial Policies

Investment Incentives

Since the law of August 1980 on regional devolution in Belgium, investment incentives and subsidies have been the responsibility of Belgium's three regions: Brussels, Flanders, and Wallonia. Nonetheless, most tax measures remain under the control of the federal government as do the parameters (social security, wage agreements) that govern general salary and benefit levels. In general, all regional and national incentives are available to foreign and domestic investors alike.

Belgian investment incentive programs at all levels of government are limited by EU regulations and are normally kept in line with those of the other EU member states. The European Commission has tended to discourage certain investment incentives in the belief that they distort the single market, impair structural change, and threaten EU convergence, as well as social and economic cohesion. In January 2016, the European Commission ordered Belgium to reclaim up to USD 900 million in tax breaks from 36 companies (12 of whom are U.S. companies) going as far back as 2004. The Belgian Government had given these breaks to companies through a series of one-off fiscal rulings. Belgium is now appealing the EU decision, which it claims is very detrimental to its investment climate image.

In their investment policies, the regions emphasize innovation promotion, research and development, energy savings, environmental cleanliness, exports, and most of all, employment. The three regional agencies have staff specializing on specific regions of the world, including the United States, and have representation offices in different countries. In addition, the Finance Ministry established a foreign investment tax unit in 2000 to provide assistance and to make the tax administration more "user friendly" to foreign investors.

In 2005, the Belgian Federal Finance Ministry proposed a new investment incentive program in the form of a notional interest rate deduction. This was adopted by Parliament, and since January 1, 2006, the new tax law permits a corporation established in Belgium, foreign or domestic, to deduct from its taxable profits a percentage of its adjusted net assets linked to the rate of the Belgian long-term state bond. The law permits all companies operating in Belgium to deduct the "notional" interest rate that would have been paid on their locally invested capital had it been borrowed at a rate of interest equal to the current rate the Belgian government pays on its 10-year bonds. This amount is deducted from profits, thus lowering nominal Belgian corporate taxes. The applicable interest rate is adjusted annually, but will never be allowed to vary more than one percent (100 basis points) in one year nor exceed 6.5 percent. In 2017, Finance Minister Van Overtveldt proposed to wind down the notional interest deduction in the footsteps of a similar U.S. Treasury decision.

Foreign Trade Zones/Free Ports/Trade Facilitation

There are no foreign trade zones or free ports as such in Belgium. However, the country utilizes the concept of customs warehouses. A customs warehouse is a warehouse approved by the customs authorities where imported goods may be stored without payment of customs duties and VAT. Only non-EU goods can be placed under a customs warehouse regime. In principle, non-EU goods of any kind may be admitted, regardless of their nature, quantity, and country of origin or destination. Individuals and companies wishing to operate a customs warehouse must be established in the EU and obtain authorization from the customs authorities. Authorization may be obtained by filing a written request and by demonstrating an economic need for the warehouse. The concept has now regained an increased interest in the run-up to Brexit.

Performance and Data Localization Requirements

Performance requirements in Belgium usually relate to the number of jobs created. There are no national requirement rules for senior management or board of directors. There are no known cases where export targets or local purchase requirements were imposed, with the exception of military offset programs, which were reintroduced under Prime Minister Verhofstadt in 2006. While the government reserves the right to reclaim incentives if the investor fails to meet his employment commitments, enforcement is rare. However,

in 2012, with the announced closure of an automotive plant in Flanders, the Flanders regional government successfully reclaimed training subsidies that had been provided to the company.

There is currently no requirement for foreign IT providers to share source code and/or provide access to surveillance agencies. There is for the moment no forced localization, but the European Parliament is currently considering legislative steps in that direction.

Protection of Property Rights

Real Property

Property rights in Belgium are well protected by law, and the courts are independent and considered effective in enforcing property rights. Mortgages and liens exist through a reliable recording system operated by the Belgian notaries.

However, on the World Bank's ranking on the ease for registering property, Belgium ranks only 131st on a total of 190 countries.

Intellectual Property Rights

While Belgium generally meets very high standards in the protection of intellectual property rights (IPR), rights granted under specific American patent, trademark, or copyright law can only be enforced in the United States, its territories, and possessions. The European Union has taken a number of initiatives to promote intellectual property protection, but in cases of non-implementation, national laws continue to apply. Despite legal protection of intellectual property, Belgium experiences a rate of commercial and private infringement – particularly internet music piracy and illegal copying of software – similar to most EU states.

All intellectual property rights are administered and enforced by the Belgian Office of Intellectual Property in the Ministry for Economic Affairs:

(http://economie.fgov.be/en/entreprises/Intellectual_property/Aspects_institutionnels_et_pratiques/OPRI/). The Office of Intellectual Property, Directorate General Regulation and Market Organization (ORPI) administers intellectual property in Belgium. The Director General is Mr. Emmanuel Pieters. This office manages and provides Belgian intellectual property titles, informs the public about IPR, drafts legislation and advises Belgian authorities with regard to national and international issues. Belgium is currently not listed on USTR's Special 301 Report.

Enforcement of IPR is in the hands of the Belgian Ministry of Justice. For additional information about treaty obligations and points of contact at local IP offices, please see the World Intellectual Property Organization's country profiles at <http://www.wipo.int/directory/en/>.

For additional information about national laws and points of contact at local IP offices, please see WIPO's country profiles at <http://www.wipo.int/directory/en/>.

Financial Sector

Capital Markets and Portfolio Investment

Belgium has policies in place to facilitate the free flow of financial resources. Credit is allocated at market rates and is available to foreign and domestic investors without discrimination. Belgium is fully served by the international banking community and is implementing all relevant EU financial directives. At the same time, Belgium ranks 138th out of 190 for “getting credit” on the World Bank's “Doing Business” rankings, and in the bottom quintile among OECD high income countries.

Belgium established the world's first stock market almost 600 years ago, and the bourse is well-established today. On Euronext, a company may increase its capital either by capitalizing reserves or by issuing new shares.

An increase in capital requires a legal registration procedure, and new shares may be offered either to the public or to existing shareholders. A public notice is not required if the offer is to existing shareholders, who may subscribe to the new shares directly. An issue of bonds to the public is subject to the same requirements as a public issue of shares: the company's capital must be entirely paid up, and existing shareholders must be given preferential subscription rights.

In 2016, the Belgian government passed legislation to improve entrepreneurial financing through crowdfunding and more flexible capital venture rules.

Money and Banking System

Because the Belgian economy is directed toward international trade, more than half of its banking activities involve foreign countries. Belgium's major banks are represented in the financial and commercial centers of dozens of countries by subsidiaries, branch offices, and representative offices. The country does have a central bank, the National Bank of Belgium (NBB), whose governor is also a board member of the European Central Bank.

Belgium is one of the countries with the highest number of banks per capita in the world. The banking system is considered sound but was particularly hard hit by the financial crisis that began in the fall of 2008, when federal and regional governments had to step in with lending and guarantees for the three largest banks. Following a review of the 2008 financial crisis, the Belgian government decided in 2012 to shift the authority of bank supervision from the Financial Market Supervision Authority (FMSA) to the NBB. In 2017, supervision of systemic Belgian banks shifted to the ECB. The country has not lost any correspondent banking relationship in the past 3 years, nor are there any correspondent banking relationships currently in jeopardy.

The developments since September 2008 have also resulted in a major de-risking of the Belgian banks' balance sheets, on the back of a rising share of exposure to the public sector – albeit more concentrated on Belgium – and a gradual further expansion of the domestic mortgage loan portfolio. Since the introduction of the Single Supervisory Mechanism (SSM), the vast majority of the Belgian banking sector's assets are held by banks that come under SSM supervision, including the “significant institutions” KBC Bank, Belfius Bank, Argenta, AXA Bank Europe, Bank of New-York Mellon and Bank Degroof/Petercam. Other banks governed by Belgian law – such as BNP Paribas Fortis and ING Belgium – are also subject to SSM supervision as they are subsidiaries of non-Belgian “significant institutions”.

In 2017, the banking sector conducted its business in a context of only gradual economic recovery and persistently low interest rates. That situation had two effects: it put pressure on the sector's profitability and caused a credit default problem in some European banks. The National Bank of Belgium designated eight Belgian banks as domestic systemically important institutions, and divided them into two groups according to their level of importance. A 1.5 % capital surcharge was imposed on the first group (BNP Paribas Fortis, KBC Group and Belfius Bank). The second group (AXA Bank Europe, Argenta, Euroclear and The Bank of New York Mellon) is required to hold a supplementary capital buffer of 0.75 %. These surcharges will be phased in over a three-year period.

Under pressure from the European Union, bank debt has decreased in volume overall, from close to 1.6 trillion euros in 2007 to just over 1 trillion euros in 2017, according to the National Bank of Belgium, particularly in the risky derivative markets. KBC, the country's largest bank, has total assets equivalent to € 292.3 billion. According to the NBB, 3 percent of all the currently outstanding loans are considered to be non-performing, compared to an average of 8 percent in the Euro area.

Belgian banks use modern, automated systems for domestic and international transactions. The Society for Worldwide Interbank Financial Telecommunications (SWIFT) has its headquarters in Brussels. Euroclear, a clearing entity for transactions in stocks and other securities, is also located in Brussels.

Opening a bank account in the country is linked to residency status. FATCA (Foreign Account Tax Compliance Act) requires Belgian banks to report information on U.S. account holders directly to the Belgian tax authorities, who then release the information to the IRS.

Some Belgian banks have already made great progress with blockchain technology: for instance, one Belgian bank offers a product called MyCar, a digital ecosystem that connects all the players in a car purchase with blockchain technology, creating a single, trusted source of confidence and a centralized workflow that takes the hassle out of buying a car.

With regard to cryptocurrencies, the National Bank of Belgium has no central authority overseeing the network.

Unlike as in most other EU countries, there are no cryptocurrency ATMs, and the NBB has repeatedly warned about the potential consequences of the use of cryptocurrencies for financial stability.

Foreign Exchange and Remittances

Foreign Exchange

Payments and transfers within Belgium and with foreign countries require no prior authorization. Transactions may be executed in euros as well as in other currencies.

Remittance Policies

Dividends may be remitted freely except in cases in which distribution would reduce net assets to less than paid-up capital. No further withholding tax or other tax is due on repatriation of the original investment or on the profits of a branch, either during active operations or upon the closing of the branch.

Sovereign Wealth Funds

Belgium has a sovereign wealth fund (SWF) in the form of the Federal Holding and Investment Company, a quasi-independent entity created in 2004 and now mainly used as a vehicle to manage the banking assets which were taken on board during the 2008 banking crisis. The SWF has a board whose members reflect the composition of the governing coalition and are regularly audited by the “Cour des Comptes” or national auditor. At the end of 2017, its total assets amounted to € 2 billion. Due to the origins of the fund, the majority of the funds are invested domestically. Its role is to allow public entities to recoup their investments and support Belgian banks. The SWF is required by law to publish an annual report and is subject to the same domestic and international accounting standards and rules. The SWF routinely fulfills all legal obligations. However, it is not a member of the International Forum of Sovereign Wealth Funds, and as such not a subscriber to the Santiago Principles.

State-Owned Enterprises

Belgium does not have any State Owned Enterprises (SOEs) that exercise delegated government powers. Private enterprises are allowed to compete with public enterprises under the same terms and conditions, but since the EU started to liberalize network industries such as electricity, gas, water, telecoms and railways, there have been regular complaints in Belgium about unfair competition from the former state monopolists. Complaints have ranged from lower salaries (railways) to lower VAT rates (gas and electricity) to regulators with a conflict of interest (telecom). Although these complaints have now largely subsided, many of these former monopolies are now market leaders in their sector, due mainly to their ability to charge high access costs to networks fully amortized years ago. However, former telecom monopolist Proximus still features on the EU’s list of companies receiving state aid. The country has about 80,000 employees working in SOE’s, mainly in the railways, telecoms and general utility sectors. There are also several regional-owned enterprises where the regions often have a controlling majority: for a full listing (including Wallonia, Brussels and Flanders), see www.actionnariatwallon.be.

Privatization Program

Belgium currently has no ongoing privatization programs. There are ongoing discussions about the possible privatization of the state-owned bank Belfius (now planned for the summer of 2018) and the government share in telecom operator Proximus, in which the government needs to weigh of the benefits of a one-time sale against the recurring stream of dividends generated by these holdings. There are no indications that foreign investors would be excluded from these eventual privatizations.

Responsible Business Conduct

The Belgian government encourages both foreign and local enterprises to follow generally accepted Corporate Social Responsibility principles such as the OECD Guidelines for Multinational Enterprises and the United Nations Guiding Principles on Business and Human Rights, endorsed by the UN Human Rights Council in 2011. The Belgian government also encourages adherence to the OECD Due Diligence guidance for responsible supply chains of minerals from conflict-affected areas.

When it comes to human rights, labor rights, consumer and environmental protection, or laws/regulations which would protect individuals from adverse business impacts, the Belgian government is generally considered to enforce domestic laws in a fair and effective manner.

There is a general awareness of corporate social responsibility among producers and consumers. Boards of directors are encouraged to pay attention to corporate social responsibility in the 2009 Belgian Code on corporate governance. This Code, also known as the ‘Code Buisse II’ was drafted by a group of independent corporate experts and stresses the importance of sound entrepreneurship, good corporate governance, an active board of directors and an advisory council. It deals with unlisted companies and is complementary to existing Belgian legislation. However, adherence to the Code Buisse II is not factored into public procurement decisions. For listed companies, far stricter guidelines apply, which are monitored by the Financial Services and Markets Authority.

Belgium is part of the Extractive Industries Transparency Initiative.

Corruption

Belgian anti-bribery legislation was revised completely in March 1999, when the competence of Belgian courts was extended to extraterritorial bribery. Bribing foreign officials is a criminal offense in Belgium. Belgium has been a signatory to the OECD Anti-Bribery Convention since 1999, and is a participating member of the OECD Working Group on Bribery. In the Working Group’s Phase 3 review of Belgium in 2013 it called on Belgium to address the lack of resources available for fighting foreign bribery.

Under Article 3 of the Belgian criminal code, jurisdiction is established over offenses committed within Belgian territory by Belgian or foreign nationals. Act 99/808 added Article 10 related to the code of criminal procedure. This Article provides for jurisdiction in certain cases over persons (foreign as well as Belgian nationals) who commit bribery offenses outside the territory of Belgium. Various limitations apply, however. For example, if the bribe recipient exercises a public function in an EU member state, Belgian prosecution may not proceed without the formal consent of the other state.

Under the 1999 Belgian law, the definition of corruption was extended considerably. It is considered passive bribery if a government official or employer requests or accepts a benefit for him or herself or for somebody else in exchange for behaving in a certain way. Active bribery is defined as the proposal of a promise or benefit in exchange for undertaking a specific action. Until 1999, Belgian anti-corruption law did not cover attempts at passive bribery. The most controversial innovation of the 1999 law was the introduction of the concept of "private corruption," or corruption among private individuals.

Corruption by public officials carries heavy fines and/or imprisonment between 5 and 10 years. Private individuals face similar fines and slightly shorter prison terms (between six months and two years). The current law not only holds individuals accountable, but also the company for which they work. Contrary to earlier legislation, the 1999 law stipulates that payment of bribes to secure or maintain public procurement or administrative authorization through bribery in foreign countries is no longer tax deductible. Recent court cases in Belgium suggest that corruption is most serious in government procurement and public works contracting. American companies have not, however, identified corruption as a barrier to investment.

The responsibility for enforcing corruption laws is shared by the Ministry of Justice through investigating magistrates of the courts, and the Ministry of the Interior through the Belgian federal police, which has jurisdiction in all criminal cases. A special unit, the Central Service for Combating Corruption, has been created for enforcement purposes but continues to lack the necessary staff.

The Belgian Employers Federation encourages its members to establish internal codes of conduct aimed at prohibiting bribery. To date, U.S. firms have not identified corruption as an obstacle to FDI.

UN Anticorruption Convention, OECD Convention on Combatting Bribery

Belgium has signed and ratified the UN Anticorruption Convention of 1998, and is also party to the OECD Convention on Combatting Bribery of Foreign Public Officials in International Business Transactions.

Resources to Report Corruption

Office of the Federal Prosecutor of Belgium

Portalissite

Quatre Brasstraat 4, 1000 Brussels

tel: +32 2 508 7111

fax: +32 2 508 7097

Transparency International Belgium

Emile Jacqmainlaan 135, 1000 Brussels

tel: +32 479 239490

email: infoa@transparencybelgium

Political and Security Environment

Belgium is a peaceful, democratic nation comprised of federal, regional, and municipal political units: the Belgian federal government, the regional governments of Flanders, Wallonia, and the Brussels capital region, and 589 communes (municipalities). Political divisions do exist between the Flemish and the Walloons, but they are addressed in democratic institutions and generally resolved through compromise. The Federal Council of Ministers, headed by the prime minister, remains in office as long as it retains the confidence of the lower

house (Chamber of Representatives) of the bicameral parliament. Observers considered federal parliamentary elections held in 2014 to be free and fair.

On March 22, 2016, terrorists conducted three coordinated suicide bombing attacks in the country: two at the Brussels airport in Zaventem and one at the Maalbeek metro station in central Brussels. The bombings killed 32 civilians and three perpetrators and injured more than 300 persons. Authorities found another bomb during a search of the airport. Currently, Belgian authorities are operating under what is called threat level 2, level 4 being the highest possible level.

Labor Policies and Practices

In 2015, the Belgian government eliminated the differential contractual treatment between blue collar and white collar employees. The main result of this streamlining will be a substantial reduction in the cost of firing employees. The government also increased the retirement age from the current age of 65 to 66 as of 2027 and 67 as of 2030.

Under the plan various schemes of early retirement before the age of 65 will be gradually phased out, and unemployment benefits will decrease over time as an incentive for the unemployed to regain employment. Historically, unemployment benefits do not expire and some unemployed lived off the benefits indefinitely. Finally, during the 2015 budget negotiations the government and labor agreed to skip the 2015 automatic wage adjustment, but the process of automatic wage indexation resumed in 2016.

Wage increases are negotiated by sector within the parameters set by automatic wage indexation and the 1996 Law on Competitiveness. The purpose of automatic wage indexation is to establish a bottom margin that protects employees against inflation: for every increase in consumer price index above 2 percent, wages must be increased by (at least) 2 percent as well. The top margin is determined by the competitiveness law, which requires the Central Economic Council (CCE) to study wage projections in neighboring countries and make a recommendation on the maximum margin that will ensure Belgian competitiveness. The CCE is made up of civil society organizations, primarily representatives from employer and employee organizations, and its mission is to promote a socio-economic compromise in Belgium by providing informed recommendations to the government. The CCE's projected increases in neighboring countries have historically been higher than their real increases, however, and have caused Belgium's wages to increase more rapidly than its neighbors. Since 2016 however, that wage gap has decreased substantially.

Belgian labor law provides for dispute settlement procedures, with the labor minister appointing an official as mediator between the employers and employee representatives.

The Belgian labor force is generally well trained, highly motivated and very productive. Workers have an excellent command of foreign languages, particularly in Flanders. There is a low unemployment rate among skilled workers, such as local managers. Enlargement of the EU in May 2004 and January 2007 facilitated the entry of skilled workers into Belgium from new member states. However, registration procedures were required until mid-2009 for entrants from some new EU member states. Non-EU nationals must apply for work permits before they can be employed. Minimum wages vary according to the age and responsibility level of the employee and are adjusted for the cost of living.

Belgian workers are highly unionized and usually enjoy good salaries and benefits. Belgian wage and social security contributions, along with those in Germany, are among the highest in Western Europe. For 2017, Belgium's harmonized unemployment figure was 6.4 percent, below the EU28 average of 8.5 percent (OECD). High wage levels and pockets of high unemployment coexist, reflecting both strong productivity in new technology sector investments and weak skills of Belgium's long-term unemployed, whose overall education level is significantly lower than that of the general population. There are also significant differences in regional unemployment levels: 6.68 percent in Flanders, against 13.8 percent in Wallonia and 16.4 percent in Brussels.

As a consequence of high wage costs, employers have tended to invest more in capital than in labor. At the same time, a shortage exists of workers with training in computer hardware and software, automation and marketing, increasing wage pressures in these sectors.

Belgian's comprehensive social security package is composed of five major elements: family allowance, unemployment insurance, retirement, medical benefits and a sick leave program that guarantees salary in event of illness. Currently, average employer payments to the social security system stand at 25 percent of salary while employee contributions comprise 13 percent. In addition, many private companies offer supplemental programs for medical benefits and retirement.

Belgian labor unions, while maintaining a national superstructure, are, in effect, divided along linguistic lines. The two main confederations, the Confederation of Christian Unions and the General Labor Federation of Belgium, maintain close relationships with the Christian Democratic and Socialist political parties, respectively. They exert a strong influence in the country, politically and socially. A national bargaining process covers inter-professional agreements that the trade union confederations negotiate biennially with the government and the employers' associations. In addition to these negotiations, bargaining on wages and working conditions takes place in the various industrial sectors and at the plant level. About 51 percent of employees from the public service and private sector are labor union members. A cause for concern in labor negotiation tactics is isolated cases where union members in Wallonia have resorted to physically forcing management to stay in their offices until an agreement can be reached. In 2015 and again in 2016, the employee organizations and the trade unions failed to reach an agreement on preventing aggressive tactics such as blockading entrances to business parks and setting up roadblocks.

Firing a Belgian employee can be very expensive. An employee may be dismissed immediately for cause, such as embezzlement or other illegal activity, but when a reduction in force occurs, the procedure is far more complicated. In those instances where the employer and employee cannot agree on the amount of severance pay or indemnity, the case is referred to the labor courts for a decision. To avoid these complications, some firms include a "trial period" (of up to one year) in any employer-employee contract. Belgium is a strict adherent to ILO labor conventions.

Belgium was one of the first countries in the EU to harmonize its legislation with the EU Works Council Directive of December 1994. Its flexible approach to the consultation and information requirements specified in the Directive compares favorably with that of other EU member states.

OPIC and Other Investment Insurance Programs

Belgium, as a developed country, does not qualify for OPIC programs. No other countries operate investment insurance programs in Belgium.

Foreign Direct Investment and Foreign Portfolio Investment Statistics

Table 2: Key Macroeconomic Data, U.S. FDI in Host Country/Economy

Economic Data	Year	Host	Country	USG or international	USG or International	Source of Data:
		Statistical source*	USG or international	statistical source	BEA; IMF; Eurostat; UNCTAD, Other	
		Amount	Year	Amount		

Host Country Gross Domestic Product (GDP) (USD)	2015	\$455.1bn	2016	\$468bn	www.worldbank.org/en/country
Foreign Investment	Direct Host	Country	USG or international	USG or international	Source of data:
		Statistical source*	statistical source	BEA; IMF; Eurostat; UNCTAD, Other	
U.S. FDI in partner country (\$M USD, stock positions)	2015	\$46,120	2016	\$55,822	
Host country's FDI in the United States (\$M USD, stock positions)	2015	\$80,134	2016	\$46,429	
Total inbound stock of FDI as % of host GDP	2015	100%	2016	101.7%	

Table 3: Sources and Destination of FDI

Direct Investment from/in Counterpart Economy Data

From Top Five Sources/To Top Five Destinations (US Dollars, Millions)

Inward Direct Investment			Outward Direct Investment		
	Amount	100%		Amount	100%
Total Inward			Total Outward		
Netherlands	148,890	29.7%	Netherlands	170,968	34.2%
France	139,971	27.9%	Luxembourg	119,766	23.9%
Luxembourg	122,649	24.5%	United Kingdom	118,807	23.7%

Switzerland	53,424	10.7%	France	40,209	8.0%
Japan	12,424	2.5%	Germany	10,980	2.2%

"0" reflects amounts rounded to +/- USD 500,000.

Table 4: Sources of Portfolio Investment

Portfolio Investment Assets

Top Five Partners (Millions, US Dollars)

Total			Equity Securities			Total Debt Securities		
All Countries	782,808	100%	All Countries	384,945	100%	All Countries	397,863	100%
Luxembourg	230,107	29.4%	Luxembourg	194,751	50.7%	France	73,572	18.5%
France	134,644	17.2%	France	61,072	15.9%	U.S.	26,280	6.6%
U.S.	52,604	6.7%	Germany	26,888	7.0%	Netherlands	46,478	11.7%
Germany	53,030	6.8%	U.S.	26,323	6.8%	Luxembourg	35,356	8.9%
Netherlands	62,200	7.9%	Netherlands	15,722	4.1%	Germany	26,142	4.1%

Most of the portfolio investment that comes from Luxembourg is related to the repatriation of Belgian capital from Luxembourg banks as a result of successive rounds of fiscal amnesty, whereby Belgian nationals could obtain lenient treatment from the tax authorities if they repatriated their undeclared capital from Luxembourg.

Contact for More Information on the Investment Climate Statement

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Economic Officer

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1000 Bruxelles
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Trade & Project Financing

Methods of Payment

Belgian importers are relatively small and tend to press for the most lenient credit terms possible, since they have fewer sources of inexpensive capital. Belgian importers are also accustomed to being offered flexible payment terms, particularly from neighboring trading partners such as France, Germany, the Netherlands, the U.K., Switzerland, and, to a lesser extent, Italy. Extended payment terms of 30, 60, 90 and even 120 days are not unusual, though the most common payment term is 30 days. Belgian businesses however, like many European ones, routinely delay payment beyond the agreed upon terms. In Belgium, 43 % of all payments are not made by their anticipated due date, although 80 % of these are paid within the 30 days following the original deadline. In short, 91 % of all payments by Belgian businesses are made within 60 days. This is a better record than Italy's or the U.K.'s, and on par with France and the Netherlands.

Since the use of credit is widespread, offering more flexible credit terms can be an important factor in winning sales contracts in Belgium. U.S. firms should consider this option, provided they are able and willing to offer such terms, and have done a full credit check on the Belgian company. Even then however, it is advisable to try several shipments on a secured credit basis before moving to more lenient terms. There are several local credit reporting agencies available, including Dun & Bradstreet and Graydon.

Import duties and value added tax (VAT) are applied to the CIF (Cost Insurance Freight) value of goods. The rate of import duties is the same rate as applied by all EU countries. Since products coming from other EU member states enter Belgium duty free, U.S. products often start off with an average 5-6 % price disadvantage. By offering favorable credit terms, U.S. suppliers can help their importers offset a portion of that disadvantage.

Banking Systems

The Belgian banking system has long been known to be a sophisticated and liberal banking system. Standardized customer account numbers for all financial intermediaries are widely used, and internet and phone banking are well developed. There are no restrictions on the free movement of capital and regulatory requirements are minimal. There is a particularly wide and flexible range of loan products offered to companies, with no discrimination as to the nationality of the investor. There are also many options available when it comes to raising risk capital. Thanks to an efficient branch network, there is a large number of Belgian and foreign banks servicing the country. Due to the sheer volume of international business carried out in Belgium, more than half of all banking transactions are international financial transactions. The majority of Belgian banks also have an extensive international network based on strategically located branches in the main financial markets around the world. A number of the 106 banks located in Belgium feature prominently in the top 100 international banks. The combined assets of the three main banks (Fortis, ING and KB Group) amount to \$370 billion.

All credit institutions (banks and savings banks) operate under the same legal framework and are monitored by the same supervisory authorities. The Banking, Finance and Insurance Commission (BFAC) supervises the activities of financial institutions, including banks, investment funds, stock brokers, finance companies and holding companies. As a result of the deregulation of the banking sector in 1993, credit institutions have been

able to offer all financial services, as defined by European legislation. The BFAC supervises the financial sector in close coordination with the National Bank of Belgium (Belgium's central bank).

Domestic and foreign banks in Belgium are represented by the Belgian Bankers' Association (BBA). Since June 2003, the BBA has been part of the recently created professional organization that represents the whole Belgian financial sector (banks, investment funds, leasing companies, stock brokers, asset managers and companies offering credit to the household sector), called Febelfin.

The four main Belgian banks are ING, Dexia Bank, BNP Paribas-Fortis and KBC. A full range of financial services is offered, with special account facilities for non-Belgian nationals. Banking services are also available from the Post Office. Banking hours are normally 9.00 a.m. to 4.00 p.m., Monday through Friday.

The main bankcard used in Belgium is the Mister Cash-Bancontact debit card, issued along with a PIN number upon opening a bank account in Belgium. In order to open an account, proof of identity, such as a passport, is required. The Bancontact card can be used to withdraw cash at ATMs, and to pay for almost anything in Belgium, from a newspaper, parking meter, gasoline, or a loaf of bread from the bakery. Credit options are also available on application. All bank ATMs in Belgium accept the Bancontact card; some accept MasterCard, Visa and other credit and debit cards. The major credit cards are generally accepted in stores, restaurants, and hotels.

Foreign Exchange Controls

There are no foreign exchange limitations on the transfer of capital or profits in Belgium, except in exceptional situations (e.g., as with UN sanctions).

US Banks & Local Correspondent Banks

Citibank has 208 branches in Belgium. The following banks have correspondent U.S. banking arrangements:

BNP Paribas Fortis Bank

Website: <https://www.bnpparibasfortis.be/portal/start.asp>

Fortis is an international financial services provider active in the fields of insurance, banking and investment, and ranks as one of the World's largest financial institutions. In its home market, the Benelux countries, Fortis occupies a leading position and offers a broad range of financial services to individuals, companies and the public sector.

The bank has offices in New York, Stanford, Dallas, and Boston.

As the deterioration in credit market conditions impacted the solvency of Fortis, the governments of Belgium, Luxembourg and the Netherlands invested EUR 11.2 billion in the group in September 2008. Later, the French bank BNP Paribas announced the acquisition of Fortis, which would make it the largest holder of retail deposit in the 15-member euro area. This acquisition was negotiated with the Belgian authorities in order to prevent the bank from collapsing and triggering a breakdown in the financial system. Since May 12, 2009, Fortis bank has been controlled by BNP Paribas.

KBC

Website: <https://www.kbc.be/retail/en.html?zone=topnav>

KBC focuses on five key areas: retail and private bank insurance, corporate services, asset management, market activities, and Central Europe. The KBC Group also has a key position in Central Europe, its second home market. In Brussels, Flanders and the German-speaking area, the bank is active under the name KBC; in Wallonia it uses the name of its subsidiary, CBC.

The KBC Group also has branches in New York, Atlanta and Los Angeles.

ING

Website: <http://www.ing.com>

ING is the number one financial services company in the Benelux home market. It offers its clients in these markets a wide range of retail-banking, insurance and asset management services. In wholesale banking activities, ING operates worldwide, but maintains a primary focus on the Benelux countries. In the United States, ING is a top-5 provider of retirement services and life insurance.

ING's operations in the U.S. are based in Atlanta, but the bank has a network of approximately 10,000 associates in cities around the country such as Hartford, Minneapolis, Denver, Des Moines and Phoenix.

Belfius Bank and Insurance

Website: <http://www.belfius.com>

Belfius Bank and Insurance, known as Dexia Bank Belgium up until 1 March 2012, is a for-profit PLC originally founded to meet local authority needs. Belfius emerged from the dismantling of the Dexia group, of which it was part until 10 October 2011, when it was purchased by the Belgian State for 4 billion euros. The company's headquarters are in Brussels.

By European standards, Belgium has a highly consolidated domestic banking sector. State-owned Belfius and mutual savings bank Argenta are the main domestic lenders alongside KBC. The Belgian banks' fortunes are rising with the country's gradual recovery. Already on 1.8 times tangible book value for a return on equity of 17 percent, KBC for instance is quickly gaining the highly rated attributes of Scandinavia's banks

Project Financing

EU financial assistance programs provide a wide array of grants, loans, loan guarantees and co-financing for feasibility studies and projects in a number of key sectors (e.g., environmental, transportation, energy, telecommunications, tourism, public health). A number of centralized financing programs are also generating procurement and other opportunities directly with EU institutions.

The EU supports economic development projects within its member states, as well as EU-wide "economic integration" projects that cross both internal and external EU borders. In addition, the EU provides assistance to candidate and neighbor countries.

The EU provides project financing through grants from the EU budget and loans from the European Investment Bank. Grants from the EU Structural and Investment Funds program are distributed through the member states' national and regional authorities. Projects in non-EU countries are managed through the Directorate-Generals Enlargement, Development and Cooperation (EuropeAid), Humanitarian Aid and Civil Protection (ECHO).

EU Structural and Investment Funds (ESIF)

EU Structural Funds, including the European Regional Development and the European Social Fund, were created in 1975 with the aim to mitigate economic and social differences between the regions of the European Union. New budgets are approved every 7 years for all member states. The budgets and the allocation of funding between the different priorities (social, economic or environmental) are based on the conclusions of the "Partnership Agreements" (PAs) which are negotiated between the European Commission and the member state national authorities. For the period of 2014 – 2020, the EU has earmarked 352 billion euros for regional development and cohesion policy projects. For information on approved programs that will result in future project proposals, please visit: http://ec.europa.eu/regional_policy/index_en.cfm

For projects financed through ESIF, member state regional managing authorities are the key decision-makers. They assess the needs of their country, investigate projects, evaluate bids, and award contracts. To become familiar with available financial support programs in the member states, it is advisable for would-be contractors to develop a sound understanding of the country's cohesion policy indicators.

Tenders issued by member states' public contracting authorities for projects supported by EU grants are subject to EU public procurement legislation. All ESIF projects are co-financed by national authorities and many may also qualify for a loan from the European Investment Bank and EU research funds under Horizon 2020, in addition to private sector contribution. For more information on these programs, please see the market research section on the website of the U.S. Mission to the EU:

<http://export.gov/europeanunion/marketresearch/index.asp>

The Cohesion Fund

The Cohesion Fund is another instrument of the EU's regional policy. Its 63 billion euro (2014-2020) budget is used to finance projects in two areas:

Trans-European transport projects including transport infrastructure; and Environment, including areas related to sustainable development and energy for projects with environmental benefits.

The fund supports projects in Member States whose Gross National Income (GNI) per inhabitant is less than 90 % of the EU average, such as Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia.

These projects are, in principle, co-financed by national authorities, the European Investment Bank, and the private sector:

Key Link: http://ec.europa.eu/regional_policy/thefunds/cohesion/index_en.cfm

Other EU Grants for Member States

Other sets of sector-specific grants such as Horizon 2020 or the Structural Funds offer assistance to EU member states in the fields of science, technology, communications, energy, security, environmental protection, education, training and research. Tenders related to these grants are posted on the websites of the European Commission and the relevant Member State authorities. Participation is usually restricted to EU-based firms or tied to EU content. Information pertaining to each of these programs can be found at: [Funding, Tenders | European Commission](#)

External Assistance Grants

"Development and Cooperation – EuropeAid" is the Directorate-General (DG) responsible for implementing EU development policies through programs and projects across the world. Its website offers extensive information on the range of grant programs, the kind of projects that are eligible, as well as manuals to help interested parties understand the relevant contract law. However, participation in these calls for tender is reserved for enterprises located in the EU member states or in the beneficiary countries and requires that the products used to respond to these projects are manufactured in the EU or in the aid recipient country. Consultants of U.S. nationality employed by a European firm are allowed to participate. European subsidiaries of U.S. firms are eligible to participate in these calls for tender.

For more information: http://ec.europa.eu/europeaid/index_en.htm

The EU provides specific Pre-Accession financial assistance to the accession candidate countries that seek to join the EU through the "Instrument for Pre-accession Assistance" (IPA). The European Neighborhood Instrument (ENI) provides assistance to countries that are the Southern Mediterranean and Eastern neighbors of the EU. ENI is the follow-up to the European Neighborhood Policy program (ENPI) covering the countries of

Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the occupied Palestinian territory, Syria, Tunisia and Ukraine). The ENI budget is 15.4 billion euros for 2014-2020. Additional information can be found at: http://ec.europa.eu/world/enp/index_en.htm

Instrument for Pre-accession Assistance II (IPA II) is an EU program for pre-accession countries that provides support for political and economic reforms, preparing the beneficiaries for the rights and obligations that come with EU membership and that are linked to the adoption of the *acquis communautaire* (the body of European Union law that must be adopted by candidate countries as a precondition to accession). These programs are intended to help build up the administrative and institutional capacities of these countries and to finance investments designed to aid them in complying with EU law. IPA II runs from 2014 to 2020 and finances projects in: Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Iceland, Kosovo, Montenegro, Serbia, and Turkey. The budget of IPA II for 2014-20 is 11.7 billion euros.

For more information, see:

http://ec.europa.eu/enlargement/instruments/overview/index_en.htm#ipa2

The **Connecting Europe Facility (CEF)** is an EU financing mechanisms that uses the EC budget as well as the Cohesion Funds to finance projects in 3 key areas: energy, transport and telecom. It has been created by [Regulation 1316/2013](#) in December 11, 2013.

Along with the [European Fund for Strategic Investments \(EFSI\)](#), CEF is expected to play a role in bridging the investment gap in Europe, which is one of the Commission's top priorities. In all three main categories the focus is on creating better conditions for growth and jobs. [Annual and multi-annual work programs](#) specify the priorities and the total amount of financial support allocated for these priorities in a given year.

Only actions contributing to projects of common interest in accordance with [Regulations 1315/2013](#), No 347/2013 and a Regulation on guidelines for trans-European networks in the area of telecommunications infrastructure, as well as program support actions, are eligible for support.

Projects supported through the CEF mechanism focus on the following:

cleaner transport modes, high speed broadband connections, and

the use of renewable energy (in line with the Europe 2020 Strategy), integration of the internal energy market, reduction of the EU's energy dependency and ensuring security of supply.

The total budget of the CEF for the period 2014 to 2020 is set at €33.24 billion. This amount is distributed between the main priority areas as follows:

transport sector: €26.2 billion, of which €11.3 billion is transferred from the Cohesion Fund to be spent in line with this Regulation exclusively in Member States eligible for funding from the Cohesion Fund;

telecommunications sector: €1.14 billion;

energy sector: €5.85 billion.

Please see: <https://ec.europa.eu/inea/en/connecting-europe-facility>

Loans from the European Investment Bank

Headquartered in Luxembourg, the European Investment Bank (EIB) is the financing arm of the European Union. Since its creation in 1958, the EIB has been a key player in building Europe. As a non-profit banking institution, the EIB assesses reviews and monitors projects, and offers cost-competitive, long-term lending. Best known for its project financial and economic analysis, the EIB makes loans to both private and public borrowers for projects supporting four key areas: innovation and skills, access to finance for smaller businesses, climate action, and strategic infrastructure.

While the EIB mostly funds projects within the EU, it lends outside the EU as well (e.g., in Southeastern Europe, Africa, Latin America, and Pacific and Caribbean states). In 2016, the EIB loaned 75 billion euros for projects, an 11% decrease from 2015. The EIB also plays a key role in supporting EU enlargement with loans used to finance improvements in infrastructure, research and industrial manufacturing to help those countries prepare for eventual EU membership.

The EIB presents attractive financing options for projects that contribute to the European objectives cited above, as EIB lending rates are lower than most other commercial rates.

Projects financed by the EIB must contribute to the socioeconomic objectives set out by the EU, such as fostering the development of less favored regions, improving European transport and environment infrastructure, supporting the activities of SMEs, assisting urban renewal and the development of a low-carbon economy, and generally promoting growth and competitiveness in the EU. The EIB website displays lists of projects to be considered for approval. <http://www.eib.org/projects/pipeline/index.htm>

For more information, see our report on the EIB:

<http://export.gov/europeanunion/marketresearch/index.asp>

Multilateral Development Banks:

World Bank

With 189 member countries, the World Bank is an international financial institution that provides loans to countries of the world for capital programs.

European Bank for Reconstruction and Development (EBRD)

The European Bank for Reconstruction and Development (EBRD) was founded in 1991 to create a new post-Cold War era in central and eastern Europe, furthering progress towards 'market-oriented economies and the promotion of private and entrepreneurial initiative'.

U.S. Commercial Service Liaison Offices at the Multilateral Development Banks (European Bank for Reconstruction and Development, World Bank)

The Commercial Service maintains Commercial Liaison Offices in each of the main Multilateral Development Banks, including the European Bank for Reconstruction and Development and the World Bank. These institutions lend billions of dollars in developing countries on projects aimed at accelerating economic growth and social development by reducing poverty and inequality, improving health and education, and advancing infrastructure development. The Commercial Liaison Offices help American businesses learn how to get involved in bank-funded projects, and advocate on behalf of American bidders. Learn more by contacting the Commercial Liaison Offices to the European Bank for Reconstruction and Development (<http://export.gov/ebrd>) and the World Bank (<https://export.gov/worldbank>).

Albania

Bosnia & Herzegovina

Bulgaria

Croatia

Cyprus

Estonia

Hungary

Jordan
Kosovo
Latvia
Macedonia
Montenegro
Poland
Romania
Russia
Serbia
Slovakia
Slovenia
Turkey
Ukraine

Commercial Liaison Office to the European Bank for Reconstruction and Development <http://export.gov/ebrd>

Commercial Liaison Office to the World Bank <https://export.gov/worldbank>

Financing Web Resources

EU websites:

The EU regional policies, the EU Structural and Cohesion Funds:

http://ec.europa.eu/regional_policy/index_en.htm

EU Grants and Loans index: http://ec.europa.eu/grants/index_en.htm

EuropeAid Co-operation Office: http://ec.europa.eu/europeaid/index_en.htm

EU tenders Database: <http://ted.europa.eu/TED/main/HomePage.do>

The European Investment Bank: <http://www.eib.org>

EIB-financed projects: <http://www.eib.org/projects/index.htm?lang=-en>.

U.S. websites:

Market research section on the website of the U.S. Mission to the EU:

<http://export.gov/mrktresearch/index.asp>

Export-Import Bank of the United States: <http://www.exim.gov>

Country Limitation Schedule: http://www.exim.gov/tools/country/country_limits.html

OPIC: <http://www.opic.gov>

Trade and Development Agency: <http://www.ustda.gov/>

SBA's Office of International Trade

<http://www.sba.gov/about-offices-content/1/2889>

U.S. Agency for International Development: <http://www.usaid.gov>

Business Travel

Business Customs

Business appointments are necessary and the person with whom you are meeting will generally decide the time. Avoid scheduling business trips to Belgium during July and August, the week before Easter, and the week between Christmas and New Year's, as they are prime vacation times. It is expected to arrive on time to an appointment, as arriving late may create the impression of unreliability. Meetings are generally formal but first appointments are more social than business oriented, since Belgians prefer to do business with people they know. It is best not to remove your jacket during a meeting unless you are invited to do so.

Business cards are exchanged without formal ritual and it is recommended to have one side translated into Dutch or French (depending on the area of the country where you are doing business). It is important to use the appropriate language and to avoid speaking French to a Fleming and vice versa. English is generally widely spoken within the business community.

Travel Advisory

SAFETY AND SECURITY: Despite the terrorist attacks that occurred on March 22, 2016, Belgium remains largely safe. Belgian law enforcement and security officials, in close cooperation with neighboring countries, maintain a solid anti-terrorism effort and a peaceful environment for tourists and business. However, like other countries that are members of the Schengen Agreement of free cross-border movement, Belgium's open borders with its European neighbors allow the possibility for terrorist groups to enter/exit the country with anonymity.

Prior police approval is required for public demonstrations in Belgium, and police oversight is routinely provided to ensure adequate security for participants and passers-by. Nonetheless, situations may develop that could pose a threat to public safety. U.S. citizens are advised to avoid areas where public demonstrations are taking place.

CRIME: Belgium remains relatively free of violent crime, but low-level street crime is common. Visitors should always be watchful and aware of their surroundings, however, because muggings, purse snatchings, and pick pocketing occur frequently, particularly in the major cities. Transportation hubs, like the Metro (subway) and train stations, are also frequented by thieves, who take advantage of disoriented travelers carrying luggage. In Brussels, pick-pocketing, purse snatching, and theft of light luggage and laptops are very common at the three major train stations -- the North Station (Noordstation or Gare du Nord), the Central Station (Centraal Station or Gare Central) and especially at the South Station (Zuidstation or Gare du Midi). The latter is a primary international train hub, and travelers are advised to pay very close attention to their personal belongings when in the station. Common ploys are to distract the victim by spraying shaving cream or another substance on his or her back or asking for directions while an accomplice steals the luggage. It is a good idea to remain in physical contact with hand luggage at all times, and not to place carry-on luggage on overhead racks in trains.

Another growing problem, especially in Brussels, is theft from vehicles, both moving and parked. Do not leave valuables in plain sight where a thief may spot them. Thieves will sometimes position themselves at stop lights to scan for valuables in stopped cars. If they see a purse or other valuable item they break the window and steal the item while the victim is stunned. Expensive car stereos and GPS navigational devices are often stolen from parked cars. Always drive with windows up and doors locked. Travelers to Brussels should be aware that small groups of young men sometimes prey on unwary tourists, usually at night and often in Metro stations. Items such as expensive mobile phones and MP3 players are often the target. Travelers should carry only a minimum amount of cash, credit cards, and personal identification. Wearing expensive jewelry and watches is discouraged.

Americans living and traveling abroad should regularly monitor the Department of State's internet web site at <http://travel.state.gov>, where the current Worldwide Caution Public Announcement, and the Belgium Consular Information Sheet <https://travel.state.gov/content/passports/en/country.html> can be found. Up-to-date information on security can also be obtained by calling 1-888-407-4747 toll free in the U.S. and Canada, or, for callers outside the U.S. and Canada, a regular toll line at 1-202-501-4444. These numbers are available from 8:00 a.m. to 8:00 p.m. Eastern Time, Monday through Friday (except U.S. federal holidays).

Visa Requirements

American citizens do not need a visa when they travel to Belgium for business or for personal travel. Their stay in the Schengen area should not exceed 90 days within a six month period. The American visitor will need to present a valid American passport (that does not expire before the end of the visit), proof of sufficient funds, and a return airline ticket.

The Schengen visa is valid for the following 24 European countries: Austria, Belgium, The Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain and Sweden. A Schengen visa issued by an Embassy or Consulate of the above countries allows the holder to travel freely in all of these countries.

Visas issued on or before December 20, 2007 by the new Schengen States (Latvia, Lithuania, Estonia, Hungary, Poland, The Czech Republic, Slovakia, Slovenia and Malta) are only valid for these nine new Schengen countries, not for the whole Schengen area.

A citizen of the United States of America who intends to reside in Belgium for a period longer than 90 days, or for a succession of periods totaling more than 90 days per six month period, must first obtain a temporary residency visa.

When the applicant seeks to engage in a professional activity on an independent basis, the required residency visa can only be issued upon the presentation of a professional card and supporting documents.

The professional card is applied for through the Embassy or Consulate General and must be approved **before** the Embassy can issue a visa.

When the applicant seeks to engage in a professional activity on a salaried basis (employee status), the required residency visa can only be issued upon the presentation of a work permit and supporting documents.

The work permit is applied for and must be obtained by the employer in Belgium at the appropriate regional government office before the prospective employee enters Belgium.

The employer mails the work permit to the employee who can then contact the appropriate consular office in the jurisdiction which the employee resides. The employee must request his/her visa at least three weeks prior to his/her intended departure date. The normal processing time for this type of visa is one week. See [Embassy and Consulates of Belgium in the United States | Federal Public Service Foreign Affairs](#) for more information on application procedures for the professional card and temporary residence visa.

U.S. Companies that require travel of foreign businesspersons to the United States should be advised that security evaluations are handled via an interagency process. Visa applicants should go to the following links.

State Department Visa Website: <https://travel.state.gov/content/visas/en.html>

<https://be.usembassy.gov/u-s-citizen-services/>

Currency

The currency used in Belgium, alike in the whole Eurozone is the Euro (sign: €; code: EUR). 1 USD = 0.8941 EUR. 1 EUR = 1.118 USD (on 5/22/2018).

Telecommunications/Electronics

There are several telecom companies in Belgium. In order to be connected to a landline network, an initial subscription must be taken with one of the landline operators, the main ones being: [Proximus](#), [Telenet](#). Belgium is gradually “cutting the cord” with an increasing number of consumers opting for mobile-only services.

There are three major service providers for mobile telephones in Belgium: [Base SA](#), [Orange](#) (formerly Mobistar), and [Proximus](#). Each company offers a range of services and packages, and it is recommended to compare tariffs and conditions carefully before entering into a contract. International roaming (which enables a phone on a Belgian contract to work outside the country) is available but must be requested and may cost extra. In order to obtain a mobile phone contract, visit a shop and provide the following:

ID (passport or identity card)

Proof of address (a utility bill, property rental contract or bank statement)

Bank account IBAN number

For short-term service the alternative to a contract at a fixed monthly rate is a pay-as-you-go card, where the prepaid card must be regularly reloaded with additional credit. These are typically available at large transportation hubs and airports.

Transportation

Road and Rail Networks

Belgium has a highly developed road network. High-capacity motorways (freeways) are located around Brussels and cut across the country, such as the Wallonia motorway. A network of expressways supports the motorways.

Most of the motorways are part of other European routes. They facilitate access to neighboring countries and make it possible to travel easily from one town to another or across a region.

The Belgian rail network was the first to be built on continental Europe and is the densest in the world. However, the density is not uniform throughout the country, due to the recent trend of eliminating unprofitable lines.

There are five high-speed train services currently operating in Belgium: Thalys, Eurostar, InterCityExpress (ICE), TGV and Fyra. These high-speed lines support speeds up to 300 km/h (190 mph) and allow fast and easy transit to London, Paris, Amsterdam and other major cities in neighboring countries.

For more information see Belgian Railways (SNCB/NMBS) <http://www.b-rail.be/main/E/>

Inland waterways

Inland waterways form a relatively evenly dispersed network. The network depends on two large rivers: the Meuse and the Scheldt, and a network of canals. Inland waterways as a means of transportation for goods is becoming more and more popular due to the high cost of traditional road transportation.

Airports

Belgium has one international airport (Brussels Airport) and four regional airports (Antwerp-Deurne, Charleroi, Liège and Ostend-Middelkerke).

The Brussels Airport is currently enhancing its relations with many different regions around the world. It also features a fair balance between scheduled flights and charter flights.

Brussels Airport is sometimes backed up by the regional airports, which provide extra support. Each of these airports specializes in certain niche markets.

Antwerp-Deurne: small airlines, business flights and freight.

Charleroi: industrial airport (aeronautics industry), low-cost carriers, business flights, and some scheduled services and cargo.

Liège: large air freight, tourist flights, and some scheduled services.

Ostend-Middelkerke: air freight (especially with Africa), scheduled services and tourist flights.

For more information see: Brussels International Airport <http://www.brusselsairport.be>

As in other countries, each industry/product uses its own mode of transport. For mass retail and merchandise, road networks are utilized for short distances (foodstuffs, etc.). For construction materials, oil and chemicals, inland waterways are typically used. Most energy and steel products are transported via the rail networks.

Language

Belgium has three national languages: Dutch (also referred to as Flemish), French, and German. The divisions are as follows: Dutch (official) 58%, French (official) 41%, and German (official) less than 1 %.

English is spoken and understood throughout most of Belgium. In Flanders, the northern region of Belgium, Dutch is the predominant language while in Wallonia, the southern region, most people speak French. Residents in a small section of Belgium near Germany speak German as their primary language. Brussels, the center region, is officially bilingual, speaking both Dutch and French.

As in any other country, language is a crucial part of doing business in Belgium. Many documents must be filed in at least one of the three national languages. It would benefit companies to have personnel who speak one of the languages, or to seek the help of a professional translator.

Health

MEDICAL FACILITIES AND HEALTH INFORMATION: Good medical facilities are widely available in Belgium. The large university hospitals can handle almost every medical problem. Hospitals in Brussels and Flemish-speaking Flanders will probably have English-speaking staff. Hospitals in French-speaking Wallonia may not have staff members who are fluent in English, however. The Embassy Consular Section maintains a list of English-speaking doctors, which can be found on the Embassy web site at [Getting Started with Business in Belgium](#)

Information on vaccinations and other health precautions, such as safe food and water precautions and insect bite protection, may be obtained from the Centers for Disease Control and Prevention's hotline for international travelers at 1-877-FYI-TRIP (1-877-394-8747) or via the CDC's web site at <http://wwwn.cdc.gov/travel/default.aspx>. For information about outbreaks of infectious diseases abroad consult the World Health Organization's (WHO) web site at <http://www.who.int/en>. Further health information for travelers is available at <http://www.who.int/ith>.

MEDICAL INSURANCE: The Department of State strongly urges Americans to consult with their medical insurance company prior to traveling abroad to confirm whether their policy applies overseas and whether it will cover emergency expenses such as a medical evacuation. Please see our information on [medical insurance overseas](#).

Local Time, Business Hours and Holidays

Belgium is six hours ahead of Eastern Time in the United States (Greenwich Mean Time [GMT] + 01:00 Standard Time).

Business Hours:

8.30 am to 5.30 pm - Offices (Monday to Friday with 30-60 minutes for lunch)

9.00 am to 4:00 pm - Banks (Monday to Friday, some offices open later during the week and on Saturdays)

9.00 am to 6.00 pm - Shops (Monday to Saturday and until 9.00 pm on Fridays)

Typical hours for museums are 10.00 am to 5.00 pm, six days a week, and are closed on either Monday or Tuesday. Belgians usually have lunch between 1.00 pm and 3.00 pm and dinner, their main meal, between 7.00 pm and 10.00 pm, with peak traffic around 9.00 pm. Some stores close from noon to 2.00 pm, but stay open until 8.00 pm to compensate. In many towns, stores will stay open until 9.00 pm one evening a week, normally Fridays.

2018 Local Holidays:

January 1 New Year's Day

March 30 Good Friday

April 1 Easter Day

April 2 Easter Monday

May 1 Labor Day

May 10 Ascension Day

May 21 Whit Monday

July 21 National Day

August 15 Assumption Day

November 1 All Saints Day

November 11 Armistice Day

December 25 Christmas Day

Temporary Entry of Materials or Personal Belongings

Legislation exists that exempts goods from import duties and VAT, if they are brought into Belgium for re-export. Such goods must be kept in a bonded warehouse until they are re-exported. The shipment does not have to be re-exported in total; the portion of the shipment destined for the local or EU market is liable for duties and VAT at the time when the importation takes place. Additionally, goods may be sorted, repacked and relabeled in bonded warehouses. Many customs clearing agents in the main ports and airports are able to provide these services in bonded warehouses.

For temporary entry of goods, Belgium accepts an ATA Carnet. An ATA Carnet is an international customs document that simplifies customs procedures for the temporary importation of commercial samples, professional equipment, and goods for exhibitions and fairs.

Personal belongings are acceptable for transport to Belgium and can be processed with customs approval with exemption from duty and taxes. A Commercial Invoice is required for all shipments seeking this type preference from customs. In order to ensure that the goods are properly identified and processed as Personal Effects, the shipper should mark both the Bill of Lading / Air Waybill and Commercial Invoice with this wording: *"USED PERSONAL BELONGINGS"*.

Shipments of personal effects that are received without the proper documents and descriptions will be subject to normal entry, and documentation requirements and delays may result in the clearance. Shippers are cautioned to submit only qualified personal effects (used personal goods having been in the owner's possession for a period of at least one year) and **not** to include articles (new clothing, souvenirs, etc.) that do not qualify.

See http://www.fedex.com/us/international/irc/profiles/irc_be_profile.html?gtmcc=us for further information on document requirements.

Travel Related Web Resources

www.VisitBelgium.com

[Embassy and Consulates of Belgium in the United States | Federal Public Service Foreign Affairs](#)