

The UN Human Rights Council
The 38th Session of UPR Working Group
3 – 14 MAY 2021

The Third Periodic Review of
Belgium



Geneva International Centre *for* Justice
GICJ



The UN Human Rights Council
The 38th Session of UPR Working Group

The Third Periodic Review of Belgium

By: GICJ/Tristan Arlaud

Geneva International Center *for* Justice

June 2021

The Third Periodic Review of Belgium

On Wednesday, May 05, 2021, Belgium participated in its third Universal Periodic Review (UPR) during the 38th session of the UPR mechanism.

Throughout the interactive dialogue, multiple countries and the United Nations applauded Belgium for its efforts and attainments since the last cycle and its punctuality regarding the UPR mechanism.

Within the compilation report published on February 24, 2021, and during the session, delegations made numerous recommendations on the recurring topics of racism and ethnic profiling (especially concerning Islamophobia and discrimination towards people of African descent), the establishment of a National Human Rights Institution, the ratification of the OPCAT and the ICPMWM, the Human Rights of Prison detainees, the inclusion of disabled individuals as well as the rise in gender-based conflict and domestic violence in the wake of the Covid-19 pandemic.

While not comprehensive, this report provides a clear summary of this Belgium's UPR session, providing a snapshot of the current human rights situation in the country.

REPORT'S STRUCTURE

- 1. Overview of the Human Rights Situation in Belgium**
 - a. Belgium's Status of Ratifications in a Human Rights Context**
 - b. Summary of Pre-UPR Submissions**
 - i. Compilation of UN Information on Belgium**
 - ii. Summary of Stakeholder Submission**
- 2. Universal Periodic Review Session**
 - a. Presentation of the National Report**
 - b. Interactive Dialogue and Recommendations from State**
 - c. Response of the Belgian Delegation**
- 3. CICJ's Observations**

OVERVIEW OF THE HUMAN RIGHTS SITUATION IN BELGIUM

Belgium's Status of Ratifications in a Human Rights Context

Treaty	Signature Date	Ratification Date
CAT – Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	February 04, 1985	June 25, 1999
CAT- OP – Optional Protocol of the Convention against Torture	October 24, 2005	
CCPR – International Covenant on Civil and Political Rights	December 10, 1968	April 21, 1983
CCPR – OP2-DP – Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty	July 12, 1990	December 8, 1998
CED – Convention for the Protection of All Persons from Enforced Disappearance	February 06, 2007	June 02, 2011
CED, Art. 32 – Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance		
CEDAW – Convention on the Elimination of All Forms of Discrimination against Women	July 17, 1980	July 10, 1985
CERD – International Convention on the Elimination of All Forms of Racial Discrimination	August 17, 1967	August 07, 1975

CMW – International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families		
CESCR – International Covenant on Economic, Social and Cultural Rights	December 10, 1968	April 21, 1983
CRC – Convention on the Rights of the Child	January 26, 1990	December 16, 1991
CRC – OP – AC – Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	September 06, 2000	May 06, 2002
CRC – OP – SC – Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography	September 06, 2000	March 17, 2006
CRPD – Convention on the Rights of Persons with Disabilities	March 30, 2007	July 02, 2009

Summary of Pre-UPR Submissions

As preparation for the review, the working group received two reports according to Human Rights Council resolutions 5/1 and 16/21, compiled by the Office of the United Nations High Commissioner for Human Rights (OHCHR). The first report is a compilation of information gathered from the reports of UN treaty bodies and special procedures and other relevant United Nations documents. The second one is a summary of 38 stakeholders' submissions to the UPR.

Compilation of UN Information on Belgium

International obligations and cooperation with international human rights mechanisms and bodies: The various Treaty bodies and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while counter-terrorism demanded Belgium to ratify two separate human rights treaties. These include the International Covenant on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). The establishment of a

national preventive mechanism in line with the OPCAT and ensuring that measures addressing advocacy of hate were compliant with articles 19(3) and 20 of the International Covenant on Civil and Political Rights are further demanded.

National human rights framework: Working Group of Experts recommended Belgium adopt a comprehensive national action plan against racism, in line with the 2002 commitments following the Durban Conference. Further, the Special Rapporteur and the Human Rights Committee emphasized the importance of establishing a national human rights institution by the Paris Principles.

Equality and non-discrimination: Numerous UN bodies and Representatives urge Belgium to strengthen the combat against racism and discriminatory acts against persons belonging to ethnic, religious, linguistic, or sexual minorities. A national action plan is needed to prevent and adequately make perpetrators of racist harassment, practices, and violence more accountable.

Development, the environment, and business and human rights: The CESCR brought forward the need for a binding regulatory and normative framework which will require State-based businesses to exercise due diligence at home or abroad and be held liable for violations of economic, social, and cultural rights. Further, the Committee on the Right of the Child remarked on the need for adaptation with the SDGs to protect children from air pollution.

Human rights and counter-terrorism: Special Rapporteur in charge of counter-terrorism recommended Belgium establish an independent overarching expert body to undertake all counter-terrorism operations and surveillance while in conformity with human rights standards. It additionally required that perpetrators were properly tried without abuse and to make victims of terrorism an absolute priority.

Administration of justice, including impunity, and the rule of law: on this matter, the Human Rights Committee recommends Belgium to continue its effort to reduce prison overcrowding while providing alternatives for detainees with mental disorders. Further to ensure the minimum staffing levels at prisons, including during strikes.

Fundamental freedoms and the right to participate in public and political life: UNESCO demands Belgium to decriminalize defamation and update its law on access to information.

Right to privacy and family life: UNHCR recommends Belgium facilitates family reunifications by simplifying the visa application process for beneficiaries of international protection, taking into account the composition of families, and disregarding some economic and social factors perceived as hurdles for some individuals in need.

Right to work and to just and favorable work conditions: The CESCR encourages Belgium to ensure the same benefit for domestic workers as other workers. The Committee emphasized that such workers also need to be protected from any forms of abuse or exploitation.

Right to an adequate standard of living: CESCR encourages Belgium's fourth poverty reduction plan to focus on marginalized communities and children; with the participation of

persons living in poverty and related associations while considering the data from the previous project. Further, this very Committee also recommends the government to make better-quality affordable housing more widely available. Additionally, it suggested that the country establish a proper follow-up when it comes to monitoring poverty nationwide.

The Committee on the Right of the Child enhances the need to reduce child poverty, especially within families with two unemployed parents, single parent's families, and families of origin outside the EU.

Right to education: UNESCO recommends Belgium facilitate the access of underrepresented groups to educational establishments to promote equal opportunities better. It demands to strengthen efforts to address inequalities and the proliferation of intolerance and racism towards migrants and refugees. Moreover, it encourages Belgium to ensure inclusive education for all children with disabilities and strengthen its policy to address school dropouts, especially among disadvantaged and marginalized children.

Women: The HR Committee recommends Belgium continue its effort to raise awareness with authorities regarding violence against women, improve the data collection of gender-based violence, and continue to facilitate the process for lodging complaints. The Committee strongly desires the country to implement the recommendation from the National Action Plan to Combat All Forms of Gender-based Violence. It also brings forward its concerns regarding the persistent wage gap and therefore recommends the country to intensify its efforts at all levels to close this gap.

Children: The Committee on the Rights of the Child recommends Belgium better monitor and identify child abuse cases and domestic violence at all levels. It notifies that such issues were highly underreported.

It further suggested the development of programs and policies for the prevention of child sexual exploitation. It also recommends that the nation develop and implement identification mechanisms for children affected by armed conflict and asylum seekers. Special Rapporteur notes that the repatriation of children in terrorist-affected foreign countries shall be a high priority. The Committee urged Belgium also to improve its centralized data collection while monitoring Child poverty and immigration.

UNHCR recommended that the government fully complies with the CRC by ensuring access to youth welfare services, prioritize care within families or in small centers for unaccompanied or separated minors. Further, it recommended that Belgium strengthen identification measures for all such groups of children. On an additional note, it urges the nation to promote the guardianship system; and ensure that the child's best interests were a primary consideration.

Finally, the Committee recommends Belgium truly focus on target 3.4 of the SDGs to promote a positive image of mental health care and encourage children to seek psychological support whenever needed.

Persons with disabilities: the CESCR recommended that Belgium facilitate access to employment for persons with disabilities. Further, it also demands to collect disaggregated statistical data on persons with disabilities in the labor market.

Minorities and indigenous peoples: The CESCR recommended Belgium to effectively implement the national strategy for the integration of Roma people, with specific measures for Roma women and Children and receiving a specific adequate budget.

Migrants, refugees, asylum seekers, and internally displaced persons: The HR Committee recommended that Belgium take all necessary measures to carry individual assessments for asylum, deportation, or expulsion. The Committee on the Rights of the Child recommended Belgium to truly ensure the child's best interest when immigration issues arise. It also urged the country to put an end to the detention of children in closed centers and to use non-custodial solutions, and develop and disseminate child-friendly tools to inform asylum-seeking children about their rights and the ways to seek justice. UNHCR recommended Belgium stop detaining families with children and resorts to detaining applicants for international protection as a last resort only. Finally, it urged the nation to guarantee automatic, rapid, and regular judicial review of each detention's legality, necessity, and proportionality.

Stateless persons: UNCHR recommended to grant persons recognized as stateless in Belgium to be given a residence permit, grand temporary residence permit during the determination process, and adopt a statelessness determination mechanism that included adequate procedural guarantees.

Summary of Stakeholder Submissions

Scope of International obligations and cooperation with international human rights mechanisms: Various stakeholders recommend Belgium to ratify the OPCAT without any further delays and any reservations and establish a National Preventive Mechanism.

National Human Rights Framework: Belgium is recommended to finally set up an NHRI in line with the Paris Principles.

Equality and non-discrimination: A number of NGOs recommended Belgium to lift rules that may result in discriminatory public benefits and adopt a national plan against racism and discrimination as well as to intensify its combat against anti-Semitism.

On an additional note, many recommended the country to amend its legislation regarding the police to prohibit direct and indirect discrimination and also to double their efforts to protect the LGBTI community, discrimination, and exclusion in real life as they are still quite present. Finally, it was demanded to continue the combat against discrimination of sub-Saharan immigrants regarding their HIV status.

Development, the environment, and business and HR: Belgium is urged to ensure companies' liability to commit human rights abuses and advised the nation to ensure that the Paris Agreement and EU targets are implemented throughout the development of clear human rights-based criteria and indicators.

Human rights and counter-terrorism: Stopping the use of administrative action in counter-terrorism law by implementing a series of procedural guarantees and "ensure measures in the fight against terrorism and all forms of extremism uphold fundamental rights" as well as to define the scope of LICVs and limit cases where there are signs of violent extremism and, in doing so, remove the focus on Muslim youth were all recommended.

Finally, some actors emphasized the need to implement measures ordered by the Committee against Torture and honor the "request for consular measures" and demanded to abide by the recommendations of the SR, the observations of the HR Committee on the Rights of the Child.

Right to life, liberty, and security of person: Stakeholders stressed the need to respond promptly to hate crimes, to properly investigate them, especially in the wake of Covid-19 and terrorism, targeting both Asians and Muslims.

Further, some NGOs are deeply concerned about the use of ethnic profiling nationwide. The absence of identity checks mainly hampers an adequate response to the problem. The organization also shares its deep concern with the unlawful use of force due to Covid-19 measures. Belgium was recommended a proper and thorough investigation regarding police violence against migrants to held accountable perpetrators.

Administration of justice, including impunity, and the rule of law: Various actors recommend Belgium to resolve its overcrowding problem in prisons rapidly, detainees' living conditions, and establish proper care check-ups in psychiatric wings for detainees with mental disorders and call for pretrial detention orders to be limited to cases involving the most severe offenses.

Fundamental freedoms and the right to participate in public and political life: Some defended students' beliefs in higher education or adult education and emphasized their legal rights to show signs of such ideas. Further, it was recommended that the use of special powers during the Covid-19 pandemic and the impact of that use on the fundamental rights of individuals and groups to be assessed.

Right to privacy and family life: Some NGOs urged that the combat against social fraud be conducted respectfully to protect human rights.

Right to work and to just and favorable conditions of work: Concerns were expressed regarding the high unemployment rate in groups of people of foreign origins who are more likely to work in low-paid, precarious jobs and recommendations to further aid disabled individuals in obtaining employment were unveiled.

Right to an adequate standard of living: The government was called to take coordinated measures for poverty reduction and concerns were shared regarding the economic plan behind Covid-19 measures, which more negatively affect persons living in poverty. A recommendation to abolish the "cohabitee" status to guarantee everyone an income sufficient for them to lead a life with consistent human dignity, individualizing social benefits was presented and it was also stressed that the right to housing has not become a reality for everyone in the country's three regions.

Right to health: The fact that regardless of the pandemic, special measures already needed to be taken to reduce prison overcrowding was announced and that Belgium needs to ensure that all Covid-19 measures are in line with all human rights.

Right to education: Belgium was recommended to provide proper training for teachers and develop clear procedures for combating discrimination in schools and during internships and to restructure education policies for teachers to better interact with the youth and children from disadvantaged backgrounds.

Women: Some requested financial support to associations combating FGM and providing restorative and rehabilitation services.

Children: Concerns were shared its regarding the employment of persons with disabilities, which is far below the European average. Some NGOs denounced the country to often place migration-related considerations above the child's best interests. Request for the country to prohibit the detention of minors on purely administrative grounds was brought forward and to establish a statistical system in place on children's sexual exploitation and trafficking.

Minorities and indigenous peoples: The creation of proper housing establishments for the Roma Community was recommended.

Migrants, refugees, asylum seekers, and internally displaced persons: Concerns were expressed regarding the rise in complications for family reunification while increasing their cost and duration in the wake of Covid-19 and some required a complete ban on detaining families with children on migration grounds. Few called on Belgium to grant the right to be received to all applicants for international protection and increase support for unaccompanied foreign minors

Stateless persons: There were demands that Belgium fully promote, respect, and fulfill its international obligations towards stateless persons the right to nationality under IHRL.

UNIVERSAL PERIODIC REVIEW SESSION

Presentation of the National Report



Ms. Sophie Wilmès presented the national report virtually.

The presentation of the national report was led by the Minister for Foreign Affairs, Foreign Trade, and Federal Cultural Institutions, Ms. Sophie Wilmès. She highlighted the various developments of the implementation of previous recommendations since the beginning of the

second UPR cycle for Belgium. Further, She gave other updates on the human rights situation in Belgium. The crucial draw upon information by various stakeholders, including governmental branches and civil society organizations.

Alike in most dialogues, Mrs. Wilmès expressed her honor to participate in UPR sessions and the importance of this peer review exercise as a critical element for the protection of human rights. She clearly stated that the country attaches importance to universal standards of protecting human rights and strives to ensure that they are adequately implemented. Human rights are protected within the Belgian territory both in the legislative framework and a regress representation. Speaking on behalf of Belgium as a whole, she emphasized that the nation is one of the few that has never submitted late a periodic review to Treaty Bodies.

On an additional note, she expresses the importance of acknowledging that the Kingdom of Belgium is a federal state, and therefore its political model is one of cooperation. This model enables the country to implement laws at all levels but may sometimes affect the length of time for new rules to be implemented nationwide.

Since the last UPR in 2016, Ms. Sophie Wilmès brought forward the evolvement of various human rights issues which arose in the previous session, taking all recommendations. Additionally, the minister has also responded to some advanced questions sent by other delegations:

Gender-based violence: Belgium has now ratified different treaties for the protection of women against violence. An action plan has been set, and most gender-based violence crimes have been beefed up. Temporary home banning orders have been widely used, and the establishment of family justice centers is considered essential improvements.

Human Rights Institution: A Federal Institution for the protection of Human Rights was established in 2019 and is considered making headway by addressing all human rights issues under the federal peer review. The institution today allows for complete coverage of human rights at all levels and entities.

Prison overcrowding / Human Rights of Detainees / Prisoners with Mental Illnesses: As a response to the questions submitted in advance by Germany and Austria, Belgium has set up a plan of action in 3 steps:

1. Looking at the building themselves (allowing to reduce prison overcrowding by 50%)
2. The implementation of the law on personal circumstances and status of detainees (extending the right to work from prison and the rights to submit complaints and reports)
3. Taking measures to diminish resorts prison detentions punishments or sanctions (e.g., electronic tagging)

Regarding detainees with mental illnesses, a wide-ranging reform has been carried out for the care and support of the individuals. The introduction is done at three levels: the legislative level with a new law, the strategic level with a new vision, and the operational level with new infrastructures. A reform built around a pathway of care will ensure the integration and reintegration of such individuals into society.

Police Forces and Order: As a response to a question submitted by Spain in advance, it is essential to note that the Belgian police forces laws are based on impartiality, equality, and dignity. Their code of conduct prohibits any form of discrimination and racial profiling. The government has set oversight exercises with the executive, the legislative, the judiciary, and the police. In February 2020, a ministerial conference was held on this very subject, and other laws are underway.

Gender Equality: As Moldova asked in advance, Belgium has continued to tackle the wage gaps and is today one of the countries with the smallest of such gaps from anywhere in the world. The reduction of the pensions gap remains one of the priorities for the nation. As of 2011, the country has also adopted a binding quota policy in different sectors, which has positively impacted the representation of women.

Furthermore, the official demand for civil status gender change today no longer requires medical proof. Plus, the country has launched an inter-federal action plan to tackle discrimination against the LGBT community.

Child Poverty: Responding to the pre-submitted questions from Canada and Spain, Belgium puts a great deal of attention on child poverty. The Third Federal Plan from 2016 to 2019 was aimed at the reduction of child poverty nationwide. A Fourth Federal Plan is being drawn up at this very moment. This upcoming plan will concentrate on one of the key ways to tackle such an issue: "by addressing the structural causes of poverty and engaging with local consultation platforms."

Asylum Seekers and Migration: Following a 2016 recommendation, Belgium reiterates that unaccompanied foreign minors are never detained in closed detention centers but specialized centers. Specialized units have been set to support staff when it comes to assessing Article 3 ECHR.

Terrorist Attacks: Belgium has an independent body for analyzing the level of threat with human rights and the protection of democracy at the heart of this very body. The country has adopted a holistic anti-extremism and anti-terrorism approach, including the fight against radicalization in an inclusive society. A Radicalization Action Plan exists, which combines crack-down prevention and reintegration between all related actors.

Covid-19: All governmental measures adopted were deemed proportionate and based on experts' recommendations with legitimate goals. Belgium has been very attentive to ensure that steps are inclusive and attached strong attention to vulnerable persons. The Police forces have assured follow-ups of victims of domestic violence during lockdowns. Further, any reduction in employment payments has been frozen, and freelance workers have also been financially helped. Additionally, the country places education as a primary concern and ensures that all students could access online learning.

Interactive Dialogue and Recommendations from State

One hundred and fifteen delegations participated in the interactive dialogue. Most countries started their statement by thanking Belgium to protect human rights and its participation in the UPR. Many of them have welcomed the fact that the government has ratified the **Istanbul**

Convention and subsequently fought to combat violence against women and domestic violence.

Most countries have made similar recommendations on Belgium's need to ratify the **Optional Protocol to the Convention against Torture**. As seen in the above table, the government had only signed the Protocol in 2005. Additionally, those very same nations have commanded the state to sign and ratify the **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**.

Several African nations and the USA have expressed their concerns with the need to implement the previous recommendation regarding the **protection of people of African Descent and the creation of a comprehensive national plan**.

Australia, Costa Rica, Canada, Denmark, Germany, Greece, Slovenia, Spain, Turkmenistan, Ukraine, and many more have recommended Belgium to finally set up a **National Human Rights Institute** per the **Paris Principles**. Such institutions would enable to better monitor human rights violations and their protection throughout the whole nation.

Most Arab states have shared their concerns with the rise of **racism and xenophobia**, and ethnic profiling towards minorities such as Muslims, with a general growing wave of **Islamophobia**. Other nations have also shared similar views against all minorities and recommended Belgium to establish a **Comprehensive Action Plan to tackle racism**. Further, all of those nations shared their worries with ethnic profiling among the police forces.



Like most delegations, France and the Netherlands presented their recommendations virtually.

In addition to demanding the country to ratify the OPCAT, France and the Netherlands, two neighboring countries have finally recommended the government beef up the oversight of its **companies' compliance with human rights**. To adopt new policy measures to promote enterprises headquartered in Belgium, respect human rights, and **carry out human rights due diligence throughout their global operations and supply**.

Some delegations, such as the Finish one, have requested Belgium to collect and publish the correct data on gender-based violence and fully implement the **Istanbul Convention**. Following the Covi-19 pandemic measures, a significant rise in gender-based and domestic violence has been felt throughout Europe, including Belgium.

Regardless of the introductory statements made by Ms. Wilmès, many countries are still concerned with **prison overcrowding and the human rights of detainees**. They recommend Belgium take further steps to ensure significant improvements.

Finally, a few delegations have shared their concerns about the **inclusion of disabled individuals** in education and society in general.

Response of the Belgian Delegation

After carefully listening and taking notes of the various recommendations from states, the Minister of Foreign Affairs continued the dialogue with different explanations on the central issues raised by the delegations.

Ratification of the OPCAT: The country is fully aware of the importance of such ratification. Mrs. Wilmès clearly explains that the Protocol is not yet ratified since no National Prevention Mechanism has yet been implemented and rectified. The government still needs time to ensure that the NPM is effective by meeting the standards of the OPCAT.

National Human Rights Institute: the country is working hard on this matter. To set up an institute that will cover all fundamental rights and freedoms across the entire country. Inter-federal cooperation is strongly needed to establish such an institution finally.

Prison Overcrowding: Belgium has seen a significant decrease of 20 % in the prison population from 2011 to 2020, while the country will continue its efforts.
. The state has invested in some new facilities: three new prisons have been opened, and psychiatric facilities are also underway. Further, a new law has been enforced as of October 2016, which provides legal obligations regarding the quality of standards that must be met by psychiatric facilities, with proper oversight of those facilities in line with Article 3 ECHR. Measures have also been taken regarding criminal policies to the length of some prison sentences by resorting to electronic tracking and community services.

Racism: A ministerial conference took place in February 2020 for independent bodies to tackle racism as recommended by civil society. Goals have been adopted later the same year for an anti-racism action plan. Once such a plan is finally drawn up, it will cover all sectors in which racism needs to be tackled.

Police Violence: Ms. Wilmès stated that it is essential to note that police forces have the right to resort to force as long as it is by the provisions of the national legal framework. This very framework is based on impartiality; equality prohibits all forms of discrimination. The department responsible for oversight illegal police actions had had 3012 complaints in 2019, and when necessary, an inquiry is open. Ethnic profiling is criminal and banned in Belgium.

Islamophobia: Mrs. Wilmès highlighted that religion is one of the criteria that is protected by anti-discrimination legislation. This law includes all faiths, and subsequently, all Muslims. This fight against Islamophobia will, as a matter of fact, also be a part of the upcoming National Anti-Racism Action Plan. This plan follows an intersectional approach. Today, the agency for equality has already worked on different initiatives, and training is provided to professionals.

Gender-based Violence: A ministerial conference on the rights of women was held in January 2020 with the sole purpose of boosting cooperation between all political levels to ensure women's rights are protected nationwide. The country has worked hard to properly implement the Istanbul Convention, which helped define consent and clarify a punishment.

With Covid-19, the government launched a major national program defeating the issue in March 2021 across all Belgian communities. Some positive results are expected from such a campaign by the year 2022. In addition, the number of shelters for victims of violence has increased from three to ten, with available care 24/7 and where individuals can lodge complaints.

Framework Convention for the Protection of Minorities: Mrs. Wilmès firstly enhanced the fact that minorities already benefit from several national and international mechanisms. With regards to the Convention, the delay in ratification is federally related. The proposal on the table does not yet find approval by all stakeholders, who are, however, committed to keeping efforts active.

Inclusive Education: A decree was put in place in 2014 to expand education, and communities responsible for education have made education more inclusive. The focus has been shifted towards special needs rather than sending children to special schools. She also reminded the delegations that Belgium had ratified the CRPD since 2009.

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families: Belgium is, unfortunately, unable to envisage a hearing on the Convention. One of the significant arising issues is the allocation of equal rights to migrant workers in regulated situations. There is a non-regulated situation to that approach incompatible with some EU legislation and at the national level since there is a clear distinction between those two classes of migrant workers.

GICJ's Observations

Geneva International Centre for Justice (GICJ) welcomes Belgium's strong consideration and acceptance of all recommendations from the previous UPR session held in 2016. Moreover, it is pleasing to know that the country has ratified the Istanbul Convention and become a vital contributor to eradicating violence against women. GICJ wishes to offer a few observations concerning the statements made by the Bulgarian delegation and the extent of progress in the years since the previous review.

Like many delegations, the organization is deeply concerned with the rise in racism, xenophobia, and the frequent use of ethnic profiling in the police forces. Even though awareness was raised among authorities across the nation, according to Amnesty International, the government has not yet enacted any explicit law targeting such misconducts. In light of the recent events in the USA with George Floyd and the Black Lives Matter movement, it is clear that the fight against hate speech and racism is far from being resolved, and thus this should be one of Belgium's priorities. Akin to many European countries, the nation should continuously adapt its legislative system to the Durban Declaration and Programme of Action.

Moreover, welcoming the continuous efforts against domestic and gender-based violence, the effect of the Covid-19 pandemic has had a widely more substantial impact than the steps taken by the country. Like other neighboring countries, which have seen this increase, especially during lockdown measures, more work is needed. As also mentioned by the Finish delegation, the organization believes that a better action plan is required to obtain correct data and actual monitoring by the assigned authorities in line with the Istanbul Convention.

Finally, it is comprehensible that cooperation is essential in a federation state with three different languages, and subsequently, three different identities are present. Notwithstanding, this should not be a burden for establishing a National Human Rights Institute until the next UPR session. Regardless of the different views that groups may hold, human rights protection shall always remain a common ground of agreement. A political model should not affect people's rights nationwide.

GICJ hopes for further progress on the human rights situation in Belgium and to see an effective implementation of the recommendations made by the UN and Stakeholders in the interim years before the next session.

Geneva International Centre *for* Justice

Independent, non-profit non-governmental organization

GICJ is an independent, non-profit, non-governmental organization dedicated to the promotion and reinforcement of commitments to the principles and norms of human rights. GICJ is headquartered in Geneva, Switzerland and is governed by the Swiss Civil Code and its statutes. Basing its work on the rules and principles of International Law, International Humanitarian Law and International Human Rights Law, GICJ observes and documents human rights violations and seeks justice for their victims through all legal means available.

Mission

GICJ's mission is to improve lives by tackling violations and all forms of violence and degrading or inhumane treatment through the strengthening of respect for human rights; reinforcing the independence of lawyers and judiciaries; consolidating the principles of equity and non-discrimination; ensuring rule of law is upheld; promoting a culture of awareness on human rights; and combating impunity.

Work with NGOs

GICJ maintains a partnership with various NGOs, lawyers and a vast civil society network around the Globe. Through these channels, GICJ is able to receive documentation and evidence of human rights violations and abuses as they occur there. GICJ continues to bring this information to the attention of relevant UN bodies in order to gain justice for all victims.

Geneva International Centre *for* Justice

Independent non-governmental organization



Postal Address

P.O. Box: 598 Vernier
CH-1214 Geneva
Switzerland

Office Address

The Ecumenical Centre
150, Route de Ferney
CH 1211 Geneva 2
Switzerland



0041227881971



info@gicj.org



0041795365866



facebook.com/GIC4J



Geneva4Justice