



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

103rd session

19–30 April 2021

Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted  
by States parties under article 9 of the Convention**

### List of themes in relation to the combined twentieth to twenty-second periodic reports of Belgium

#### Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

#### Statistics

2. Plans to evaluate the inclusion of variables related to ethnic origin in data-collection procedures and alternative tools developed or envisaged that allow for both more detailed information on the difficulties specific to certain groups, especially as regards racial discrimination, and an assessment of the implementation of the Convention.

#### The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4 and 6)

3. Up-to-date information on the implementation of the recommendations made in 2017 in the initial report of the Commission for the Evaluation of Federal Anti-Discrimination Legislation, including the recommendations related to matters covered by the Convention (CERD/C/BEL/20-22, para. 15).

4. Recent developments and additional measures to speed up the development and adoption of a national plan to combat racism (CERD/C/BEL/CO/16-19, para. 6; CERD/C/BEL/20-22, para. 16).

5. Information on the functions of the Federal Institute for the Protection and Promotion of Human Rights, established in May 2019, its membership and the financial and human resources allocated to it (CERD/C/BEL/CO/16-19, para. 7; CERD/C/BEL/20-22, para. 22). Mechanisms for this institute to coordinate and cooperate with other human rights institutions, such as Unia, particularly on matters covered by the Convention. Recent developments or plans to put in place a national human rights institution covering all fundamental rights for the entire territory of the State party, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).



6. Specific measures taken and envisaged to prevent and combat ethnic profiling by police officers. Transparency and oversight mechanisms for the identity checks carried out by law enforcement officials, including the collection of data on such checks. Specific disciplinary and criminal measures to investigate cases of ethnic profiling and punish them in practice (CERD/C/BEL/20-22, para. 63).

7. Information on specific measures taken or envisaged to promote ethnic diversity in public services, including the police. Measures taken to prevent, investigate and punish cases of racial discrimination committed within public services, including the police. Follow-up of the supervisory investigation into anti-racism and anti-discrimination policy in a diversity policy, opened by the Standing Committee for Police Monitoring, known as Committee P (CERD/C/BEL/20-22, para. 69 and annex 7).

#### **Racist hate speech, incitement to racial hatred and hate crimes (arts. 2, 4 and 6)**

8. Measures taken or envisaged to amend the procedure for the collection and recording of data on hate speech offences, including by the police and the Belgian College of Prosecutors General, to make it possible to identify racist hate crimes and distinguish between incidents with a specific context related to antisemitism, Islamophobia, anti-Gypsyism or Afrophobia and other offences related to racial hatred (CERD/C/BEL/CO/16-19, para. 10; CERD/C/BEL/20-22, para. 56).

9. Specific measures recently adopted or envisaged to combat racist hate speech and racist messages, including in political discourse, in the media and on the Internet (CERD/C/BEL/CO/16-19, para. 10; CERD/C/BEL/20-22, paras. 49–50 and 53). Complaints lodged and investigations carried out regarding individuals and groups allegedly inciting or promoting racial discrimination and racist hate speech in the media, including on the Internet, and penalties imposed.

#### **Situation of minorities (arts. 2–7)**

10. Up-to-date information on the measures adopted for the effective implementation and assessment of the National Roma Integration Strategy, including the drafting and adoption of an inter-federal action plan (CERD/C/BEL/CO/16-19, para. 18; CERD/C/BEL/20-22, para. 184). Measures taken to raise awareness of anti-discrimination legislation and equality promotion entities, particularly among Roma and Travellers.

11. Results of implementation of the measures adopted to promote the enjoyment of economic, social and cultural rights by Roma, including women and children, particularly in the fields of employment, education and health (CERD/C/BEL/CO/16-19, para. 18; CERD/C/BEL/20-22, paras. 195–212). Measures taken to expand the plots of land available to Travellers, in particular in regions or communities where there are no sites or insufficient sites (CERD/C/BEL/CO/16-19, para. 19; CERD/C/BEL/20-22, para. 217). Measures taken or envisaged to recognize caravans as a type of housing throughout the State party's territory (CERD/C/BEL/CO/16-19, para. 19; CERD/C/BEL/20-22, paras. 219–221).

12. Information on the socioeconomic situation of persons of African descent. Measures taken to eliminate discrimination against persons of African descent and their outcomes, in particular in terms of improving access to public services, education, housing, health care and employment. Information on the steps taken and envisaged for the practical implementation of the International Decade for People of African Descent, launched in June 2019.

#### **Situation of non-citizens, in particular migrants, asylum seekers and refugees (arts. 2, 5 and 7)**

13. Information on the effect of the measures taken to ensure that persons with an immigrant background have access to the labour market, health care, education and housing, without discrimination (CERD/C/BEL/CO/16-19, paras. 15–16; CERD/C/BEL/20-22, paras. 78–175). Results of investigations into racial discrimination in employment conducted in the State party (CERD/C/BEL/20-22, paras. 138–143). Penalties imposed for cases of discrimination based on foreign origin in access to housing (CERD/C/BEL/20-22, paras. 144–160).

14. Measures adopted to ensure that legal residence is not required for access to health-care services and that remedies are available to the persons concerned (CERD/C/BEL/20-22, paras. 161–166). Measures taken to guarantee the right to education to all children, irrespective of their residence status.

15. Measures taken and envisaged to develop a system to collect data on the number of inmates in national prisons, including information on national and ethnic origin (CERD/C/BEL/CO/16-19, para. 14; CERD/C/BEL/20-22, para. 77).

16. Information on the effect of the measures taken to improve conditions for the reception of refugees and asylum seekers and the measures recently taken to promote their integration into society. Rate of detention of asylum seekers over the past few years. Up-to-date information on alternatives to detention and measures to ensure that asylum seekers are detained at the borders only as a last resort and that remedies are available to the persons concerned (CERD/C/BEL/CO/16-19, para. 20; CERD/C/BEL/20-22, para. 77).

#### **Trafficking in persons (arts. 2, 5 and 6)**

17. Information on the implementation and impact of the National Action Plan to Combat Trafficking in Human Beings 2015–2019 (CERD/C/BEL/CO/16-19, para. 21; CERD/C/BEL/20-22, para. 231). Measures recently adopted or envisaged to better prevent and combat the trafficking and smuggling of human beings in the light of recent data on the incidence of such offences in the latest reports by Myria.

#### **Human rights education to combat prejudice and intolerance (arts. 2, 5 and 7)**

18. Update on the implementation, impact and evaluation of measures in the field of education and culture to combat racial discrimination, prejudice and intolerance (CERD/C/BEL/20-22, para. 250). Information on the representation in school textbooks and curricula of persons of African descent and other groups.

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