



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

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Item 6 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 sixteenth to nineteenth periodic reports of Belgium (CERD/C/BEL/16-19)

Note by the Country Rapporteur

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. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

1. The Convention in domestic law, institutional and policy framework for its implementation (arts. 2, 4, 5, 6 and 7)

(a) Update on progress regarding the current process to establish a National Human Rights Institution in accordance with the Paris Principles (CERD/C/BEL/CO/15, para. 10; CERD/C/BEL/CO/15/Add.1, para. 2; CERD/C/BEL/16-19, paras. 339–43; HRI/CORE/BEL/2012, para. 150). Update on the process to adopt a National Plan of Action against Racism (CERD/C/BEL/16-19, para. 10);

(b) Update on the process to adopt the draft laws to declare illegal organizations that promote racial discrimination which are currently before the parliament (CERD/C/BEL/CO/15, para. 12; CERD/C/BEL/16-19, para. 133). Update on the proposal before the parliament aimed at making the suspension of political rights an accessory penalty for all offences under the Act of 30 July 1981, the Act of 23 March 1995 and the Act of 10 May 2007 criminalizing certain forms of discrimination (CERD/C/BEL/16-19, para. 33). Update on cases of application of the newly adopted articles 21 and 22 of the Act of 30 July 1981 (as amended by the Act of 10 May 2007) (CERD/C/BEL/16-19, para. 34 *in fine*). Impact of measures taken to combat the persistence of anti-Semitic and Islamophobic acts (CERD/C/BEL/16-19, paras. 117–125);

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(c) Impact of awareness-raising measures for judges, prosecutors, police officers, prison staff and various other authorities aimed at combating racial discrimination (CERD/C/BEL/16-19, paras. 43–47; CERD/C/BEL/CO/15, paras. 11 and 13);

(d) Update on complaints, prosecutions and convictions for racist and xenophobic offences coming before courts and reparation provided to victims (CERD/C/BEL/16-19, paras. 288–293; CERD/C/BEL/CO/15, para. 13). Explanations for the low number of cases against police officers for racially discriminatory acts (CERD/C/BEL/CO/15, para. 13);

(e) Impact of training and awareness programmes for the population and educators, aimed at combating racial discrimination, carried out by the Flemish and the French communities (CERD/C/BEL/16-19, paras. 325–327 and 332–335). Results achieved by the Plan of Action for Equality and Diversity in the Audiovisual Media in combating racial discrimination and negative stereotypes (CERD/C/BEL/16-19, para. 338).

2. Situation of Roma and Traveller communities (arts. 2–7)

(a) Update on the implementation and the initial results achieved by the national strategy for the integration of Roma adopted by the State party in 2012 (CERD/C/BEL/16-19, paras. 50–54; CERD/C/BEL/CO/15, para. 22; CERD/C/BEL/CO/15/Add.1, para. 18). Impact of various measures taken to improve the economic, social and cultural rights of Roma and Travellers in the Walloon Region, the Brussels-Capital Region and the Flemish Community (CERD/C/BEL/16-19, paras. 55–67; CERD/C/BEL/CO/15, para. 22);

(b) Implementation of measures taken to foster employment for Roma and Travellers, in particular the integrated Roma policy (CERD/C/BEL/16-19, paras. 259–262).

3. Discrimination against non-citizens including migrants, refugees and asylum seekers (arts. 5 and 7)

(a) Update on results achieved by measures taken to combat racial discrimination, in particular against migrants, in the penal justice system (CERD/C/BEL/CO/15, para. 14; CERD/C/BEL/CO/15/Add. 1, paras. 3–6). Statistical data on detainees in national prisons, disaggregated by ethnic, national and social origin;

(b) Impact of integration policies adopted in the Walloon Region, the French Community of the Brussels-Capital Region and the Flemish Community (CERD/C/BEL/16-19, paras. 68–113). Policies adopted to prevent discrimination in employment, in education and in access to public services due to the prohibition on wearing headscarves (CERD/C/BEL/CO/15, para. 21; CERD/C/BEL/16-19, para. 324.);

(c) Concrete results of various measures to improve the integration of migrants and ethnic minorities into the labour market, namely: the Equality and Diversity Label; the Action Plan for Diversity 2005–2007 of the Belgian public service and the ongoing Equality and Diversity Plan 2011–2014; the Charter for Diversity in the Federal Public Administration; as well as action plans and diversity policies adopted at the regional levels (CERD/C/BEL/16-19, paras. 218–233). Update on the application of collective labour agreements Nos. 38 and 95, which provide for equal treatment and prohibit racial discrimination in the labour market (CERD/C/BEL/16-19, paras. 239–242);

(d) Impact of the National Plan of Action 2008–2012 to combat trafficking in and smuggling of human beings, and implementation of the current National Plan of Action 2012–2014 (CERD/C/BEL/16-19, para. 179). Update on prosecutions and convictions with regard to trafficking in persons, in particular migrants, as well as reparations provided (CERD/C/BEL/16-19, paras. 185–186). Assistance and reparation provided to victims of human trafficking (CERD/C/BEL/CO/15, para. 20; CERD/C/BEL/16-19, paras. 179–189);

(e) Prevention of systematic detention of asylum seekers at borders, including in the context of the Dublin Agreement (CERD/C/BEL/CO/15, para. 17; CERD/C/BEL/16-19, paras. 354–355). Update on the outcome of cases of excessive use of force during deportation of foreign nationals brought before the Inspectorate mechanism. Information on how training on human rights for police officers has addressed the excessive use of force during deportations (CERD/C/BEL/CO/15, para. 18; CERD/C/BEL/16-19, paras. 361–373);

(f) Protracted family reunification procedures for persons benefiting from international protection (CERD/C/BEL/16-19, paras. 170–173). Access to health care for vulnerable persons, in particular undocumented persons (A/HRC/WG.6/11/BEL/2, para. 74). Impact of housing policies on preventing de facto segregation in certain neighbourhoods (CERD/C/BEL/CO/15, para. 15; CERD/C/BEL/16-19, paras. 270–281).
