

AMNESTY INTERNATIONAL

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Belgium: Amnesty International welcomes commitment to establish a National Human Rights Institution

Human Rights Council adopts Universal Periodic Review outcome on Belgium

Amnesty International welcomes Belgium's positive engagement with the Universal Periodic Review, including the consultations with civil society before the Working Group session and the subsequent debriefing. Amnesty International also welcomes Belgium's commitment to involve civil society in the follow-up to the review.¹

Amnesty International commends Belgium for supporting the majority of the recommendations and welcomes its commitment to provide this Council with a progress report in 2013.² It also encourages Belgium to present an implementation plan to the Council.

In its submission to the review, Amnesty International recommended the establishment of a National Human Rights Institution fully compliant with the Paris Principles. Amnesty International is pleased to note that no less than 18 States made this recommendation and applauds Belgium for supporting the establishment of such an institution.³ The organization believes this will strengthen the protection of human rights at the national level.

Amnesty International also welcomes Belgium's support of recommendations to ratify the Optional Protocols to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to the International Covenant on Economic Social and Cultural Rights;⁴ however, it notes that previous commitments by Belgium to that effect have not been met.⁵

Amnesty International takes note of Belgium's support of recommendations to provide shelter and other forms of assistance to asylum seekers.⁶ In 2011 alone, over 1400 asylum seekers, including families with children, were left homeless. These issues need to be addressed as a matter of urgency; however, in order to find durable solutions the authorities must establish a just, effective and transparent policy with regard to asylum and migration.

Amnesty International is concerned that Belgium considers as implemented the recommendation to eliminate the systematic detention at the border of asylum-seekers and irregular migrants.⁷ Asylum-seekers who apply for asylum at the border are still routinely detained and, in most instances, kept in detention for the duration of their asylum procedure. Amnesty International urges Belgium to ensure that detention of asylum-seekers and irregular migrants is a measure of last resort only and to reflect such a provision in national law.

¹ A/HRC/18/3, paragraph 99.

² Ibid.

³ Ibid., recommendation 100.9 (India, United Kingdom, Poland, Egypt, Afghanistan, Portugal, Australia, Norway, Spain, Democratic Republic of Congo, Palestine, Ecuador, Djibouti, Russian Federation, Chile, Burkina Faso, Malaysia).

⁴ Ibid., recommendations 100.1 (Czech Republic, United Kingdom, Norway, Spain, Brazil, Ecuador), 100.2 (Palestine), 100.3 (Spain, Brazil, South Africa).

⁵ Letter dated 25 March 2009 from the Permanent Representative of Belgium on the occasion of its candidacy for membership of the UN Human Rights Council (A/63/801).

⁶ A/HRC/18/3, recommendations 100.52 (Norway), 100.53 (United Kingdom), 100.54 (Indonesia).

⁷ Ibid., recommendation 101.25 (Mexico).

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Belgium on 21 September 2011 at its 18th session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Belgium: <http://www.amnesty.org/en/library/info/EUR14/001/2010/en>

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