

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

AI Index: EUR 14/4349/2016

Date: 27 June 2016

Belgium: action needed to uphold repeated human rights promises

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, the subsequent debriefing and its commitment to involve civil society in the follow-up to the review.¹

Amnesty International notes the repeated commitment to establish a National Human Rights Institution fully compliant with the Paris Principles² and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.³ It regrets however, that to date there has been little engagement with civil society organisations on these longstanding issues.

The recent ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)⁴ and the adoption of the National Action Plan on gender-related violence⁵ are positive developments which must be appropriately resourced.

Amnesty International welcomes Belgium's commitment to "ensure that (...) measures in the fight against terrorism and all forms of extremism uphold human rights"⁶ and looks forward to contributing to its implementation.

While taking note of the accepted recommendations aimed at improving the prison system,⁷ in particular on overcrowding, Amnesty International remains highly concerned by the continuing

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review –Belgium*, 11 April 2016, A/HRC/32/8, paragraph 20 and recommendation 138.53 (Poland).

² A/HRC/32/8, recommendations 138.21 (Ecuador), 138.22 (Fiji), 138.23 (Tunisia), 138.24 (Hungary), 138.25 (Nepal), 138.26 (Slovenia), 138.27 (Philippines), 138.28 (Republic of Korea), 138.29 (Denmark), 138.30 (Georgia), 138.31 (Netherlands), 138.32 (Egypt), 138.33 (Togo), 138.34 (Morocco), 138.35 (India), 138.36 (Norway), 138.37 (Australia), 138.38 (Ireland), 138.39 (Kazakhstan), 138.40 (Namibia), 138.41 (Bulgaria), 138.42 (Germany), 138.43 (Azerbaijan, Chad, Pakistan, South Africa), 138.44 (Panama), 138.45 (Portugal), 138.46 (Chile), 138.47 (France), 138.48 (Uruguay), 138.49 (Lithuania), 138.50 (Indonesia), 138.51 (Bahrain), 138.52 (Kyrgyzstan).

³ A/HRC/32/8, recommendations 138.2 (Chile), 138.3 (Norway), 138.4 (Kazakhstan), 138.5 (Liechtenstein), 138.6 (Togo), 138.7 (United Kingdom of Great Britain and Northern Ireland), 138.8 (Denmark), 138.9 (The Former Yugoslav Republic of Moldova), 138.10 (Morocco), 138.11 (Slovenia), 138.12 (Djibouti), 138.13 (Philippines), 138.14 (Portugal), 138.15 (Senegal), 138.16 (Tunisia, Azerbaijan, Ukraine, Zambia, Estonia, France, Georgia, Honduras, Hungary, Lebanon, Lithuania, Montenegro, Poland), 138.17 (Costa Rica).

⁴ A/HRC/32/8, recommendations 138.18 (Albania), 138.20 (Montenegro), 140.2 (Hungary).

⁵ A/HRC/32/8, recommendations 138.85 (Sweden), 138.90 (Iceland), 138.92 (France), 138.93 (Serbia), 139.2 (South Africa).

⁶ A/HRC/32/8, recommendation 138.72 (Thailand).

violations of human rights of detainees, in particular during prison staff strikes and urges the government to take measures.

Amnesty International welcomes Belgium's acceptance⁸ of recommendations to adopt a National Action Plan against Racism, but is surprised that Belgium considers that it has already carried out an "evaluation on ethnic profiling within the police organization".⁹ Amnesty International asks that the findings of this be made public.

Amnesty International takes note of Belgium's commitment to establish a national plan on "human rights and businesses"¹⁰ and urges that it include legal and policy reforms to require companies domiciled or headquartered in Belgium to undertake human rights due diligence throughout their global operations.

Amnesty International encourages Belgium to abolish sterilization and surgery requirements, as well as mandatory psychiatric assessment and diagnosis, as preconditions for legal gender recognition for transgender people and welcomes Belgium's acceptance of related recommendations.¹¹

Amnesty International encourages Belgium to undertake a mid-term review of the progress of implementation of accepted UPR recommendations, as it did in the previous cycle.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Belgium on 23 June 2016 during its 32nd 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: <https://www.amnesty.org/en/documents/eur14/2497/2015/en/>

Public Document

International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK

www.amnesty.org

⁷ A/HRC/32/8, recommendations 138.76 (United States of America), 138.77 (Djibouti), 138.78 (Germany), 138.79 (Greece), 138.80 (Slovakia), 138.81 (Australia), 138.82 (Azerbaijan), 139.12 (Angola).

⁸ A/HRC/32/8/Add.1 paragraphs 3 and 4.

⁹ A/HRC/32/8, recommendation 140.25 (Netherlands) and A/HRC/32/8/Add.1, paragraph 5.

¹⁰ A/HRC/32/8 – 17. See also recommendation 140.35 (State of Palestine) and A/HRC/32/8/Add.1 - paragraph 3 and 35.

¹¹ A/HRC/32/8