

ADVANCE QUESTIONS TO BELGIUM – Add.1

CZECH REPUBLIC

- What are the reasons why Belgium has not yet ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment?
- Does the Government of Belgium intend to withdraw its reservation to the International Covenant on Civil and Political Rights?
- In June 2009, the human rights commissioner of the Council of Europe issued a report noting that 75 percent of all prisons were overcrowded. He also expressed concern over violence among prisoners and the dilapidated state of some prisons and shortcomings in the supply of health care. What measures are effectively in place to address those concerns?
- Committee on Economic, Social and Cultural Rights (CESCR) noted that despite the measures adopted by Belgium to enhance its legal and institutional mechanisms aimed at combating racial discrimination, de facto discrimination against foreigners and persons belonging to ethnic and national minorities, in particular migrant workers and members of their families, members of the Muslim community and Roma, was still widespread among some sectors of the population. How does Belgium tackle the problem?
- Despite the National Report states, that a primary education is free of any direct costs, the Committee on the Rights of the Child (CRC) highlighted the significant inequality in the enjoyment of the right to education among children. CRC noted with particular concern that school fees imposed despite the constitutional guarantee of free education greatly contributed to discrimination in the access to education, so that children from poor families and foreign children were likely to be relegated to special education programmes. How does Belgium ensure a full and equal access to education?
- CRC was concerned that childcare was still primarily focused on placing children in residential institutions and that the French Community had a very high rate of institutionalized children under 3 years of age. How this concern has been addressed?

FRANCE

- La Belgique indique dans son rapport national que la procédure de ratification du protocole facultatif au Pacte international relatif aux droits économiques, sociaux et culturels, du protocole facultatif à la convention contre la torture et la convention internationale pour la protection de toutes les personnes contre les disparitions forcées est en cours. La France souhaiterait que la Belgique puisse préciser les délais dans lesquels ces ratifications interviendront. Elle lui recommande vivement de déclarer, lors de la ratification de la convention internationale pour la protection de toutes les personnes contre les disparitions

forcées, accepter la compétence du comité contre les disparitions forcées prévue aux articles 31 et 32 de la convention.

- Le CERD a relevé que la législation de la Belgique ne prévoyait pas de possibilité de dissolution des organisations qui incitent à la haine raciale. La Belgique entend-elle introduire dans son droit national une telle possibilité ?
- La Commission parlementaire d'enquête belge sur "le traitement d'abus sexuels et de faits de pédophilie dans une relation d'autorité, en particulier au sein de l'Eglise", a formulé dans son rapport définitif du 31 mars 2011 un certain nombre de propositions visant à mieux garantir les droits des mineurs victimes d'infractions à caractère sexuel. La Belgique entend-elle s'inspirer de ces recommandations pour allonger le délai de prescription des crimes de viols ou d'agression sexuelle commis sur des mineurs ?

NORWAY

- When will Belgium establish an independent National Human Rights institution in line with the Paris Principles?
- Why has Belgium not yet ratified the *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* and what are the main obstacles for ratification?
- What is Belgium doing to improve its capacity for receiving asylum seekers, so that women and children do not have to live on the street and in degrading conditions?
- Will Belgium consider establishing a law that protects underage asylum seekers from being detained in closed detention centres?
- Has Belgium any long-term solutions for tackling the overcrowding of the prison system, so that prisoner's basic rights are met?

SLOVENIA

- What are Belgium's plans regarding the implementation of the second phase of the World programme for Human Rights Education?
- Please provide information on the follow-up to the CESCR recommendations regarding minorities (recommendation to officially recognize the need to protect the cultural diversity of all minority groups residing in its territory; recommendation to consider ratifying the Council of Europe Framework Convention for the Protection of National Minorities).