

STATEMENT

UPR Pre-session on Belgium

Geneva, X March 2021

Delivered by: Amnesty International (Belgium)

1. Presentation of the Organisation

This statement is delivered on behalf of Amnesty International in Belgium. Amnesty International is a global movement of more than 10 million people who campaign for human rights. Our movement is independent and impartial.

2. National consultations for the drafting of the national report

The Belgian Federal Public Service for Foreign Affairs organised consultations for the development of the National Report. Civil society organisations were able to comment.

Amnesty International submitted information to the OHCHR and published a submission called “Belgium: Must step up efforts on human rights protection”. It touches upon the key human rights concerns according to our organisation. Today I will focus on two key areas: firstly, rape and other forms of gender-based violence and secondly, ethnic profiling by police.

3. Statement

4.1 Rape and other forms of gender-based violence

Addressing and ending gender related violence, in particular sexual violence and rape, remains a crucial human rights challenge for Belgium. During the previous UPR-cycle 24 states made recommendations of which the vast majority were accepted. Germany, The Netherlands and the United Kingdom asked additional questions.

Since then, Belgium has made efforts to tackle the problem and key positive developments include the establishment of care centres after sexual violence. These provide survivors with forensic, medical and acute psychological care in one single place. A new law requiring magistrates to follow a training course on sexual violence is another measure we applaud.

Amnesty International remains deeply concerned about the high incidence of rape and other sexual violence in Belgium. In 2019 an all-time high of 4,664 complaints for rape were registered with the police. 32% of those did not lead to prosecutions.

Belgium should continue to give priority attention to sexual violence. Amnesty would welcome recommendations that aim at ensuring police, judicial and health care actors receive adequate training in their fight against gender-based violence.

4.2 Ethnic profiling

Secondly, ethnic profiling by police, which violates the right to be free from discrimination, remains a problem, as briefly mentioned in the statement of the Ligue des Droits de l'Homme. Amnesty's research shows that police officers acknowledge the practice exists and that the legal and policy framework for decision-making by police officers provides insufficient guidance.

This finding is corroborated by research from the European Fundamental Rights Agency, which has shown that Belgians of Turkish and North-African descent are more frequently stopped by police than majority Belgians.

The full extent of the problem remains unknown because the authorities have failed to collect thorough and disaggregated data. The absence of data on identity checks particularly hampers an adequate response to the problem.

During the previous UPR cycle, The Netherlands, Mexico, Iceland and Turkey made specific recommendations or questions that urged Belgium to address the problem of ethnic profiling.

Belgian authorities need to step up their efforts to stop ethnic profiling by the police. Recommendations urging Belgium to register and to collect data on identity checks by police would be highly welcome.

Thank you for your attention and for considering our statement.