

BELGIUM

Date of admission to UN: 27 December 1945.

TREATIES: RATIFICATIONS AND RESERVATIONS

Land and People: The core document prepared by the government for use by the treaty bodies (HRI/CORE/1/Add.1/Rev.1) contains statistical data and information on the political structures in Belgium and the general legal framework for the protection of human rights.

The rights guaranteed in the Belgian Constitution essentially mirror those set out in the Universal Declaration of Human Rights and the European Convention on Human Rights. To the extent that article 23 of the Constitution stipulates that every person has a right to a life consistent with human dignity, economic, social and cultural rights are an integral part of the rights regime and include the right to work, equitable working conditions and fair remuneration, the right to information, consultation and collective bargaining, the right to social security and health care, the right to social, medical and legal assistance, decent housing, a healthy environment and the right to cultural and social fulfilment. The courts have jurisdiction over questions related to the applicability of international treaty law when the rights concerned are not explicitly set out in domestic law. A court may only apply provisions of national law if they are compatible or consistent with those of international law.

Economic, Social and Cultural Rights

Signed: 10 December 1968; ratified: 21 April 1983. Belgium's second periodic report (E/1990/6/Add.18) has been submitted and is scheduled for consideration at the Committee's April 2000 session; the third report is due 30 June 2000.
Reservations and Declarations: Paragraphs 2 and 3 of article 2.

Civil and Political Rights

Signed: 10 December 1968; ratified: 21 April 1983. Belgium's third periodic report (CCPR/C/94/Add.3) was considered at the Committee's October/November 1998 session; the fourth periodic report is due in October 2002.
Reservations and Declarations: Articles 2, 3, and 25; paragraphs 2 (a) and 3 of article 10; paragraphs 1 and 5 of article 14; articles 19, 20, 21 and 22; paragraph 2 of article 23; declaration under article 41.

Optional Protocol: Acceded: 17 May 1994.

Second Optional Protocol: Signed: 12 July 1990.

Racial Discrimination

Signed: 17 August 1967; ratified: 7 August 1975. Belgium's 11th and 12th periodic reports were due 6 September 1996 and 1998 respectively.
Reservations and Declarations: Article 4.

Discrimination against Women

Signed: 17 July 1980; ratified: 10 July 1985. Belgium's third and fourth periodic reports were due 9 August 1994 and 1998 respectively.
Reservations and Declarations: Article 7; paragraphs 2 and 3 of article 15.

Torture

Signed: 4 February 1985.

Rights of the Child

Signed: 26 January 1990; ratified: 16 December 1991. Belgium's second periodic report is due 14 January 1999.
Reservations and Declarations: Articles 13 and 15; paragraph 1 of article 14; paragraph 2 (b) (v) of article 40.

REPORTS TO TREATY BODIES

Human Rights Committee

Belgium's 3rd periodic report (CCPR/C/94/Add.3, August 1996) was considered by the Committee at its October 1998 session. Throughout the report examples from relevant case law and court rulings are cited. The report prepared by the government contains information on, *inter alia*: Constitutional provisions reflecting articles in the Covenant; the Centre for Equal Opportunity and Action to Combat Racism, established in 1993; the Act Promoting Balanced Representation of Men and Women on Lists of Electoral Candidates; remedy and compensation; mechanisms for the advancement of women — e.g., at the federal level, the Council for Equal Opportunity between Men and Women, in the Flemish and French communities and in the Walloon Region; examples of case law relative to equality between women and men; abolition of the death penalty; commencement and termination of life; measures for the removal of aliens, expulsion, repatriation; deprivation of liberty, torture, ill treatment; prison labour; child labour; lawfulness of arrest and detention, the Police Functions Act of August 1992, the Pre-trial Detention Act, provisions in the Code of Criminal Investigation; measures concerning minors who are in conflict with the law; measures for the protection of the mentally ill; release on parole; the prison system; measures related to asylum seekers; legislative measures to improve the administration of justice; the right to privacy and regulations related to personal data or information; freedom of conscience and worship; separation of church and state; the right of public access to the administration; freedom and organization of the audio-visual media, permissible restrictions on freedom of expression; the rights of assembly and association, trade unions, the right to strike; marriage and family, parental rights and duties, divorce; the right to vote and be elected; access to public service; and protection of certain minorities (i.e., linguistic, ideological, philosophical).

The Committee's concluding observations and comments (CCPR/C/79/Add.99) welcomed, *inter alia*: the establishment of the Centre for Equality and Against Racism (Centre pour l'égalité et pour la lutte contre le racisme),