

UPR Pre-session 52

Delivered by: Federal Institute for the
protection and promotion of Human
Rights

A national human rights institution fully compliant with the Paris Principles

- The Federal Institute for Human Rights is not yet fully compliant with the Paris Principles.
- The Government commits to achieving A status through a cooperation agreement.
- The Institute has been designated as NPM, is the SLAPPs central focal point and supports whistle-blowers.

Recommendations

- Achieve full compliance of the National Human Rights Institution with the Paris Principles by:
 - expanding the mandate of the Federal Institute for Human Rights
 - ensuring that the legal steps necessary for the application for A status takes into account the expertise of the various actors within the Belgian institutional landscape in the field of human rights.

The ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)

- The Federal Human Rights Institute is designated as federal NPM by the Law of 21 April 2024.
- Mandate limited to federal places of deprivation of liberty; cooperation with existing federal monitoring bodies
- OPCAT ratification still pending. Law 19 July 2018 adopted but not yet in force

Recommendations

- Take all the necessary steps to ratify the OPCAT without any reservations and without any further delay
- Establish national preventive mechanisms for places of deprivation of liberty under the remit of regions and communities.

The structural overcrowding of prisons

- Structural prison overcrowding in Belgium, recurrent findings by the European Court of Human Rights
- Council of Europe (Dec. 2024): sustainably reduce the prison population (not by increasing prison capacity)
- Federal measures announced : prisoner transfers, sentences served abroad, and prisons abroad

Recommendations

- Limit the influx into prisons by promoting the use of alternatives to detention
- Ensure that alternatives to detention are accessible to everyone
- Ensure that measures aimed at reducing the prison population do not lead to new human rights violations and are designed and implemented in full compliance with human rights standards