

UN CRC	Ratification Date	Care-Related Concluding Observations
	16 Dec 1991	<p><b>CRC/C/BEL/CO/5-6</b>  <b>28 February 2019</b></p> <p><a href="https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBEL%2fCO%2f5-6&amp;Lang=en">https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBEL%2fCO%2f5-6&amp;Lang=en</a></p> <p><b>III. Main areas of concern and recommendations</b></p> <p><b>A. General measures of implementation (arts. 4, 42 and 44 (6))</b></p> <p><b>Data collection</b></p> <p>11. While welcoming the establishment of 40 national indicators on children’s rights, the Committee regrets that data collection remains fragmented and that children in the most vulnerable situations, such as children in poverty, children with disabilities and children separated from parents, have not been included in such indicators. With reference to its general comment No. 5 (2003) on general measures of implementation of the Convention on the Rights of the Child, the Committee encourages the State party:</p> <ul style="list-style-type: none"> <li>(a) To improve its centralized data-collection system, including by reviewing the national indicators on the rights of the child that should cover all areas of the Convention and be disaggregated by age, sex, ethnic and national origin, urban or rural area, geographic location, disability, migration and socioeconomic status, in order to facilitate analysis of the situation of all children;</li> <li>(b) To ensure that the data and indicators are shared among the ministries concerned and used for the formulation, monitoring and evaluation of laws, policies and programmes for the effective implementation of the Convention and the Optional Protocols thereto.</li> </ul> <p><b>C. General principles (arts. 2, 3, 6 and 12)</b></p> <p><b>Best interests of the child</b></p>

		<p>17. The Committee is concerned that, although the principle of the best interests of the child is integrated in the newly adopted laws, it is still not systematically considered in decisions regarding children in vulnerable situations. With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee therefore recommends that the State party:</p> <ul style="list-style-type: none"><li>(a) Strengthen its efforts to ensure that the principle of the best interests of the child is consistently interpreted and applied in decisions concerning migrant and refugee children, and children in alternative care, and in education and health measures;</li><li>(b) Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in all areas and for giving it due weight as a primary consideration.</li></ul> <p><b>E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)</b></p> <p><b>Corporal punishment</b></p> <p>22. Noting that, in Flanders, the Act on the status of minors in youth care (2004) already explicitly prohibits corporal punishment in alternative care, the Committee regrets that the bill to amend article 371/1 of the Civil Code has not been approved, and with reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, it reiterates its previous recommendation (CRC/C/BEL/CO/3-4, para. 40) and urges the State party:</p> <ul style="list-style-type: none"><li>(a) To explicitly prohibit corporal punishment, however light, by law, at home and in alternative care throughout the country;</li><li>(b) To promote positive, non-violent and participatory forms of childrearing and discipline, including by means of awareness-raising programmes and campaigns, targeting children, parents and childcare professionals.</li></ul> <p><b>F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20–21, 25 and 27 (4))</b></p> <p><b>Family environment</b></p>
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<b>OPSC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	17 Mar 2006	
<b>OPAC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	6 May 2002	
<b>ICCPR</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>

	21 April 1983	
ICESCR	Ratification Date	Care-Related Concluding Observations
	21 April 1983	
CEDAW	Ratification Date	Care-Related Concluding Observations
	10 July 1985	
CRPD	Ratification Date	Care-Related Concluding Observations
CRPD/C/BEL/CO/1	2 July 2009	<p>28 October 2014</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fBEL%2fCO%2f1&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fBEL%2fCO%2f1&amp;Lang=en</a></p> <p><b>III. Principle areas of concern and recommendations</b></p> <p><b>B. Specific rights (arts. 5–30)</b></p> <p><b>Children with disabilities (art. 7)</b></p> <p>15. The Committee is concerned that the State party is now among the European countries with the highest rates of children with disabilities placed in institutions, according to a 2013 European Union report on children with disabilities. The Committee is also concerned that children with disabilities are not systematically included in decisions which affect their lives and do not have the opportunity to express their opinion about issues that affect them directly.</p> <p>16. The Committee recommends that the State party allocate the necessary resources to support families of children with disabilities, in order to prevent the abandonment and placement of those children in institutions and to ensure their inclusion and participation in the community on an equal basis with other children. The Committee recommends the adoption of measures to protect the right of children with</p>

		<p><b>disabilities to be consulted on all issues affecting them through the provision of age- and disability-appropriate support.</b></p> <p><b>Freedom from exploitation, violence and abuse (art. 16)</b></p> <p>30. The Committee is concerned about the lack of protection for women, children and girls with disabilities against violence and abuse. It is also concerned about the absence of protocols to register, monitor and track the conditions in institutions that care for persons with disabilities, particularly those that care for older persons with disabilities.</p> <p><b>31. The Committee urges the State party to take measures to prevent and eliminate all forms of domestic or institutional violence against women, children and girls with disabilities. It also calls for the drafting and introduction of protocols to register, monitor and track the conditions in institutions that care for persons with disabilities, particularly those that care for older persons with disabilities.</b></p> <p><b>Living independently and being included in the community (art. 19)</b></p> <p>32. The Committee notes with concern the high rate of referral to institutional care for persons with disabilities in the State party and the lack of deinstitutionalization plans. It also notes that there is insufficient information on opportunities to continue living in society and the community, since institutional care is too often seen as the only lasting solution. Moreover, there are very few opportunities for persons with disabilities to live independently owing to a lack of investment and the inadequacy of personal assistance services. The Committee is concerned about the policy on registration of institutions that care for French persons with disabilities, in particular children with disabilities, in the State party and the lack of monitoring of such institutions.</p> <p><b>33. The Committee recommends that the State party work towards deinstitutionalization by reducing investment in collective infrastructure and promoting personal choice. The Committee urges the State party to implement a disability action plan at all levels of the State to guarantee access to services and an independent life for persons with disabilities so that they are able to live in the community. The action plan must eliminate current waiting lists and ensure that persons with disabilities have access to sufficient financial resources and that communities are accessible for persons with disabilities. The Committee recommends that the State party devise international cooperation programmes that respect the right of</b></p>
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		<p>persons with disabilities to live in the community and involve disabled persons' representatives and their families in their preparation.</p> <p><b>Respect for home and the family (art. 23)</b></p> <p>34. The Committee is concerned about the lack of support for parents of children with disabilities, particularly mothers, who often leave their jobs to care for their children. It is also concerned that the minimum requirements for protecting the private life of persons with disabilities living in institutions are not guaranteed. Similarly, it regrets that persons with disabilities do not have access to age-appropriate information and education on reproduction and family planning matters.</p> <p>35. The Committee strongly recommends the establishment of a support mechanism for families of children with disabilities with a view to preventing their abandonment or institutionalization. The Committee recommends that the State party take adequate measures to ensure that service providers respect and protect the right of persons with disabilities to a private and family life. It also recommends that access to age-appropriate information and education on reproduction and family planning should be made available to all persons with disabilities.</p>
UPR	Date of Consideration	Link to Page
	2 May 2011	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/BESession11.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/BESession11.aspx</a>
Hague Inter-country Adoption	Ratification Date	Link to Country Profile
	26 May 2005	<a href="http://www.hcch.net/index_en.php?act=states.details&amp;sid=24">http://www.hcch.net/index_en.php?act=states.details&amp;sid=24</a>

**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review