

REPORT

HUMAN RIGHTS AND FLANDERS' (INTERNATIONAL) POLICY

REVIEW 2012-2016
OUTLOOK 2017-2020



Government
of Flanders

FLANDERS
DEPARTMENT OF
FOREIGN AFFAIRS



REPORT
HUMAN RIGHTS AND FLANDERS'
(INTERNATIONAL) POLICY
REVIEW 2012-2016
OUTLOOK 2017-2020



Content

INTRODUCTION	5
HUMAN RIGHTS IN FLEMISH POLICY 2012-2016	7
1 Flemish legislation and policy	7
1.1. Equal opportunities and non-discrimination	7
1.2. Rights of persons with a handicap or disability	8
1.3. Youth and children's right	9
1.4. Poverty reduction	10
1.5. Civic integration and integration	11
1.6. Human rights education	12
2 Current issues	14
2.1. Human rights and the refugee issue	14
2.2. Prevention of violent radicalisation	15
3 International commitments	16
3.1. Ratification of human rights treaties	16
3.2. Monitoring mechanisms under human rights treaties	17
3.2.1 Qualitative reporting	17
3.2.2 Proactive monitoring of and raising awareness about recommendations	18
3.2.3 Complaints procedures	19
3.2.4 UN Human Rights Council	19
4 Respect for human rights in Flanders' international policy	20
4.1. Priority human rights themes	20
4.2. Human rights dialogue and international cooperation	23
4.2.1 Bilateral relations	23
4.2.2 Multilateral and European context	23
4.2.3 Study and work visits	25
4.3. Fundamental social rights in emerging and developing countries	26
4.4. Human rights and international economy	28
4.4.1 International arms trade	28
4.4.2 Corporate Social Responsibility	30
4.4.3 Action plan business and human rights	31

(MOST) IMPORTANT INTERNATIONAL EVOLUTIONS IN THE AREA OF HUMAN RIGHTS 33

- | | | |
|---|---|----|
| 1 | Creation of human rights | 33 |
| 2 | Impact of crisis situations | 33 |
| 3 | Sustainable development goals | 34 |
| 4 | Arms Trade Treaty | 34 |
| 5 | Concern about the role of international organisations | 34 |

HUMAN RIGHTS IN FLANDERS' (INTERNATIONAL) POLICY 2017 - 2020 35

- | | | |
|---|--|----|
| 1 | Flemish legislation and Flemish policy | 35 |
| 2 | Respect for human rights in the Flanders' international policy | 36 |
| 3 | International commitments | 36 |

APPENDICES 37

- | | | |
|---|---|----|
| 1 | List of abbreviations | 38 |
| 2 | Overview of the most important human rights treaties in which Flanders is a party | 39 |
| 3 | Overview of Human Rights projects funded by Flanders | 40 |
| 4 | Overview of the approaching reports to international organisations and defence in front of committees | 46 |

INTRODUCTION

States are bound to respect, apply and protect human rights. In the Belgian context, human rights are not, in themselves, a competence, but each government authority has the task to guarantee and implement human rights within its competence.

For Flanders, human rights are not only a legal and ethical commitment towards its own citizens, but also a governing element for foreign policy. A pro-active international human rights policy indisputably contributes to the Flemish long-term interests, since enjoying human rights ensures more peace, security and economic and social progress in the world.

On 9 December 2011, the document entitled 'Human rights and Flanders' international policy' was adopted by the Government of Flanders. This document is the first explicit standpoint about the position of human rights in Flanders' (foreign) policy.

It explicitly stated the following two policy objectives:

- 1) Flanders guarantees the respect of human rights in the policy areas that fall under its competence;
- 2) It shall disseminate the commitments it has made to human rights in the international relations that Flanders maintains and the activities it develops in the context of its international policy.

In addition, the document also contains 7 guiding principles:

- 1) Insofar as they are not diametrically opposed to the constitutional order of this country, Flanders will work towards its parliamentary approval of several important human rights conventions. It will look into how added commitments may be undertaken.
- 2) Flanders invests in internal governmental processes in order to contribute in a qualitative manner to human rights reporting for international control mechanisms. For this reason, the Government of Flanders provides internal training on human rights, their impact on policies and the consequences for Flemish legislation.
- 3) In its foreign policy, Flanders lays emphasis on four groups of human rights:
 - Respect for the physical integrity of each human being;
 - The fight against all forms of discrimination;
 - Respect for the rights of the child;
 - Promotion of the right to decent work.
- 4) The Government of Flanders aims to invest in an increasing respect for fundamental social rights in emerging and developing countries.
- 5) The Government of Flanders uses the criterion of "good governance" in its bilateral cooperation with other countries and regions, which involves them wishing to take a progressive approach towards gradually improving their human rights situation.

- 6) Flemish human rights policy takes account and makes use of the multilateral and European framework, on the one hand by employing the European guidelines for human rights defenders and for capital punishment, and on the other hand by having Flemish concerns flow through to the European and UN forums.
- 7) The Government of Flanders shall, in implementing the Flemish Parliament Act on Arms Trade, continue to focus attention on a balanced and responsible consideration of ethical, economic and security elements.

Human rights evolve and we live in a world of change. Since 2011, various developments have taken place at an international and European level which, directly or indirectly, have an impact on the Flemish human rights policy.

The adoption of the Sustainable Development Goals of the 2030 Agenda for Sustainable Development in September 2015 represents a milestone for human rights. Another breakthrough was the entry into force of the UN Arms Trade Treaty in 2015, which contains rules to stop the transfer of weapons if they could be used for serious human rights violations.

Despite the many achievements in the field of human rights, the international community is today being overwhelmed by crisis situations such as the increased influx of refugees and migrants, integration and the prevention of radicalisation.

After five years, it is appropriate to take a closer look at this policy document with the intention of assessing the way in which Flanders has, during the past five years, put this document into practice. What are the most pertinent achievements in the period 2012-2016? In which way have the commitments made back then been taken to heart? This document discusses a number of actions, without attempting to be exhaustive.

Finally, it focuses briefly on a number of specific future initiatives, possible new accents or additional commitments for the period 2017-2020.

“

There can be no peace without development, no development without peace, and no lasting peace or sustainable development without respect for human rights and the rule of law.

Jan Eliasson,
deputy secretary general
of the UN

HUMAN RIGHTS IN FLEMISH POLICY 2012-2016

1 FLEMISH LEGISLATION AND POLICY

The Belgian constitution states that a number of fundamental rights must be specifically guaranteed by law, decree or ordinance. Flanders has conscientiously met these constitutional demands for quite some time. In addition, Flanders attempts to ensure that, within its powers, new legislation, policy measures and actions respect the human rights obligations and standards. The non-exhaustive summary below indicates that human rights are now an inextricable part of many aspects of Flemish powers.

1.1. EQUAL OPPORTUNITIES AND NON-DISCRIMINATION

Although there have been no fundamental changes in the past few years in the area of legislation, Flanders has not marked time in the area of equal opportunities and non-discrimination policy.

The vertical equal opportunities policy aims at developing empirically validated expertise with regard to the themes of gender, sexual identity, handicap and accessibility and focuses on raising awareness, research, expansion or refinement of a regulatory framework and financial support of organisations and projects. A number of awareness raising campaigns were thus initiated, including: “Week of Universal Design” (2016, campaign about the importance of universal design and accessibility); “Sports4Every1” (2014, campaign intended to break the taboo around LGBTB sexuality in the world of sport) and “People with a handicap are normal people, don’t see them as different” (2013, campaign about the public perception around persons with a handicap).

With a horizontal or transversal policy, the aim is, by applying the open coordination method (OCM), to achieve the integration of an equal opportunities perspective with regards to the four equal opportunities themes (gender, sexual identity, handicap and accessibility) in all Flemish policy areas. On 17 July 2015, the Government of Flanders laid down the strategic and operational objectives for this term of office. This ‘Horizontal Equal Opportunities Policy Plan’ was supplemented on 15 July 2016 with the specific action plans within the various policy areas. The European Commission, in its ‘Compendium of practice on non-discrimination/equality mainstreaming’, labelled this method of transversal policy implementation in Flanders as a good practice.



With the establishment in 2014 of the external independent agency Accessible Flanders, the institutional landscape changed. This agency must guarantee service provision concerning accessibility and bundle the experiential know-how and expertise from civil society. Also in 2014, after signing the partnership agreement, the interfederal Equal Opportunities Centre (that was named “Unia” in early 2016) saw the light, in implementation of a number of international obligations. Unia is co-funded by Flanders (in 2015 for a total of 787,200 euro). The discrimination hotlines, set up in implementation of the equal opportunities decree of 2008, which, among other things, provides support to victims of discrimination, were embedded in the interfederal centre.

In August 2015, the last gap concerning independent complaint settlement was filled by the establishment of the Gender Chamber under the auspices of the Flemish ombudsman, which is competent to handle complaints of discrimination based on gender (including pregnancy), gender identity and gender expression that fall within the competences of Flanders.

1.2. RIGHTS OF PERSONS WITH A HANDICAP OR DISABILITY

In recent years, the legal perspective has always been the frame of reference for the policy of supporting persons with a disability. The UN Convention on the rights of persons with a disability has, since 2009, been the benchmark for policy actions in Flanders. The thinking and acting about this group has evolved from a traditional medical approach to an approach based on rights. During the 2009-2014 term of office, the handicap theme was adopted alongside the theme of accessibility as transversal policy theme in the horizontal equal opportunities policy. From 1 April 2016, all new Flemish feature films that are produced with the support of the Flanders Audiovisual Fund must meet two accessibility criteria: audio description and Dutch subtitles.

The baseline of the UN Convention “nothing about us without us” has been filled in via a participatory process with associations of persons with a disability, which should result in a Flemish policy participation structure.

In addition, in the care innovation policy, the person with a disability slowly but surely assumes control over his own life and progress is made with person-linked financing. This was introduced with the Decree of 25 April 2014 concerning the person-linked financing for persons with a disability and to the reform of the way of funding the care and the support for persons with a disability (hereinafter “Decree on person-linked financing”). This principle assumes a request-driven support.



Meeting between Minister for Education, Hilde Crevits, and the Council of Europe's Commissioner for Human Rights, Nils Muižnieks. Brussels, 16 September 2015.

That means that customers of the Flemish Agency for Persons with Disabilities (VAPH) shall in future receive their own (person-linked) budget, customised to their demand for support and that they can determine themselves how they organise their support. This new policy has been gradually rolled out from 1 January 2016 and the first budgets have already been allocated.

Further, there is the frequently heard criticism from the UN and the Council of Europe of the large number of pupils with specific educational needs who end up in the parallel circuit of special needs education. In 2015, 4.35% of the pupils in Flanders followed lessons in special needs primary and secondary education. With the M-decree of 21 March 2014, an important step was taken to make Flemish education more inclusive for pupils with a disability. It regulates how Flemish schools must deal with pupils who cannot necessarily attend lessons in a normal school because of a disability.

The Commissioner for Human Rights of the Council of Europe, Nils Muznieks, applauded both the Decree on person-linked financing and the M-decree as big steps forward in his country report about the visit he made to Belgium in September 2015.

On 6 September 2016, Belgium was convicted, in a so-called pilot ruling, by the European Court of Human Rights for its support of detainees with a disability. Detainees in all Flemish prisons can avail themselves of the help and service provision policy of the Government of Flanders (Centre for Mental Health Care, Centre for General Welfare, education, etc.). To accommodate detainees with a disability, the VAPH provides 47 adjusted places outside the prison. A further expansion of 23 places is expected.

1.3. YOUTH AND CHILDREN'S RIGHT

With the UN Convention on the Rights of the Child as starting-point, Flanders wishes to ensure a broad, horizontal and transversal underpinning of children's rights. Quite a few international human rights instruments have provisions relating to children. Flanders therefore argues that human rights should not be separated from children's rights.

On 20 January 2012, the Government of Flanders adopted the amended decree concerning a new youth and children's rights policy. After a thorough evaluation, it emerged that the previous decree of 2008 required a number of amendments. The fundamental tenet of the integrated youth and children's rights policy remained intact, but some provisions needed fine-tuning and a number of gaps had to be filled. The new decree aims at strengthening the social position of children and adolescents and strives for an even stronger integration between the youth and the children's rights policy. For this reason, the term "interculturality" in article 2 was replaced by the far broader term "equal opportunities policy". Obstacles for participation in the economic, political and social life are, after all, not only the result of origins, but also the result of other factors, such as sex, disability, social-economic position and age. This article emphasises the endeavour to provide equal opportunities to all children and adolescents.

“

Where,
after all,
do universal
human rights
begin?
In small places,
close to home.

Eleanor Roosevelt

The new decree has four specific objectives of the Flemish youth and children's rights policy:

- 1) creating and securing equal opportunities for all children and adolescents;
- 2) creating and securing broad development opportunities for children and adolescents;
- 3) creating space for children and adolescents;
- 4) increasing the formal and informal involvement of children and adolescents in society.

The decree also provides funding of so-called associations for information and participation. One of the possible objectives to be funded is making or imparting a qualitative information service for or about the rights of the child. Annually, around 3,000,000 euro in funding is allocated for this.

On 17 July 2015, the new youth and children's rights policy plan was adopted by the Government of Flanders. This plan shall, in future, be drawn up within one year of a new Government of Flanders being installed. The priority Flemish policy aspects were translated in this plan. These included: the priority approach of child poverty, the emphasis on housing as key to the raising of the standard of life, the importance of a sense of well-being of children - also mentally - whereby there is a guarantee that there is always a place for them to go. The policy focuses - in cooperation with the other competent Flemish Ministers - on current points of emphasis, such as the rights of children with a migration background, who are on the run or the approach to integration and radicalisation.

Flanders works closely with the National Committee for the Rights of the Child (NCRK), as well as with specialist organisations. In its recommendations in response to the Belgian periodic report of 2010, the UN Committee on the Rights of the Child expresses its satisfaction about the efforts to involve civil society. The Government of Flanders also further satisfied the democratic wish to guarantee the establishment of an "alternative" children's rights report. "Flanders Children's Rights Coalition", which is the voice of civil society in the area of children's rights, was given the task of "shadow reporting within the reporting of the Belgian government to the UN".

1.4. POVERTY REDUCTION

Poverty is a compelling complex social phenomenon which is a multiple infringement of human rights. It is both a cause and a consequence of human rights violations, and also a catalyst for new human rights violations. Alleviating extreme poverty is not only a moral duty, but also a legal obligation on the basis of international human rights. The poverty barometer 2014 (based on figures from 2014) shows that one in eight children in Flanders grows up in poverty. The Flemish Poverty Reduction Action Plan 2015-2019 aims to tackle poverty in a structural way and to call a halt to intergenerational transmission of poverty. The action plan defines specific objectives for each of the social fundamental rights (incl. education, work, housing and health).

“

Peace does not just mean putting an end to violence or war, but to all other factors that threaten peace, such as discrimination, such as inequality, poverty.

Aung San Suu Kyi,
Burmese politician and
human rights activist

1.5. CIVIC INTEGRATION AND INTEGRATION

Dealing with the consequences of migration is a serious challenge, that has an impact on the area of Flemish competences. Thus an effectual and efficient integration policy is necessary to achieve a congenial society. The Flemish integration and civic integration policy is directed at the entire population, and within that at three specific target groups: persons of foreign origin who have legal and permanent residence in Belgium, members of the travellers community and foreigners without legal residence who, due to an emergency situation, request help.

The Decree of 7 June 2013 concerning the Flemish Integration and Civic Integration policy includes in article 2.13^o the definition of “integration”, which explicitly states that the integration process takes place from a context of enforceability of rights and obligations inherent to our democratic rule of law. Article 4, par. 3, which states the principles of the Flemish integration policy, refers, among other things, to the equality of everybody, with respect for everybody’s character, competencies and ambition and the active citizenship for everybody.

The Flemish integration policy is an inclusive policy that is shaped by all policy areas via the Committee of Integration Policy. For example, the integrated action plan for Integrated Policy 2012-2015 and the horizontal Integration Policy Plan 2016-2019 is prepared within this forum, and also the MEE ¹ (Roma) migrants 2012 and the strategic plan for members of the travellers community 2012-2015.

In addition to the inclusive component, the integration policy also features a vertical component. This includes a specific civic integration proposal, the monitoring and investigation of the target group and taking specific initiatives. One of those initiatives, directed at the Roma, is the support of the Flemish Community Commission in Brussels and in the cities of Ghent, Antwerp and Sint-Niklaas, where many Roma live, for the appointment of neighbourhood stewards. Since 2012, the Government of Flanders has ear-marked 800,000 euros for this. These mediators, who form a bridge between the Roma population, the city services and social provisions, play a crucial role in the promotion of living side by side with the Roma community in the centres of the aforementioned cities. In his report on his visit to Belgium in 2015, the Commissioner for Human Rights of the Council of Europe cited this measure as “good practice”. The fact, too, that caravans are recognised as accommodation in Flanders was considered a positive point by the Commissioner for Human Rights.

¹ MEE stands for Middle and Eastern European countries

1.6. HUMAN RIGHTS EDUCATION

Flanders is convinced that embedding human rights in daily education practice and human rights education is fundamental.

In the period 2012-2016, the Government of Flanders supported various organisations (such as Vormen non-profit organisation) with expertise for providing, for example, supplementary training around human rights or by organising empathy studios (Studio Globo etc.).

The Department of Education implements an active communications policy in the area of human rights education via various channels, such as electronic newsletters (Schooldirect, Lerarendirect). In teacher training and supplementary training (such as during pedagogic seminars), focus is given to human rights themes. This can deal with issues ranging from tackling racial and gender discrimination to dealing with adolescents who threaten to radicalise and the manner in which education can help address this. Via the learning aids website Klacement, teachers and NGOs could share learning aids (lessons, educational packages around human rights). In addition, human rights education is strongly linked with children's rights education, which is an integral part of the Flemish Youth and Children's Rights policy. It is worth mentioning the role of the Children's Rights Knowledge Centre and the advice it offers in this area. In addition, organisations are funded that provide qualitative information about the rights of the child and there is active participation in the context of the Council of Europe (European Steering Committee for Youth, CDEJ) in COMPASS and COMPASSITO (manual for education about human rights for adolescents and children respectively).

Finally, attention is paid to human rights in the context of professional education for staff of the Government of Flanders. In June 2016, the Agency for Government Personnel organised a training session on anti-discrimination for managers.



Part of the wall of portraits at the Kazerne Dossin. The wall, spread over 5 floors, contains 25.836 pictures of those deported from Dossin. Only those on a colour picture, survived deportation. Photographer Christophe Ketels, 2012.

Flanders is also active in the area of remembrance education: The following achievements are worth mentioning

“



“Education is the most powerful weapon for changing the world. Nobody is born with hate for people of a different skin colour, background or belief. People learn to hate. If we can learn to hate, we can also learn to be kind.”

Nelson Mandela

- in December 2012, the new Kazerne Dossin Memorial, Museum and Documentation Centre about the Holocaust and Human Rights, with support from the Government of Flanders, opened its doors to the public. This is the first museum in the world to combine Holocaust and Human Rights in its name;
- since 2013, the database on the Special Committee for Remembrance Education (BCH), which contains audiovisual and all sorts of pedagogic material about remembrance education, was integrated in KlasCement, the digital platform for teachers;
- with the support of the Government of Flanders, the BCH and Kazerne Dossin, at the initiative of the UNESCO Platform Flanders, produced in 2013 a Flemish adaptation of the international UNESCO brochure: “Why give lessons about the Holocaust?”;
- in 2013, Flanders granted a subsidy of 20,000 euros to the Flanders Peace Fields non-profit organisation to set up an educative project. In this, young people were taught through the WWI Christmas truces and football matches about peace education, community building, empowerment and critical civic engagement;
- in 2014, the Special Committee for Remembrance Education updated the Litmus Test for Remembrance Education and added specific tips and suggestions. This vision text serves as an instrument for self-assessment or reflection and contains suggestions for all persons who work on the topic of the collective memory, including: teachers, authors and social-cultural associations;
- on 27 January 2015, the Flemish Minister for Education, Hilde Crevits, and the heads of the various education networks, signed a collective statement of commitment concerning attention for genocides and crimes against humanity during the second world war in secondary education. With this statement, the parties involved commit to handle this subject, to draw lessons from this past and derive insight in a sustainable way into the processes and mechanisms behind genocide(s) and crimes against humanity during WWII;
- in 2016, a grant of 50,000 euros was given to the Kazerne Dossin for the extension of an online platform in the context of the “Connecting Law and Memory” project. The aim is to connect knowledge and expertise concerning human rights education in Holocaust museums and memorials and in the international civil services and to exchange good practices in the area of updating current insight. This shall take place from a human rights perspective with reflection on current phenomena of collective violence, conflicts, discrimination, racism and migration

In addition, Flanders is still a member of the International Holocaust Remembrance Alliance (abbreviated as IHRA).

2 CURRENT ISSUES

2.1. HUMAN RIGHTS AND THE REFUGEE ISSUE

In recent years, Flanders has been confronted with an increased influx of refugees. After the asylum process, the recognised refugee seeks his own place of residence (right to housing). Children have a right to education. Many refugees want to work and need guidance to work, an integration process, etc. Flanders attempts to follow a policy that is as effectual and efficient as possible, with the aim of securing the human rights of this person and thus arrive at an amenable society.

The Government of Flanders has therefore accepted its responsibility and has set up a Ministerial Committee for Refugees and the Asylum Crisis. Since refugees have been a target group within various policy areas for quite some time, the Government of Flanders has, first and foremost, focused on expanding the capacity of existing measures and instruments. In this way, Flanders has, among other things, provided additional funding for the increasing number of non-native speaking toddlers, additional reception classes for newly arrived non-native speakers and a better monitoring of pupils who, after their reception year, continue in the conventional education system. To increase the opportunities of refugees on the labour circuit, additional staff have been recruited for NARIC (National Academic Recognition Information Centre) Flanders. Within Welfare, special attention has been given to families with children and to unaccompanied foreign minors. This has been achieved, among other things, by providing, in partnership with Fedasil, 145 additional reception places for unaccompanied foreign minors (NBMV) in the asylum procedure, and by expanding the provision of supervised independent housing. Within Welfare, the focus is also on independent living supervision and additional budget has been freed up in the housing policy for rent allowances.



Student in preparation class for non-native newcomers.
Klasse, series on refugees.

2.2. PREVENTION OF VIOLENT RADICALISATION

It is estimated that two-thirds of Belgians leaving for Syria are younger than 30. The youngest leaver was 13 years old. Dozens of youths have already fallen in the violence. Human capital that is lost in the hands of extremists. There is nothing, in itself, wrong with being radical, or having radical ideas. They can be the source of positive change. Young people with radical ideas can grow up into critical citizens who help shape our democracy. It becomes problematic when young people show a growing readiness, inspired by philosophical, religious, political or ideological persuasion, to strive for radical change in society through the use of undemocratic, violent means or incite or support others to do so.

In dealing with radicalisation processes that can lead to extremism and terrorism, prevention and repression go hand in hand. The most important tools concerning security are federal competences. Flanders has significant competences that can be used for the prevention of radicalisation. On 3 April 2015, the Government of Flanders gave its approval to 'the Flemish Action Plan for the prevention of radicalisation processes that can lead to extremism and terrorism'.

The action plan starts from the local support needs and wants to provide an answer to these. Sharing of information, a better collaboration and a stronger coordination are central to this. The forty actions relate, among other things, to the support of cities and municipalities, development of expertise, training for first-line workers, support for parents, strengthening the resilience of young people and supporting them in their search for their own identity. Several examples of specific actions that were taken in the 2015-2016 period:

- Motief non-profit organisation, a recognised training institution with considerable expertise in belief systems and society, is receiving support from Flanders for the organisation of a train-the-trainer around identity development among Muslim youth. 30 education workers are being trained to be able to train, in their turn, relief workers, teachers, employment consultants, etc. In this way, they can better support and supervise young people in their identity development;

- a network of Islam experts is being expanded to support education and the centres of pupil guidance, in order to combat preventively, via counter arguments, polarisation and radicalisation; Schools are supported by looking, in consultation, for a customised answer. The experts do not only have a thorough knowledge of Islam, but are also familiar with the social world of young people;
- eight community-based organisations are receiving additional funding for setting up projects that focus on positive identity development among young people, on strengthening the position of the youth and young adults in society, on increasing their involvement in society, projects that can transform feelings of exclusion or injustice into positive commitment and help give young people a sense of meaning and purpose in the future.

In the action plan, the Government of Flanders clearly states that specific measures for the prevention of radicalisation only make sense if, at the same time, efforts are made to create an inclusive society, where everyone feels at home, everyone has the same opportunities and attention is paid to human rights aspects, so that the causes and motives can be tackled. General measures such as a strict prosecution and approach to racism and discrimination, tackling those who drop out of education unqualified, working on accessible social services, stronger youth work, neighbourhood sport and so on are also important in this. In its report of its visit to Belgium between 12 and 16 October 2015, the UN Working Group on Mercenaries, emphasised that greater social cohesion limits security risks in the long term and that attention for support to communities and families is the basis for optimising measures. In its recommendations, the working group ascertained that Flanders is developing a framework for inter-cultural institutions, policy and dialogue, and encourages it to develop this further.

The Flemish Radicalisation Platform reports biannually to the Flemish Parliament and the progress and implementation of the action plan. In April 2016, the second report was submitted. On 4 October 2016, the Flemish Radicalisation Platform organised a network day in which all policy assistants, front line workers, local officials, educational workers, reference consultations, youth workers and so on were brought together to share the experience they had acquired in the approach to radicalisation and to nourish the supra-local policy. Based on the input from the field of work, new policy recommendations shall be made.

3 INTERNATIONAL COMMITMENTS

3.1. RATIFICATION OF HUMAN RIGHTS TREATIES

Insofar as they are not diametrically opposed to the constitutional order of this country, Flanders will work towards its parliamentary approval of several important human rights conventions. It will look into how added commitments may be undertaken.

Human rights and Flanders' international policy, 2011, principle 1

The international human rights system gains strength commensurate to more states committing to human rights treaties. These treaties are not soft liaisons, but legal norms that can be effectively used by the citizen in both international and national legal systems. Flanders is a party to the most important human rights treaties. A summary is included in appendix 1. Since 2011, Flanders has adopted the following new human rights commitments:

- Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (endorsement decree 13 July 2012).
- Treaty of the Council of Europe concerning the protection of children against sexual exploitation and sexual abuse (endorsement decree of 12 February 2012). The aim of this instrument is the prevention and combating of sexual exploitation and sexual abuse of children, guaranteeing the rights of the children who have fallen victim to this, and the promotion of national and international collaboration in the fight against sexual exploitation and sexual abuse.
- Third Protocol for the UN Convention on the Rights of the Child (endorsement decree of 14 December 2012). Children or representatives can, in the future, submit a complaint about the infringement of their rights to the UN Committee on the Rights of the Child.
- UN Arms Trade Treaty (endorsement decree 25 March 2014). This treaty aims to combat the illicit arms trade and at the same time regulate the legal arms trade. In this way, the risk of infringement of human rights and terrorism is reduced.
- Treaty of the Council of Europe concerning the prevention of violence against women and domestic violence - Treaty of Istanbul (endorsement decree 29 November 2013). This treaty offers a comprehensive legal framework for protecting women and girls against all forms of violence and to prevent, wipe out and prosecute violence against them, including domestic violence.
- European Social Charter. In June 2015, our country agreed that it was bound by 4 additional provisions, (specifically articles 26§2, 27§1, 27§2 and 28), which means that the number of adopted paragraphs has risen to 91. Article 27, §2 was partly related to Flemish competences (right of employees with family responsibilities to equal opportunities and equal treatment).
- ILO convention no. 189, concerning dignified work for domestic workers. (endorsement decree 24 February 2014). The aim of this treaty is to guarantee reasonable work conditions for domestic workers and combating the exploitation of which they can be a victim.
- ILO convention no. 187 concerning the promotional framework for health and safety at work.

3.2. MONITORING MECHANISMS UNDER HUMAN RIGHTS TREATIES

3.2.1 QUALITATIVE REPORTING

Flanders invests in internal governmental processes in order to contribute in a qualitative manner to human rights reporting for international control mechanisms. For this reason, the Government of Flanders provides internal training on human rights, their impact on policies and the consequences for Flemish legislation.

Human rights and Flanders' international policy, 2011, principle 2

In the 2012-2016 period, Flanders submitted qualitative contributions for Belgian reporting and took part in constructive dialogues in the context of treaties and political processes. A summary is included as appendix. The coordination of this Flemish contribution is undertaken by the Department of Foreign Affairs, via the Strategic Consultative Body for International Affairs (SOIA). Since 2011, human rights appeared on the agenda of the SOIA plenary meeting more than 16 times. The General Representative of the Government of Flanders in Geneva and/or Flemish experts have systematically participated in the oral presentation of Belgian reports for which a substantial contribution was made by Flanders.

Flanders supports the standing invitation that Belgium has for special observers. This means that every observer or working group that requests a visit is received. In recent years, the UN Special Rapporteur on contemporary forms of Slavery, Urmila Bhoola was received by Minister-President Bourgeois (2015), the Commissioner for Human Rights of the Council of Europe Nils Muižnieks by Ministers Homans, Crevits and Vandeurzen (2015) and the UN Working Group on Mercenaries by Ministers Homans and Vandeurzen (2015). In March 2013, a standard visit took place by the European Commission against Racism and Intolerance, including a meeting with the Flemish Minister of Foreign Affairs at the time, Mr. Bourgeois, and representatives of various agencies that are involved in themes such as integration and civic integration.

Submitting qualitative reporting contributions is a demanding administrative process. In April 2014, the General Assembly of the UN - at the proposal of the High Commissioner for Human Rights - adopted a resolution about the operation of bodies concerning human rights treaties. This encouraged the harmonisation of the operation and the submission of a simplified reporting procedure. In the case of simplified reporting, the committee involved submits a list of issues to the country involved. The answers to this qualify as reporting. Flanders is a resolute supporter of such pragmatic initiatives. In November 2013, use was made of this simplified reporting for the first time, for the reporting of the Committee against torture.



3.2.2 PROACTIVE MONITORING OF AND RAISING AWARENESS ABOUT RECOMMENDATIONS

In addition to the substantive work at public administration level concerning reporting, preparing for visits, defending reports and defining positions for international monitoring mechanisms, and the follow-up on all of this, it is important that the political level is informed about and involved in all this. In the 2012-2016 period, more than ten Communications were tabled for the Government of Flanders about the human rights reporting, the discussions in Geneva or Strasbourg, and also the conclusions of experts and bodies entrusted with monitoring the compliance of the Human Rights treaties.

The Consultative Committee of 24 February 2016 decided that in future it would regularly look at the recommendations concerning human rights from the UN bodies and from the Council of Europe and follow up on them. Flanders has decided to closely monitor the conclusions of the consultative committee.

3.2.3 COMPLAINTS PROCEDURES

The UN Human Rights Council has a so-called individual complaints procedure whereby each individual can submit a complaint about infringements of human rights. In recent years, two complaints were submitted about the non-ratification of the Framework Convention for the Protection of National Minorities and about not respecting cultural and linguistic rights. Both complaints have since been deemed inadmissible.

Further, collective complaints have been lodged under the European Social Charter concerning the housing policy with regard to Roma and members of the travellers community and concerning the equal and effective access for people with a disability to social welfare services that satisfy their needs. According to the report "Follow-up to Decisions on the Merits of Collective Complaints – Findings 2015" of January 2015, an infringement was confirmed for these matters, but the Committee noted that Flanders had, in the meantime, taken measures and made progress. Several collective complaints against Belgium have been submitted to the Council of Europe and accepted because of the fact that Belgian legislation does not explicitly provide for a prohibition on the corporal punishment of children. At Flemish level there is, however, such a prohibition as far as youth help is concerned (Decree concerning the Legal Position of Minors in the Youth Help).

3.2.4 UN HUMAN RIGHTS COUNCIL

The so-called Universal Periodic Research (UPR) of the UN Human Rights Council subjects the member states of the UN to an assessment of their respect for human rights. In 2011, Belgium - and so also Flanders - was subjected for the first time to this mechanism. Pursuant to the dialogue, 121 recommendations were formulated, of which our country accepted 88, subject to the provision that it was of the opinion that 26 of these recommendations had already been implemented or were being implemented.

In May 2012, the second UPR cycle began. Belgium was expected to report about (1) the current situation in the implementation of the accepted recommendations, and (2) new developments, including the challenges and limitations. Civil society was involved in drawing up the report, via a stakeholders' consultation. Flanders ensured that this Belgian report reflects how Flanders has achieved progress. Concerning, for example, the tackling of discrimination and racism, the report states that this is one of the objectives in the new decree concerning the Flemish Integration and Civic Integration Policy of 7 June 2013. With regard to the issue of gender

equality and discrimination of women, reference was made to various projects that had the aim of tackling gender stereotypes, and also the integration of the gender dimension in the communications strategy, via raising awareness, education and the development of instruments for media professionals. In addition, measures concerning inclusive education and the steps taken concerning the rights of persons with a disability are also discussed.

The interactive dialogue with Belgium was held on Wednesday 20 January 2016. During this second session, 232 recommendations were framed. Of these, Belgium accepted 187 (of which 2 partially). 45 recommendations were not accepted. The most prevalent issues in the recommendations are:

- the lack of a National Human Rights Institute in Belgium, in compliance with the principles of Paris. This issue was also raised during the first UPR cycle. In principle, the Human Rights Institute should see the light of day towards the end of this term of office in 2019;
- the non-ratification of the additional protocol for the Convention against Torture (OPCAT). Flanders completed its endorsement procedure in July 2012, two months after the first UPR cycle;
- take more action against all types of discrimination, racism, xenophobia and violence towards women. Our country committed itself to drawing up a national action plan against racism, xenophobia and intolerance. Flanders emphasised the importance of involving the communities and regions in this.

With regard to the non-ratification of the Framework Convention for Protection of National Minorities, two countries made a recommendation in the second cycle. The current Government of Flanders committed itself again in its Coalition Agreement not to ratify this treaty. As stated in its human rights document of 2011, the Government of Flanders is of the opinion that this convention in Belgium cannot play the pacifying role for which it is intended, but on the contrary can give rise to argument and instability.

4 RESPECT FOR HUMAN RIGHTS IN FLANDERS' INTERNATIONAL POLICY

4.1. PRIORITY HUMAN RIGHTS THEMES

In its foreign policy, Flanders lays emphasis on four groups of human rights:

- Respect for the physical integrity of each human being;
- The fight against all forms of discrimination;
- Respect for the rights of the child;
- Promotion of the right to decent work.

Human rights and Flanders' international policy, 2011, principle 3

The human rights document of 2011 identified the four priority policy issues stated above. By focussing on certain rights, the limited resources that are available for foreign policy can be deployed to their best advantage. This does not, of course, mean that other rights are less important or that their universality is not recognised. The prioritisation must be seen as a focus on issues to which more attention is paid. Actions in the area of other human rights remain possible.

Below is a selection of actions whereby these issues have, in recent years, moved to the fore. This summary is purely illustrative and non-exhaustive. These issues are also discussed later in this document.

Via the International Labour Organisation, projects were funded in recent years for tackling slavery (forced labour).

- € 341,620 in Brazil (project around forced labour directed at raising awareness, encouragement and support of prevention activities and re-integrations of victims).
- € 341,620 in India (project directed at improving labour circumstances and precluding new employees ending up in slavery).

In the area of equal opportunities, an important impetus is being made at international and European level. That is why Flanders is closely monitoring the evolutions in this area and is participating in various working groups and committees. The equal opportunities policy focuses on a multi-level approach of the issue by setting up in its policy collaborations with partners from civil society, but also with local, regional, federal and international partners.

In 2015, the Flemish Minister of Public Governance, Civic Integration, Housing, Equal Opportunities and Poverty Reduction Homans, participated in the 59th session of the Commission for the Status of Woman in New York on the occasion of the 20th anniversary of the Beijing Declaration and Action Programme about the rights of women.



During her visit to Vilnius, where she attended the Baltic Pride on 18 June 2016, Minister Homans received an award in recognition of the Flemish support to this annual parade for LGBTs which takes place, in rotation, in Latvia, Estonia and Lithuania and aims to generate more tolerance for LGBTs in the Baltic States. In the 2012-2016 period, Flanders funded various LGBT activities (e.g. conferences) in the Baltic States and Poland.

Flemish Minister for Education Crevits participated in the two-day UNESCO conference at ministerial level about homo and transphobia in education on 17 and 18 May 2016 in Paris. Minister Crevits explained the Flemish policy during the round table about prevention. The Flemish education system focuses on prevention and raising awareness through an inclusive approach: "how do we strengthen the lesson content, the pupils and the teachers and how do we latch onto the wider society?" The Education policy area works on this together with çavaria, the umbrella organisation for LGBTs in Flanders and Brussels.

Flemish Minister of Culture, Media, Youth and Brussels Gatz organised - in partnership with the Federal Minister of Justice and the Minister-President of the French-speaking Community - from 8 to 10 December 2014 a European Conference on the interests of the child. The organisation of this conference was placed within the human rights priority of the Belgian chairmanship of the Committee of Ministers of the Council of Europe. The prompting factor was the 25th anniversary of the Convention on the Rights of the Child. The intention was to generate better understanding of the vague and complex concept "interests of the child" and to translate this into specific points of reference for professionals and policy makers in the member states of the Council of Europe. This conference led to the publication of "The best interests of the child – A dialogue between theory and practice (2016)."


In the area of the right to proper labour conditions, Flanders has worked for more than 25 years with the International Labour Organisation. In early 2016, the Government of Flanders reoriented this partnership. In the years ahead, the focus will be on improving the position of women and young people on the labour circuit and in the workplace. Flanders has also made the commitment to provide, on a biennial basis, at least 900,000 euros for projects that contribute to raising social standards and promoting dignified work anywhere in the world, with a focus on the position of women and young people.

In addition to these priorities, Flanders also focuses, with its foreign policy, on current issues, such as radicalisation.

In April 2016, the Flemish Minister for Education, Hilde Crevits, opened in Brussels the Permanent Conference of Ministers of Education of the Council of Europe. In follow-up of the Action plan for combating violent extremism and radicalisation leading to terrorism, the Conference launched a new European frame of reference of descriptors for competences for a democratic culture, which are related both to citizenship and to respect for human rights. In the autumn of 2016, Flemish schools take part in the test stage of the new frame of reference and thus support the Council of Europe in refining it.

Flanders had, in the 2015-2016 period, regular consultation with international experts or participated in international conferences around this issue in order to exchange experiences. This was the case, for example, during the conference "European Conference on Countering Violent Extremism" (organised in Oslo on 5 June 2015), the Danish conference "Building Resilience to Radicalisation and Violent Extremism" (organised by the municipality of Aarhus on 19-20 November 2015) and the round table conference about radicalisation (organised in London by the General Representation of the Government of Flanders, on 8-9 March 2016). Minister Liesbeth Homans, responsible for integration and civic integration, took part in each of these initiatives.

“



“Injustice
anywhere is a
threat to justice
everywhere.”

Martin Luther King

4.2. HUMAN RIGHTS DIALOGUE AND INTERNATIONAL COOPERATION

4.2.1 BILATERAL RELATIONS

The Government of Flanders uses the criterion of “good governance” in its bilateral cooperation with other countries and regions, which involves them wishing to take a progressive approach towards gradually improving their human rights situation.

Human rights and Flanders’ international policy, 2011, principle 5

An important way to raise human rights infringements in other countries is via dialogue. Flanders raises - where possible and appropriate - human rights issues in its diplomatic contacts. These diplomatic contacts always have a confidential character.

4.2.2 MULTILATERAL AND EUROPEAN CONTEXT

Flemish human rights policy takes account and makes use of the multilateral and European framework, on the one hand by employing the European guidelines for human rights defenders and for capital punishment, and on the other hand by having Flemish concerns flow through to the European and UN forums.

Human rights and Flanders’ international policy, 2011, principle 6

The human rights document of 2011, explains that Flanders has few instruments of its own to raise human rights issues. Furthermore, Flanders maintains no active bilateral relations with most states where serious human rights infringements take place. Consequently, it is vital that Flanders acts in line with international forums such as the EU and the UN Human Rights Council, where these issues can be tackled in an institutional way.

Since 2014, the Council of Ministers of General Affairs of the European Union holds an annual exchange of ideas about a specific issue linked to the “Rule of Law”. During the Dutch chairmanship of the EU in 2016, the focus was on the link between the integration of migrants and the fundamental EU values. Via the intra-Belgian coordination meetings, Flanders, for example, supplied good practices that were included in the Belgian intervention during the Council. Further, Flanders supports the initiatives for the preparation of a periodic evaluation of the respect for the rule of law and the fundamental rights within the member states of the EU.

When Flanders is particularly concerned about certain situations or has useful information from its partner countries, it contacts the European External Action Services (EDEO). In response to questions in the Flemish Parliament, the persecution of homosexuals in Egypt, the administrative detention of Palestinians by Israel and death threats towards a Guatemalan parliamentarian have been raised at federal and/or European level. For these issues, the Flanders Department of Foreign Affairs, at the request of Minister-President Geert Bourgeois, wrote a letter to the competent department of EDEO to express the concerns and with the request to take this into account in the relations with these countries. The Minister-President also raised the persecution of homosexuals in Egypt with the federal minister Reynders.

Finally, Flanders also funded projects around human rights which were implemented by international organisations. Minister-President Bourgeois decided in April 2016, during his official visit to Iraqi Kurdistan to support the "Human Rights Education in Schools" project. The aim of this project is to strengthen human rights, citizenship, intercultural and other norms in the education curriculum of public education in Iraqi Kurdistan. Human rights education offers possibilities for mitigating the ethnic, religious and political differences and minimising the breeding ground for radicalisation. For this, an amount of 114,017 euros was allocated to the Human Rights Office (OHCHR/UNAMI HRO) within the integrated United Nations Assistance Mission in Iraq (UNAMI) and the representation of the UN High Commissioner for Human Rights in Iraq (UN OHCHR).

In 2014, a grant of 82,500 euros was allocated to the Council of Europe for the so-called "Immediate Measure Package" around human rights, state reform, elections, capacity building and support to the social civil society in Ukraine. Specifically, an "International Advisory Panel" shall be set up with the purpose of monitoring the investigation into infringements of human rights during the conflict in Ukraine.

Via the Flemish Trust Funds at the International Labour Organisation and UNESCO, Flanders makes a contribution to, respectively, the right to dignified work and fundamental rights such as the right to development, right to water, right to education and right to cultural identity/diversity. Particular attention is given here to women and children. Both Trust Funds receive a biennial amount of € 900,000.

4.2.3 STUDY AND WORK VISITS

With the “Flanders Inspires International Visitors Programme”, Flanders is building an international network for the exchange of contacts and knowledge at high level and it stimulates synergy between Flemish and foreign companies, organisations and public authorities. Each year, two sessions are organised, whereby a limited number of international guests are selected to become acquainted with Flanders. In 2013, the focus was on the programme “Human rights, equal opportunities, integration and civic integration”. The participants came from various parts of the world and had different backgrounds (i.e. Centre for Human Rights of the University of Pretoria, New York City Commission on Human Rights, Gender Equality and Equal Treatment Commissioner of Estonia). During their visit to Flanders, which lasted several days, they were introduced to various institutions, including the Flemish Ombudsman Service, the Flemish Peace Institute, the Flemish Commissioner for the Rights of the Child, the Centre for Equal Opportunities for people with a disability, the chair of Gender Studies at the Ghent University, Dossin kazerne, the Flanders Fields Museum and the Red Star Line Museum.

In addition, study and work visits were organised with the purpose of promoting and strengthening certain human rights issues. From 22 to 25 June 2015, a delegation from Ukraine visited Flanders to learn about our media landscape. The study visit offered inspiration for the ambition of Ukraine to align itself further with Europe and the reforms of its media landscape in that sense. The programme was organised by the Council of Europe in partnership with the Flanders Department of Foreign Affairs. The delegation included representatives of the national TV broadcaster, parliament, civil society organisations and the government. They visited the Flemish Public Broadcaster (VRT), the Flemish Parliament, the Flemish Regulator for the Media (VRM) and the media division of the research centre iMinds. The Global Forum for Media Development (GFMD), the Flemish Association of Journalists (VVJ) and the Council for Journalism also met the delegation.

On 29 January 2013, Flanders hosted a delegation of Syrian journalists, accompanied by the Global Forum for Media Development (GFMD), which has been coordinating media assistance in Syria since 2013 with financial aid from the European Commission, UNESCO, International Media Support and Free Press Unlimited.



TESTIMONIALS 2010-2013

“Flanders is something of a powerhouse and this was surprising.”
United Kingdom

“Indeed, all of the topics and visits were very interesting, useful and inspiring.”
Latvia

“A vibrant region that innovates and achieves through collaboration; friendly, “hartelike” nice people!”
South Africa

Flanders Inspires
International Visitors Programme
Human Rights, Equal Opportunities,
Diversity and Integration in Flanders

General information on the programme for 2013

- Duration of stay: 1 week
- Programme date: during the week of 7 October
- Arrival: Sunday evening before the start of the programme
- Departure: Friday afternoon
- Participation in the programme implies full commitment of the visitor

4.3. FUNDAMENTAL SOCIAL RIGHTS IN EMERGING AND DEVELOPING COUNTRIES

The Government of Flanders aims to invest in an increasing respect for fundamental social rights in emerging and developing countries.

Human rights and Flanders' international policy, 2011, principle 4

The Flemish development cooperation policy actively contributes to achieving human rights in developing countries, in compliance with article 4,3° of the Framework Decree on development cooperation of 22 June 2007. The projects in the area of development cooperation are available in the Flemish ODA database. These show that an amount of € 3,785,610.99 was spent between 2012 and 2012 on projects under the heading of "human rights". A considerable number of development assistance projects help achieve economic, social and cultural rights, even if they do not fall under the ODA heading "human rights". Just think of the right of food that is included under the heading food security, agriculture and/or emergency food aid.

In order to avoid a wasteful fragmentation and to promote the quality and cohesion of the Flemish development cooperation, the Flemish policy concentrates on a limited number of issues. Attention is given in particular to the right to dignified work (South Africa), the right to the highest standard of health, with special attention for achieving sexual and reproductive health and rights (Mozambique) and the right to food (Malawi). On 3 April 2013, Flanders funded a two-day human rights seminar, whereby ten countries reflected on the right to food as part of fundamental social and economic rights in Malawi. The organisation was undertaken by the office of the UN High Commissioner for Human Rights. From Flanders, the human rights specialist Professor Koen De Feyter (Antwerp University) and an expert of 11.11.11 participated in the seminary. The former Minister-President gave the opening address.

In response to the new global framework for sustainable development (including "Sustainable Development Goals"), a vision text, based on a stakeholder inquiry and under the scientific guidance of HIVA Research Institute for Labour and Society, was developed by the Government of Flanders, which forms a generic framework for the operation and priorities of this policy until 2030.

The core message below encapsulates the target, the core values and the core quality of the Flemish international collaboration:

“The Flemish development cooperation invests in global, sustainable development where nobody is left behind. In order to achieve well-being and equitable prosperity within the tolerance of our planet:

- we stimulate innovation;
- we adopt a system approach
- we give partnership a central place

In all of this, we promote good governance, human rights and gender equality.

In this vision, good governance, respect for human rights and equal opportunities for man and woman are considered fundamental values for sustainable global development. Thus respect for human rights can be an excluding criterion in the choice of new partner countries. This can also have an impact on the choice of executive partners in the partner countries. Each project, programme or fund supported must comply with the basic conditions sketched above. A project that does not contribute to economic, social and/or social rights seems, after all, to contradict the vision and mission of the Flemish development cooperation.

A considerable part of the Flemish development cooperation takes place via multilateral partnership with international organisations active in Southern Africa, such as UNICEF, UNAIDS, WHO, ILO, WFP and FAO. This partnership ensures the promotion of certain human rights in the Flemish partner countries or other countries in Southern Africa. The vision memo concurs with the importance of the multilateral forums to promote human rights, but also issues of global goods such as climate, migration and combating epidemics worldwide.

The WHO research programme around human reproduction helps the member states in defining the policy for promoting sexual and reproductive health and rights of their population. Alongside expanding and improving care during pregnancy, more delicate issues can be raised such as access to safe abortion, STD information to young people or service provision for sex workers and sexual minorities. It is important here to note that Flanders bases itself on the principle that not only the more generally accepted reproductive rights exist. Beyond that, each individual, regardless of their sexual orientation and/or age, does enjoy specific sexual rights. Even if these latter rights are seriously disputed by many member states. Everyone is entitled at least to the right of fully-fledge sexual health and information according to WHO definitions.

In addition, Flanders annual spends 750,000 euros on UNAIDS, of which 250,000 euros goes to the secretariat of UNAIDS in Geneva for general policy preparation and 500,000 to projects in the field in the most severely infected countries in Southern Africa, including Mozambique. With this financial aid to UNAIDS, Flanders enters the international fight against discrimination of LGBTI, i.e. Lesbian, Gay, Bisexual, Transgender and Intersex. UNAIDS is, after all, considered the most important institute in the field of an integrated answer to the HIV hyper-epidemic. The programme works hard to remove barriers to prevention and treatment which are embodied in national legislation and social attitudes that discriminate against vulnerable groups for these diseases, including men who have sex with men.

The annual structural aid of 750,000 euros to UNICEF International aims at promoting the rights of the child worldwide. One third goes to the general contribution of UNICEF. This flexible funding ensures that UNICEF can allocate funds according to the needs in the field and priorities of the organisation. Two thirds of the funding is softly earmarked to the survival and development of children in the fight against HIV/aids.

4.4. HUMAN RIGHTS AND INTERNATIONAL ECONOMY

4.4.1 INTERNATIONAL ARMS TRADE

The Government of Flanders shall, in implementing the Flemish Parliament Act on Arms Trade, continue to focus attention on a balanced and responsible consideration of ethical, economic and security elements.

Human rights and the Flanders' international policy, 2011, principle 7

Since 2003, the regional governments have been the competent authorities for the import, export and transit of arms and for dual-use products. Respecting human rights and international law in general plays a leading role in this monitoring. The importance of attention for human rights is reflected in the legislation. Until 2012, the regions carried out their monitoring based on the applicable federal legislation, in which Belgium, in 2003, was the first country to give a binding character to the criteria of the "EU Code of Conduct concerning Arms export" from 1998 - which also paid considerable attention to human rights. In 2012, the regions adopted their own legislation, in which the criteria of the Common Position 2008/944/CFSP - the binding successor to the Code of Conduct - were included and which must be applied in a mandatory manner to all export and transit permit applications. For the Flemish Region, this means the Arms Trade Decree of 15 June 2012.

Just as in the Common Position 2008/944/CFSP, respect for human rights in the country of end use and respect for the international humanitarian law by the country, these are some of the most important criteria in the Arms Trade Decree. The human rights criterion is in that case the most prevalent grounds for refusing permit applications. Just as the Common Position 2008/944/CFSP, the Arms Trade Decree provides, after all, for permits to be refused if a clear risk exists that the products may be used in the commission of serious violations of human rights or international humanitarian law. The same applies if there is a clear risk that the goods shall be diverted to players who are guilty of serious violations of human rights or of international humanitarian law. This latter is extremely important for export and transit to private companies such as defence companies and traders.

In the Arms Trade Decree, the human rights criterion is furthermore more severe than in the Common Position 2008/944/CFSP to ensure that more generally no goods may be supplied, either directly or via unreliable or private companies, to players who have been designated by relevant international organisations as being systematically and manifestly guilty of serious violations of human rights or of the international humanitarian law. Further, the Arms Trade Decree includes an additional criterion that specifically prohibits export and transit to countries that deploy child soldiers in the regular army. Other relevant supplementary criteria based on which an application for export or transit may be refused, include the attitude of the country of end use with regard to the death penalty, the prevalence of a high level of deaths as a result of gun violence and the prevalence of gender-related violence, in particular rape and other forms of sexual violence.

All recipients and end users of Flemish weapons and Flemish military material are thus made responsible for this. Both private companies and state end users, who wish to receive arms or military material, must, in this regard, in advance of any export, sign a declaration in which, among other things, they commit to not using the goods for violations of human rights or of international humanitarian law and not to supply these to another entity, nor to ship or export to another for the purpose of such activities. Where necessary, conditions are imposed on the recipient companies or state end users which must guarantee this.

After two years, a study will be made of the Arms Trade Decree as to whether certain elements need readjustment. On 27 November 2015, the Government of Flanders adopted a concept paper about this. Stakeholders also had a say in this process via various consultations, seminars, discussion and contact moments. Partly at the indication of the stakeholders, the draft of the amending decree includes a clarification of the human rights criterion, more specifically about the criterion of the risk analysis stated. According to the draft, instead of speaking of a clear risk that the goods “shall be used” for human rights violations, it now talks about a clear risk that the goods “could be used” for human rights violations. The text of the draft also clarifies that this is not only about the clear risk of direct use for human rights violations, but also about facilitating or being conducive to this.

These clarifications are in line with the Common Position 2008/944/CFSP and the User Manual. In addition, the draft clarifies in the additional criterion about the attitude of the country of end use towards capital punishment that any licence shall be denied if there is a clear risk that the goods or the technology in question would be used for capital punishment or for its facilitation or for being conducive to it. In addition, the Government of Flanders now has the possibility to impose general restrictive measures if circumstances take place in a country which could have an effect of such extreme importance on the assessment of the criteria of the decree that the assessment must be made that in those circumstances, any delivery to that country would contravene the criteria.

For products of dual use, the focus of the monitoring is largely to avoid the spreading of nuclear, chemical or biological weapons and their means of dispersion. This does not mean that there is no attention for the respect of human rights. This applies in particular if there is a serious reason to assume that the end users of the products for dual-purpose use in question are the armed forces, the domestic security service or similar units in the country of end use.

Finally, the Flemish actions that must contribute to the promotion of the UN Arms Trade Treaty and a worldwide coordination of legislation have a positive influence on the respect for human rights. Flanders works, for example, within the Treaty Conference of State Parties to the UN Arms Trade Treaty, on initiatives to ensure the effective implementation of the Treaty. In addition, the Control Strategic Goods unit of the Flanders Department of Foreign Affairs uses its expertise for assistance programmes of the EU and other partners for the purpose of a strong implementation of the Treaty.

4.4.2 CORPORATE SOCIAL RESPONSIBILITY

“Corporate social responsibility (CSR) is a process whereby companies voluntarily aim for improvement in the corporate and social area by including economic, environmental and social considerations in a systematic, integrated and coherent manner throughout the business operation, whereby consultation with stakeholders or parties with interests in the business participate in this process.”

Reference Framework CSR in Belgium (2006).

On 24 April 2013, an eight-storey building (Rana Plaza) collapsed in Bangladesh. More than 1,000 were killed in the collapse and more than 2,000 were injured. In the wake of the disaster in this clothing factory, the so-called Bangladesh charter for greater safety in the textile industry was drawn up. This Charter is an agreement between brands, retailers and trade union organisations, whereby the signatories undertake, within a period of five years, to set up a programme for a safe work environment. Various Belgian clothing chains have already joined this agreement.

In April 2015, the Flemish ministers appeared on the street, in the context of the action “Schone kleren” [Clean/ Beautiful Clothes], with their clothing turned inside out, to increase the awareness of the clothing sector, and more specifically the fact that millions of people work in degrading circumstances. The Government of Flanders wanted in this way, on the one hand to appeal to companies to adopt sustainable and ethical business practices and on the other to stimulate the consumer to buy clothing that is produced in a socially responsible way. On 10 June 2015, the Flemish Parliament adopted a resolution concerning ethical and sustainable business practices, more specifically regarding the production of clothing under the Bangladesh Charter. The Government of Flanders in the meantime has undertaken quite a few actions that satisfy the appeal of the Parliament for partners to raise awareness together in consumers and companies in corporate social responsibility.

The General Representative of the Government of Flanders in Geneva closely monitors the theme of corporate social responsibility at the multilateral organisations.

The Flanders CSR is a knowledge centre for sustainable business that acts as a starting and meeting point for everyone interested in corporate social responsibility. It has a wide range of instruments and information, aimed to help organisations put corporate social responsibility into practice. Four forums on corporate social responsibility have already been held.

In July 2016, the Government of Flanders issued a call for grants on ‘corporate social responsibility’. In this way, it wants to encourage companies to include CSR in a structural way in the organisation. This is often a daunting challenge for individual organisations. For this reason, this call is directed at partnerships or intermediaries. The emphasis is on projects that have or could have a broad impact. The budget available for this call is 480,000 euros.

Flanders Investment & Trade (FIT) is also undertaking actions in the context of the “Flemish Action Plan Sustainable International Business 2015-2016”. The aim includes:

- informing Flemish international entrepreneurs about the reference frameworks used most frequently for sustainable international business and guiding them in their use thereof (e.g. ISO26000, the OECD guidelines for Multinational Companies, the 10 principles of the Global Compact of the United Nations);
- giving specific practical information to companies via tips and manuals concerning corporate social responsibility via various channels: via the website, the country files, the domestic and foreign network of the FIT, organising seminars (e.g. ‘Social and environmental risks of international business - 4 June 2015);
- the CSR or Corporate Social Responsibility Risk Checker on the trade website of FIT allows an immediate estimation of the risks concerning CSR;
- the publication of best practices concerning sustainable international business on the website of FIT and the magazine ‘Wereldwijs’ [Worldwise];
- in December, FIT organised, together with CIFAL Flanders a seminar about the “UN Guiding Principles on Business and Human Rights” and the National Action Plan. The Flemish company JBC, which is a party in the Bangladesh Charter and trendsetter concerning sustainability and fashion, appeared here as guest speaker.

4.4.3 ACTION PLAN BUSINESS AND HUMAN RIGHTS

The compliance of companies with human rights has long been a subject for discussion in numerous national and international forums. The unanimous approval of the guidelines concerning business and human rights (UNGPs “Guiding Principles on Business and Human Rights”) on 16 June 2011 held by the Human Rights Council of the United Nations is a milestone in the protection of human rights and the evolution of the concept of corporate social responsibility. These guidelines refer emphatically to the Charter of the UN concerning human rights and the Statement of the ILA on fundamental principles and rights at work. They are not binding, but encourage UN member states to adopt them in their legislation, taking into account their own national reality and needs.

At the urging of the institutions of the European Union, the Government of Flanders, together with the Walloon, Brussels and federal administration to develop a national action plan (NAP) for the implementation of these directives. With this action plan, they wish to express explicitly their commitment to ‘business and human rights’. The NAP wishes to offer a forum for spotlighting the good practices of sectors and businesses and to create more opportunities for discussion, in order to better address the complex challenges linked to this subject. This NAP shall, in particular, ensure that the administrative burden of businesses and organisations will not increase and shall ensure that the actions take place on a ‘level playing field’ at European and international level.

Many actions included in the NAP are not restricted purely to human rights, but delve into various aspects of social responsibility. For businesses and organisations, the attention for human rights is often framed in their approach of sustainable and corporate social responsibility. For the development of this action plan, the first consultations with stakeholders have, incidentally, demonstrated a clear preference to combine two exercises (Action plan social responsibility of business and NAP business and human rights) rather than setting up two different action plans. The competent administrations have thus chosen to view these actions in the context of the international demand in order to draw up an action plan for business and human rights, also in the context of the European demand to draw up and renew action plans concerning corporate social responsibility. The competent administrations at the various levels want, in this way, to clarify to businesses and organisations that the compliance with and promotion of human rights is an integral part of the principle of social responsibility, which can take on a variety of forms.

The NAP contains quite a few Flemish actions. A number of these were mentioned earlier in the previous chapter concerning corporate social responsibility. In addition, the Flemish actions also concern:

- respect for human rights in public procurement (Flemish public procurement plan, adopted on 29 January 2016 for the period 2016-2020). Pilot projects are being set up for this whereby the credibility of exhibits (concerning the compliance with human rights) and the compliance with conventions of the International Labour Organisations are monitored. The Government of Flanders is first concentrating here on the purchase of textile products;
- attention for the rights of the child when raising the awareness of businesses. The Government of Flanders supports UNICEF Belgium in the wider and better application of the directives for the Rights of the Child in the Business World, launched by UNICEF, Save the Children and Global Compact;
- during the negotiations with third countries about a free trade and/or investment agreement, the EU focuses in a separate heading on sustainable development, in which environment, work (including dignified work) and transparency (including consultation with the social civil society) are included. Flanders actively supports the EU efforts to include such chapters in the free trade and investment agreements and argues for including in these chapters agreements about the promotion of corporate social responsibility with mechanisms for monitoring and enforcement. Together with the European Commission, Flanders is funding a second phase of the study project "Assessment of labour provisions in trade and investment arrangements" concerning the auditing of labour provisions in trade and investment agreements. Flanders contributes 450,000 euros. Strictly speaking, these are not always purely about human rights, but they are about what the ILA understands as "labour rights". In addition, Flanders supports and concurs with the EU practice of referring in the preambles to these agreements to the Universal Declaration of Human Rights.

(MOST) IMPORTANT INTERNATIONAL EVOLUTIONS IN THE AREA OF HUMAN RIGHTS

1 CREATION OF HUMAN RIGHTS

Human rights can be defined as the sum of civil, political, economic, social, cultural and collective rights, which are included in international, regional and national human rights instruments or in common law. The rights are interrelated, interdependent, indivisible and universal, which arises from the fact that they are inherent to the dignity of anybody. These rights are intrinsic to all people, without discrimination, irrespective of their nationality, place of residence, sex, origin, colour, religion, language or any other status.

Until 1945, human rights standards primarily arose in the context of national constitutions. Human Rights are included in the Belgian Constitution. After the Second World War, as reaction to the Holocaust that had just taken place, the international interest for Human rights increased and were adopted in the context of the United Nations "International Bill of Human Rights", consisting on the one hand of the Universal Declaration on Human Rights and on the other two international Treaties, namely the Convention concerning Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Regional organisations, in addition to the United Nations, are active in the area of human rights, such as the Council of Europe, which adopted the European Convention for the Protection of Human Rights, and the European Union, which announced the Charter of Fundamental Rights. As the years progressed, more and more Human Rights treaties, both international and regional, were concluded around specific issues and groups, and were often supplemented with optional protocols.

Human rights are not static, but their codification is an on-going process, without end, at both national and international level. They arise generally as response to specific threats or acts of oppression. They also evolve and should adapt to new challenges in society. A better compliance with human rights worldwide contributes to the development of a more democratic, peaceful and safe international order.

2 IMPACT OF CRISIS SITUATIONS

Despite the many achievements in the field of human rights, the international community is today being overwhelmed by crisis situations.

The human cost of violent extremism, which has a clear and direct impact on human rights, has been felt in recent years in all corners of the world. Combating cross-border terrorism, which in turn must not violate human rights and humanitarian law, must take place collectively. Collaboration with other countries and with the international organisations involved, such as the European Union and the United Nations, is required to act in a repressive and preventive way against this threat.

As a consequence of continuing armed conflicts, terrorism and environmental disasters, there has been an explosive growth in refugees, displaced persons and migrants. From a human rights and humanitarian perspective, all levels are contemplating the "push" and "pull" factors within the refugee and migrant crisis and are trying to develop an answer, based on the commitment to protect human dignity and lives, which are part of the core values of international human rights. In May 2016, the first World Humanitarian Summit took place in Istanbul, organised by the United Nations, with the aim of sharing experience and information to help countries and all those involved in humanitarian actions to make better and more efficient preparations to act in this context. During this Summit, the refugee issue was also discussed

3 SUSTAINABLE DEVELOPMENT GOALS

The adoption of the Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development by world leaders during an historic summit at the United Nations in September 2015 represents a milestone for human rights. The SDGs, which build further on the Millennium Development Goals (MDGs), are an action plan for humanity and the planet and attempt to reinforce prosperity and universal peace. Supplementing the work already done under the MDGs, the SDGs attempt to tackle critical situations in a comprehensive manner. A striking example is the concept of “Leaving no one behind”. The 2030 Agenda emphasises the importance of enabling vulnerable groups, such as children, elderly people, people with a disability, refugees and migrants, to fend for themselves and calls for a better aligned and stronger support of their special needs. The SDGs emphatically confirm the link between human rights and development and recognise that the eradication of poverty is the primary general challenge and essential for sustainable development.

The SDGs undersign the critical role that companies play and state that they wish to stimulate a dynamic, well-functioning business community, in compliance with international standards, agreements and other initiatives, such as the “Guiding Principles on Business and Human Rights” (“UNGPs”), the labour standards of the International Labour Organisation and the Convention on the Rights of the Child. Although the UNGPs are not binding, the unanimous approval by the UN Human Rights Council in June 2011 was a key moment, since they have proved the general reference point for the obligations and responsibilities of governments and businesses regarding business-related human rights impact. To promote further the dispersion and implementation of the UNGPs, the UN Human Rights Council set up the “Working group on human rights and transnational and other businesses”. This working group, whose mandate was renewed in 2012, is also tasked with directing the activities of the “Forum on Business and Human Rights”, which has been held annually and makes up the balance of the challenges around this issue and sets out the path to be followed. Within this context, the idea arose to develop National Action Plans (NAPs) and the European Commission invited the EU member states to proceed with this (see above 4.4.3). In addition, a resolution was adopted at the UN Human Rights Council session of June 2014 in which an inter-governmental working group was set up to draft an international legally binding instrument. This working group met for the first time in July 2015.

4 ARMS TRADE TREATY

A breakthrough in the field of human rights was also the entry into operation of the Arms Trade Treaty on 24 December 2015, for which NGOs throughout the world had been campaigning since the early nineties. The treaty contains rules to stop the transfer of weapons if they could be used for serious human rights violations. States that participate in the Treaty must base themselves on international human rights, humanitarian law and international criminal law to decide whether a cross-border transfer of weapons may or may not proceed. This treaty aims at creating a favourable climate in which the UN can implement its mandate in the area of humanitarian aid, peace-keeping, peace-making and post-conflict peace reconstruction.

5 CONCERN ABOUT THE ROLE OF INTERNATIONAL ORGANISATIONS

Many measures and initiatives have been taken and continue to be taken. Even if these have positive results, they cannot be viewed as final in the light of new threats and issues in new contexts. In his opening speech for the 33rd session of the Human Rights Council in September 2016, the UN High Commissioner for Human Rights Said Raad-al-Hussain expressed his concern about the growing number of countries that do not allow UN observers to do their work or allow them entry into the country. He emphasised that human rights of all people in all countries demand our collective attention and referred to the statement adopted during the UN World Conference on Human Rights in 1993, that states: “the promotion and protection of all human rights are a legitimate concern of the international community”. It is important to draw lessons from the past, to expand and strengthen networks of solidarity, to be open to new opportunities and to make continuous efforts.

HUMAN RIGHTS IN THE FLANDERS' (INTERNATIONAL) POLICY 2017 - 2020

From the above it appears that Flanders resolutely contributes to the improvement of the respect for human rights. It does this by striving for proper compliance with human rights both within its own areas of competence and by communicating the human rights commitments it has undertaken in its international relations.

In the years ahead, the Government of Flanders is initially planning to continue along this path. The points of reference framed in 2011 remain valid for this.

Below a number of specific commitments/actions that are foreseen for the years ahead:

1 FLEMISH LEGISLATION AND FLEMISH POLICY

- Revision of the decree of 10 July 2008 on the framework for the Flemish equal opportunities and equal treatment policy ("Equal Opportunities Decree"). In the context of the proper implementation of the European legislation, legal advice has been gained about making the decree conform with all European non-discrimination directives. The same exercise is being done at the level of the federal government. In 2017, all amendments and additions shall be adopted via an amendment decree.
- With regard to the migration and refugee issue, further investments shall be made in expanding the capacity of existing instruments. Local administrations will be given a central role in applying the integration policy. The subsidies allocated in 2016 to the municipalities where the issue is most pressing, continue, so that the municipalities involved can still undertake actions in 2017 and 2018.
- A study on 'Society and diversity' will be launched in the spring of 2017, regarding integration and civic integration. This study deals with 'shared and active' citizenship. Aspects that fall under this heading include social cohesion, inter-cultural aspects, use of language, mutual attitudes and public perception, discrimination, perception of identity, social trust and involvement. The results of this exercise will be known in 2018. The Government of Flanders wants to raise awareness and increase the sense of responsibility in as many players as possible to take the necessary measures to counter discrimination and racism via an integration pact. In partnership with various policy areas (Flemish Housing Agency, Spatial Development Department Flanders, Education, Welfare, Local Government), the Agency for Integration and Civic Integration and the Minorities Forum have developed an integral plan for handling the members of the travellers community issue. The plan lists the bottlenecks and offers solutions whereby the instruments available in the various policy areas and partners are deployed and attuned to each other. The plan will be implemented in the coming years.

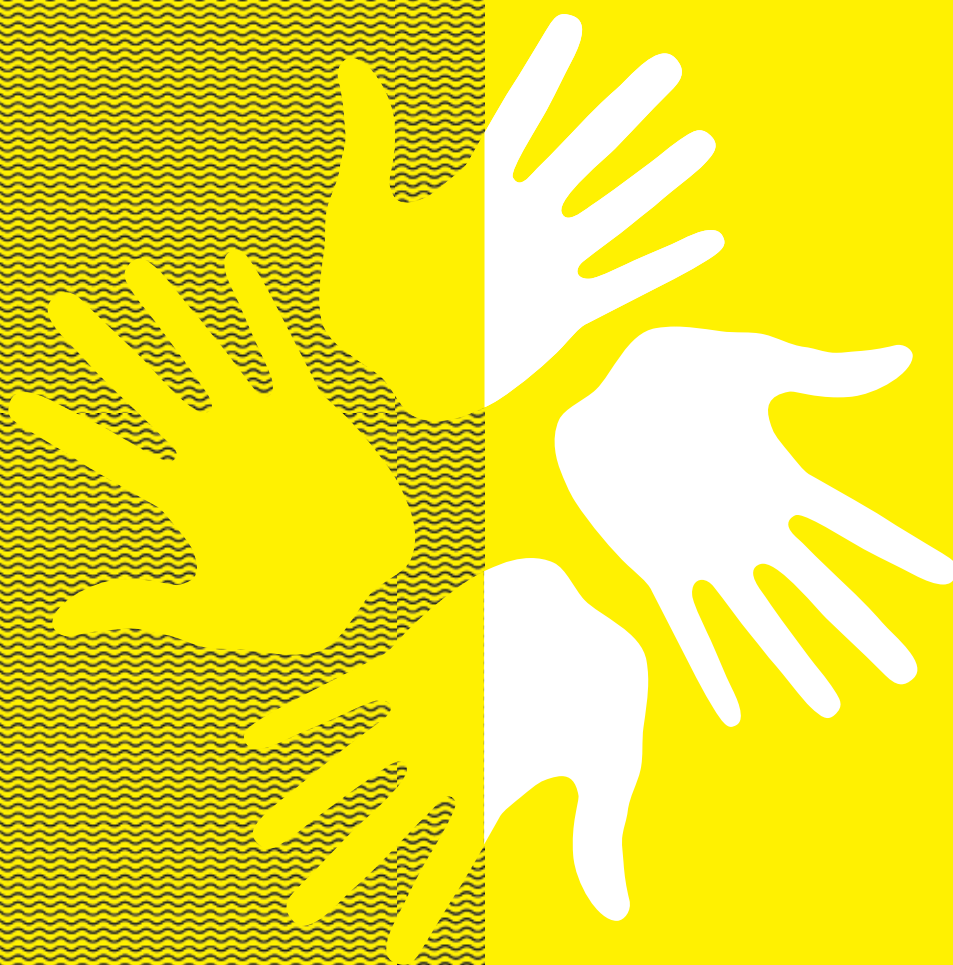
2 RESPECT FOR HUMAN RIGHTS IN THE FLANDERS' INTERNATIONAL POLICY

- Active participation in and organisation of human rights activities at international forums; With support from the Government of Flanders, Belgium will be organising in 2017 in Brussels the fifth IDAHOT forum. This forum is a European conference about LGBT rights and has already been organised on four previous occasions under the auspices of the informal network of LGBTI experts, which was set up by Flanders and the Netherlands in 2009. This conference is held annually in the run-up to IDAHOT (abbreviation for "International Day Against Homophobia and Transphobia") on 17 May.
- Framework agreement of 30 June 1994 about the representation of Belgium in international organisations: Flanders continues to lobby for an amendment to this Framework agreement so that human rights organisations are included. This would lead to a closer consultation and more coordination between the various entities within Belgium about human rights issues. Furthermore, Flanders can make greater use of the multilateral and European level.
- Human rights must form an important part of the permanent training of the diplomatic corps. This will be included in the development of the Flemish diplomatic career. All Flemish diplomats shall continue to keep an eye on human rights in our bilateral relations. The Flemish priority human rights themes can serve as a focus there.
- At the request of members of the Government of Flanders, the Department of Foreign Affairs issues advice about the human rights situation in a certain country, for example in preparation for an international meeting or mission. The Flemish priority human rights themes can serve as a focus there.

3 INTERNATIONAL COMMITMENTS

- Closer monitoring of recommendations. Flanders wants to be actively involved in the implementation of the decision of the consultative committee to monitor closely the recommendations Belgium received, with specific attention for the involvement of civil society.
- Flanders intends to make a human rights table at Flemish level, which includes the recommendations of the UN bodies and the Council of Europe about human rights. Such a table is a handy aid for facilitating the monitoring and implementation of the recommendations. This table will be submitted annually to the Government of Flanders.

This report was communicated to the Flemish Government on January 27, 2017.



APPENDICES

1 LIST OF ABBREVIATIONS

BCH: Special Committee for Remembrance Education
 CED: Convention against Forced Disappearance
 CEDAW: Convention for the Elimination of Discrimination against Women
 CESCR: Committee for Economic, Social and Cultural Rights
 CRPD: Convention on the Rights of persons with disability
 CSR: Corporate Social Responsibility
 dCSG: Strategic Goods Control Unit
 EDEO: European External Action Service
 EU: European Union
 EVRM: European Convention for the Protection of Human Rights and Fundamental Freedoms
 FAO: Food and Agriculture Organisation of the United Nations
 FIT: Flanders Investment & Trade (FIT)
 GFMD: Global Forum for Media Development
 HESH: Revised European Social Charter
 ILO: International Labour Organisation
 IDAHOT: International Day Against Homophobia and Transphobia
 IHRA: International Holocaust Remembrance Alliance
 JKP: Youthchild law policy plan
 KB: Chancellery and Public Governance Policy Area
 KEKI: Children's Rights Knowledge Centre
 LGBTI: Lesbian, Gay, Bisexual, Transgender and Intersex
 MDGs: Millennium Development Goals
 MoU: Memorandum of Understanding
 mvo: Corporate social responsibility
 NAP: National Action Plan
 NARIC: National Academic Recognition Information Centre
 NBMV: Unaccompanied foreign minor
 NCRK: National Committee on the Rights of the Child
 OCM: Open Coordination Method
 ODA: Official Development Assistance
 OPCAT: Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
 SDGs: Sustainable Development Goals
 STD: sexually transmitted disease
 SOIA: Strategic Consultative Body for International Affairs
 TPC: Trade Policy Committee
 UN OHCHR: Office of the High Commissioner of Human Rights of the United Nations
 UNAIDS: Joint United Nations Programme on HIV/AIDS
 UNAMI: United Nations Assistance Mission in Iraq
 UNESCO: United Nations Educational, Scientific and Cultural Organization
 UNICEF: United Nations Children's Fund
 UNGPs: United Nations Guiding Principles on Business and Human Rights
 UPR: Universal Periodic Review
 VAPA: Flemish Poverty Reduction Action Plan
 VAPH: Flemish Agency for Persons with Disabilities
 VBM: Flemish-Brussels Media
 UN: United Nations
 VRM: Flemish Regulator for the Media
 VRT: Flemish Public Broadcaster
 VVJ: Flemish Association for Journalists
 VVN: Association for the United Nations
 WFP: World Food Programme
 WSE: Work and Social Economy Policy Area
 WHO: World Health Organisation

2 OVERVIEW OF THE MOST IMPORTANT HUMAN RIGHTS TREATIES IN WHICH FLANDERS IS A PARTY

UN

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
 - endorsed by Belgium on 25 June 1999
- International Convention on Civil and Political Rights (BUPO Treaty)
 - endorsed by Belgium on 21 April 1983
- International Convention for the protection of all persons against forced disappearance (CED):
 - endorsed and adoption approval decree on 7 May 2010
- Convention on the Elimination of all forms of Discrimination Against Women (CEDAW):
 - endorsed and adoption approval decree on 5 March 1985
- Convention on the Elimination of All Forms of Racial Discrimination (CERD):
 - endorsed by Belgium on 17 August 1975
- International Convention for Economic, Social and Cultural Rights (ICESCR)
 - endorsed and adoption approval decree on 25 January 1983
- Convention on the Rights of the Child (CRC):
 - endorsed and adoption approval decree on 15 May 1991
- Convention on the rights of persons with disability (CRPD):
 - endorsed and adoption approval decree on 8 May 2009

COUNCIL OF EUROPE

- European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR):
 - endorsed by Belgium on 14 June 1955
- Revised European Social Charter (RESC):
 - endorsed and adoption approval decree on 28 February 2003

3 OVERVIEW OF HUMAN RIGHTS PROJECTS FUNDED BY FLANDERS

The table below gives a non-exhaustive summary of projects in the area of human rights funded by Flanders in the 2011-2016 period.

Projects that can be found under the heading "human rights" in the Flemish ODA database are indicated with a (*).

Respect for the rights of the child	TOTAL	€ 7.676.710
Cooperation Partnership with the UN Children Fund (UNICEF International), aimed at the rights of the child (*)	2011	€ 3.000.000
Grant to Red Cross Flanders for the support of the social infrastructure, directed at orphans and vulnerable children (OVC)	2011	€ 300.000
Grant to the Children's Rights Knowledge Centre for the funding of basic, staff and operating costs This organisation aims at raising the academic knowledge of the rights of the child.	2016 2015 2014 2013 2012 2011	€ 208.909 € 211.954 € 234.000 € 200.000 € 200.860 € 200.000
Grant to the Children's Rights Coalition (network of NGOs active in the field of children's rights) for the funding of basic, staff and operating costs The Children's Rights Coalition is an umbrella organisation of non-government organisations that provide (alternative) reporting about compliance with the United Nations Convention on the Rights of the Child in Flanders.	2016 2015 2014 2013 2010-2012	€ 134.017 € 135.970 € 150.000 € 120.000 € 120.000
Grant to Child and Society non-profit organisation (research and development centre that, through research, encourages children, from their role and own dignity, to be able to participate fully in society. The UN Convention on the Rights of the Child is the frame of reference).	2014-2017 2013 2010-2012	€ 241.500 € 240.000 € 240.000
Grant to Awel non-profit organisation (Child and Young People helpline, with as mission 'we want assertive children who stand up for their rights and a society that allows this'. For this, they base themselves on the UN Convention on the Rights of the Child).	2014-2017 2013 2010-2012	€ 356.500 € 315.000 € 315.000
Grant to the Children's Law Centre (network of NGOs active in the field of children's rights). It reports about compliance with the International Convention on the Rights of the Child and makes a positive contribution to its promotion.	2014-2017 2013 2010-2012	€ 203.000 € 195.000 € 195.000
Grant to Vormen non-profit organisation (centre of expertise on human rights and children's rights education in Flanders. The services are developed according to the principles of the Convention on the Rights of the Child).	2013 2010-2012	€ 80.000 € 80.000

Rights of Roma	TOTAL	€ 4.120.000
Grant to the Autónomia Foundation in Hungary in support of a project concerning the rights of Roma.	2016	€ 20.000
Grant to the Council of Europe for support of the Roma Youth Action Plan 2012-2013	2014	€ 100.000
Grant to the neighbourhood stewards project, which form the bridge between the Roma population, city services and social provisions in the cities of Brussels, Ghent, Antwerp and Sint-Niklaas	2016	€ 800.000
	2015	€ 800.000
	2014	€ 800.000
	2013	€ 800.000
	2012	€ 800.000

Equal opportunities	TOTAL	€ 19.023.157
Grant to UNIA (Interfederal Centre for Equal Opportunities)	2016	€ 790.509
	2015	€ 787.200
	2014	€ 719.566
	2013	€ 70.774
	2012	€ 103.558
	2011	€ 141.550
Structural grants for civil society organisations that work around equal opportunity issues	2016	€ 2.735.000
• Gender organisations (Dutch-language Women's Council, Ella non-profit organisation, RoSa non-profit organisation and Furia non-profit organisation)	2015	€ 2.735.000
• Organisations active in the area of LGBTI (Çavaria and Belgian Pride)	2014	€ 2.735.000
• Organisations active in the area of disability (Grip)	2013	€ 2.735.000
• External Independent Agency Accessible Flanders	2012	€ 2.735.000
	2011	€ 2.735.000

Human rights education	TOTAL	€ 698.433
Grant to Human Rights Office of OHCHR/UNAMI in Iraqi Kurdistan in support of an educational project aimed at: strengthening human rights, sense of civic responsibility, intercultural and other norms which are fundamental for peace in the education curriculum of the public education system in Iraqi Kurdistan + training of teachers	2016	€ 114.017
Grant to the Centre of Human Rights of the University of Pretoria for the organisation of human rights courses (*)	2016	€ 150.108
	2013	€ 100.000
	2011	€ 100.000
Two-day conference about human rights in Malawi (focus on right to food) (*)	2012	€ 81.736
Grant to UNESCO for the Human & Children's Rights for Development (HR4DEV) project, aimed at promoting knowledge, insight and competence in the area of human rights (including the rights of children) (*)	2014	€ 59.051
	2013	€ 46.736
	2012	€ 46.785

Remembrance education	TOTAL	€ 185.315,31
Grant to the Kazerne Dossin for the creation of an online platform "Connecting Law and Memory"	2016	€ 50.000
Membership IHRA (International Holocaust Remembrance alliance): € 8,500 per year	2011-2016	€ 51.000
Grant to iMinds non-profit organisation for support of the project "News from the Great War" (large-scale digitisation project of newspapers for the period 1914-1918)	2015	€ 23.512
Grant to the Johannesburg Holocaust and Genocide Centre for an educational programme about WWI in South African schools	2015	€ 5.000
Grant to AFS Intercultural Programs for the development of educational material for secondary schools about WWI	2014	€ 24.303,31
Grant to Flanders Peace Field non-profit organisation for the expansion of the international education programme of the Christmas Truces project (WWI)	2013	€ 20.000
Grant to UNESCO for the organisation of the conference: "From Holocaust Education to the Prevention of Genocide"	2013	€ 4.500
Grant to non-profit organisation Fonk to support the project in 2014 concerning the historic documentary about the destruction of Leuven by the German occupier	2013	€ 7.000
Freedom of expression/press freedom	TOTAAL	€ 120.050
Grant to the Global Forum for Media Development (GFMD), for the support of a project around promotion of free, pluralistic and professional media in countries outside Europe, in the East and in the MENA region	2016	€ 100.000
Grant to the Flemish Association for Investigative Journalism for the organisation of the Congress "uncovering the truth in times of international crises and conflicts"	2014	€ 20.050

Democracy / good governance / democratic participation	TOTAL	€ 2.852.450
Grant to the Foundation for Human Rights (FHR) for the programme Access to Justice and Promotion of Constitutional Right in South Africa. (*)	2012	€ 642.500
Grant to the OECD for the support of the Eurasia programme (aim is to support a successful implementation of the decentralised reforms in Ukraine)	2015	€ 56.000
Grant to the university of Pretoria for a project about democratic participation: setting up South Africa Land Observatory, a platform for the support of "evidence-based" and participatory decision making concerning land reform	2014	€ 406.450
Grant to the Council of Europe for setting up a body that monitors possible human rights violations in East Ukraine ("Immediate measure package") (*)	2014	€ 82.500
Grant to the Center for Research and Peace Development (CRPD) to support the publication of the book "Timing and Sequencing of Peacebuilding Efforts and Reforms in Post-Conflict Countries"	2013	€ 50.000
Grant to UNRWA (United Nations Relief and Works Agency for Palestine Refugees in the Near East)	2013	€ 250.000
Grant to Foundation for Human Rights for the project "participation and development of capabilities of civil society in realising socio-economic rights in South-Africa"	2012	€ 1.285.000
Grant to the international fund for cultural diversity linked to the UNESCO Convention for the Protection and Promotion of Cultural Diversity	2012	€ 40.000
Grant to the Mpilo Ministries Trust as intervention in the start-up of the Desmond & Leah Tutu Legacy Foundation (South Africa)	2011	€ 40.000

Corporate Social Responsibility	TOTAL	€ 480.000
Grant call to encourage business to include CSR in a structural way in the organisation.	2016	€ 480.000
Right to physical integrity	TOTAL	€ 683.240
Grant via the International Labour Organisation (Trust Fund) to a project concerning slavery (forced labour) in Brazil	2011	€ 341.620
Grant via the International Labour Organisation (Trust Fund) to a project concerning slavery (forced labour) in India	2011	€ 341.620
Sexual and reproductive rights and health	TOTAL	€ 10.564.604
Structural contribution 2016-2017 to the World Health Organisation to support projects around Sexual and Reproductive Health & Rights	2015	€ 1.500.000
Grant to Pathfinder International Mozambique for a project dealing with sexual and reproductive health and rights ("Strengthening the Capacity of Youth Civil Society in Sexual and Reproductive Health and Rights") (Extension Application)	2015	€ 250.000
Structural contribution 2015-2018 to the World Health Organisation to support projects around sexual and reproductive health and rights	2014	€ 3.000.000
Grant to Fórum Mulher for the project "Strengthening the Women's Human Right Movement in Mozambique"	2013	€ 340.000
Structural contribution to UNAIDS to support projects around sexual and reproductive health and rights	2011	€ 1.500.000
Structural contribution 2012-2015 to the World Health Organisation to support the research programme HRP (around sexual and reproductive health and rights)	2011	€ 3.000.000
Grant to Pathfinder International for a project dealing with sexual and reproductive health and rights ("Strengthening the Capacity of Youth Civil Society in Sexual and Reproductive Health and Rights")	2011	€ 974.604

Right to dignified work	TOTAL	€ 15.608.965
International Labour Organisation: dignified work: the development of a policy to support a social economy in South Africa	2016	€ 912.702
LifeCo: dignified work: strengthening the South African ecosystem around social business	2016	€ 2.398.970
Grant to the ILA and the Department for Economic Development for the development of a policy to support the social economy in South Africa	2016	€ 1.324.367
Grant to the Gordon Institute of Business Science for a project on dignified work (eco-system for social business in South Africa)	2014	€ 702.000
Grant to the ILA for the project "Job Creation through SME Development – a Knowledge Sharing Project"	2014	€ 600.000
Grant to Industrial Development Corporation for a project around dignified work (Support to the expansion of the fund for social economy in South Africa (SEF))	2013	€ 4.000.000
Grant to the ILA for the project "The Sustainable Enterprise Development Facility for Job Creation in South Africa" – SEDF	2013	€ 3.305.000
Grant to the ILA for the project "Private and Public Procurement and the Social Economy, South Africa PPPSE"	2013	€ 1.735.926
Grant to ILA for "The Sustainable Enterprise Development Facility for Job Creation in South Africa – SEDF"	2011	€ 630.000

4 OVERVIEW OF THE APPROACHING REPORTS TO INTERNATIONAL ORGANISATIONS AND DEFENCE IN FRONT OF COMMITTEES

United Nations	Date last report	Future report and defence
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	3rd report (submission 19/11/2012) Defence: 05-06/11/2013	4th report: 22 November 2017
International Convention on Civil and Political Rights (BUPO Treaty) + 2 Optional Protocols	5th report (submission 17/07/2009) Defence: 28/10/2010	6th report: 1 August 2017
International Convention for the protection of all persons against forced disappearance (CED):	1st report (submission 02/07/2013) Defence: 15-16/09/2014	2nd report: 26 September 2020
Convention on the Elimination of all forms of Discrimination Against Women (CEDAW):	7th report (submission: 02/10/2012) Defence: 28/10/2014	8th report: November 2018
Convention on the Elimination of All Forms of Racial Discrimination (CERD):	16th - 19th report (submission: 02/10/2012) Defence: 16/02/2014	20th-22nd report: 6 September 2018
International Convention for Economic, Social and Cultural Rights 9ICESCR)	4th report (submission: 18/06/2012) Defence: 07/11/2013	30 November 2018
Convention on the Rights of the Child (CRC):	Combined 3rd and 4th report (submission: 15/07/2008) Defence: 02/06/2010	5th and 6th report: 14 July 2017 Defence February 2019
Optional Protocol to the United Nations Convention on the Rights of the Child concerning the involvement of children in armed conflicts	2nd report (submission: 15/07/2008) Defence: 1st report 15/05/2006	14 July 2017
Optional Protocol to the United Nations Convention on the Rights of the Child concerning the involvement of children in child trafficking, child prostitution and child pornography	1st report (submission: 21/07/2009) Defence: 02/06/2010	14 July 2017
Convention on the rights of persons with a handicap or disability (CRPD):	1st report (submission 27/07/2011) Defence: 18-19/09/2014	2nd and 3rd report: 2 August 2019
Universal Periodic Review	Interim report (summer 2013) Belgian report 2nd UPR cycle (26/10/2015) Interactive dialogue 2nd UPR cycle: 20-22/01/2016	Belgian report 3rd UPR cycle: October 2020 Interactive dialogue: January-February 2021

Council of Europe		
Revised European Social Charter (RESC):	October 2016 11th report	October 2017: 12th report

