



Convention on the Rights of Persons with Disabilities

Distr.: General
30 April 2019

Original: English
English, French, Russian and
Spanish only

Committee on the Rights of Persons with Disabilities

List of issues prior to the submission of the combined second and third periodic reports of Belgium*

A. Purpose and general obligations (arts. 1–4)

1. Please indicate concrete measures taken by the State party since the review of its initial report to:

(a) Bring its domestic legislation into line with all its obligations under the Convention at the federal, regional and community levels, ensuring close cooperation among those levels;

(b) Ensure that the regulatory framework concerning persons with disabilities and its implementation are in line with the human rights model of disability enshrined in the Convention;

(c) Ensure that concepts of disability at the federal, regional and community levels are consistent and do not give rise to unequal access to rights and services across the State party.

2. Please provide information on national plans or strategies that focus specifically on the rights of persons with disabilities and on those in which disability has been mainstreamed.

3. Please provide information on measures taken to ensure the full and effective participation of persons with disabilities, through their representative organizations, at all stages of all disability-related legislation and policies, including in the design, implementation and review, and in other policy and decision-making processes, at the federal, regional and community levels.

4. Please provide information on concrete measures taken to establish, and allocate adequate resources for, advisory councils at the federal, regional and community levels (CRPD/C/BEL/CO/1, para. 10).

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

5. Please provide information on measures taken to:

(a) Strengthen the anti-discrimination legislative framework and improve its implementation to combat all forms of disability-based discrimination, including

* Adopted by the Committee at its twenty-first session (11 March–5 April 2019).



intersecting and multiple discrimination, discrimination by association and discrimination on the ground of previous health status;

(b) Review the remedies provided for in the anti-discrimination act (CRPD/C/BEL/CO/1, para. 12) and to ensure remedies and compensation for victims of discrimination on the grounds of disability, including intersecting and multiple discrimination.

Women with disabilities (art. 6)

6. Please provide information on measures taken to:

(a) Prevent intersecting and multiple forms of discrimination against women and girls with disabilities and to mainstream a gender equality perspective in disability-related legislation and policies and a disability perspective in legislation and policies concerning women;

(b) Empower women and girls with disabilities at the federal, regional and community levels, including by ensuring their access to education and employment.

Children with disabilities (art. 7)

7. Please provide information on:

(a) Measures taken to ensure respect for the right of children with disabilities to family life, including measures providing support for children with disabilities in foster families and access to early intervention and other inclusive services;

(b) The number of children with disabilities not living with their families, including those placed in institutions, and the financial and other resources invested to ensure their deinstitutionalization and transition to life in the community.

Awareness-raising (art. 8)

8. Please provide information on:

(a) The adoption and implementation of action plans and strategies at the federal, regional and community levels to raise awareness of the rights of persons with disabilities and the Convention;

(b) Specific measures taken to promote a positive image of persons with disabilities and to eradicate misconceptions and stereotypes regarding such persons, particularly in the media;

(c) How organizations of persons with disabilities have been involved in the development and implementation of awareness-raising plans and strategies, and on the results of those plans and strategies.

Accessibility (art. 9)

9. Please provide information about measures taken to:

(a) Ensure the accessibility of all facilities and services open or provided to the public at all levels, especially educational, health-care and social services;

(b) Make all public transport systems and urban and rural infrastructure accessible to all persons with disabilities, and indicate specific actions with a clear time frame, measurable baselines and indicators;

(c) Adequately monitor the allocation of funds aimed at removing barriers to accessibility and providing continuous training for relevant monitoring staff;

(d) Impose sanctions, including financial sanctions, for non-compliance with accessibility standards since the publication of the previous concluding observations;

(e) Include continuous training on accessibility through universal design as part of mandatory curricula for professionals such as architects, designers, engineers and programmers.

Situations of risk and humanitarian emergencies (art. 11)

10. Please provide information on measures taken to:

(a) Ensure the speedy identification of asylum seekers and refugees with disabilities in order to provide them with accessible accommodation and individualized support services;

(b) Make disaster risk management fully accessible and disability-inclusive, in line with the Sendai Framework for Disaster Risk Reduction 2015–2030;

(c) Ensure meaningful consultation with and the involvement of organizations of persons with disabilities in the design and implementation of disaster risk reduction strategies and humanitarian relief programmes.

Equal recognition before the law (art. 12)

11. Please provide information on:

(a) Measures taken to ensure that the State party's legislation and its implementation, including the recently revised Act of 17 March 2013, ensure the realization of the right to equal recognition before the law and the right to supported decision-making;

(b) Concrete measures taken to provide persons with disabilities with support in decision-making, in line with the Committee's general comment No. 1 (2014) on equal recognition before the law, including the provision of financial and human resources for justices of the peace;

(c) Training provided to all actors at the federal, regional and community levels, including civil servants, judges and social workers, on the obligations of the State party under the Convention, especially under article 12.

Access to justice (art. 13)

12. Please provide information on measures taken at the federal, regional and community levels to:

(a) Regularly provide training on the rights of persons with disabilities and the human rights model of disability to personnel working in the judicial sector, including lawyers, prosecutors, judges and court employees;

(b) Assess individual requirements and provide individualized support for persons with disabilities who are detained, and to ensure that the relevant information is accessible to them so that they may participate in judicial proceedings;

(c) Provide procedural accommodations for persons with disabilities in judicial proceedings. Please include information on the number of available sign language interpreters, the physical accessibility of court buildings and the availability of official information in accessible formats, including Braille and Easy Read.

Liberty and security of the person (art. 14)

13. Please provide information on measures taken to revise legislative provisions allowing for deprivation of liberty on the basis of disability, including the Act of 5 May 2014 and the Mental Health Act of 1990, and to ensure that the provision of health-care services, including all mental health-care services, is based on the free and informed consent of the persons concerned.

14. Please provide information on the position of the State party in discussions concerning the adoption of the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, entitled "The protection of human rights and dignity of persons with mental disorder with regard to involuntary placement and involuntary treatment", given that the draft additional protocol infringes on several provisions of the Convention.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

15. Please provide information on measures taken to abolish the use of restraints, both physical and chemical, and of isolation and other non-consensual practices on persons with intellectual or psychosocial disabilities, particularly those who remain placed in psychiatric hospitals and other institutions.

Freedom from exploitation, violence and abuse (art. 16)

16. Please provide information on:

(a) Measures taken to ensure the protection of persons with disabilities, particularly women, children and older persons with disabilities, from exploitation, violence and abuse, including all forms of domestic and institutional violence;

(b) The establishment of protocols for the early detection of violence, in particular in institutional settings, for the provision of procedural accommodations for gathering testimony from victims, for the prosecution of those responsible for violent offences, and for the type of redress that persons with disabilities who are victims of violence receive.

Protecting the integrity of the person (art. 17)

17. Please indicate measures taken to prohibit and prevent non-consensual treatment, including forced sterilization, for persons with disabilities, and to protect intersex persons from undergoing unnecessary conversion surgery.

Living independently and being included in the community (art. 19)

18. Please provide information on:

(a) Steps taken to implement disability action plans at the federal, regional and community levels to ensure that persons with disabilities enjoy the right to independent living and to be included in the community, and to implement plans to eliminate waiting lists for access to personal assistance budgets and other services and support;

(b) Steps taken to implement an effective deinstitutionalization strategy, with a clear time frame, for all persons living in institutions. Please include the number of persons with disabilities who have been deinstitutionalized so far, and provide details of their current situation;

(c) Measures taken to enable all persons with disabilities to enjoy their right to freely choose their residence on an equal basis with others, and to access a full range of in-home and other community services for day-to-day living, including personal assistance;

(d) The use of European Structural and Investment Funds and national funds for personal assistance and independent living. Please include precise data, in absolute and relative numbers, on the funds provided.

Personal mobility (art. 20)

19. Please provide information on measures taken to:

(a) Facilitate the personal mobility of all persons with disabilities in all spheres of life, including through individualized support and modification of environments;

(b) Ensure that persons with disabilities and their families have access to the personal mobility aids, devices and other assistive technologies they require.

Freedom of expression and opinion, and access to information (art. 21)

20. Please provide information on:

(a) Whether the authorities at the federal, regional and community levels provide official information in all accessible formats;

(b) Training programmes for sign language interpreters and measures taken to ensure that persons with disabilities are able to access public information and the mass media in all accessible and usable formats, including Braille, Easy Read and plain language, and through deafblind interpretation, sign language, audio description and captioning.

Respect for home and the family (art. 23)

21. Please provide information on concrete measures to:

(a) Provide support for parents of children with disabilities, particularly mothers, who often leave their jobs to care for their children;

(b) Ensure that persons with disabilities can exercise their rights and fulfil their responsibilities regarding parenthood and adoption of children or similar institutions on an equal basis with others;

(c) Ensure that persons with disabilities have access to age-appropriate information and education on sexual and reproductive health and rights, including family planning.

Education (art. 24)

22. Please provide information on:

(a) Steps taken to adopt and implement a coherent and inclusive education strategy, in all communities of the State party, to transform the parallel-track education system, which includes special education, into a quality, inclusive system that provides support in the mainstream system for all children with disabilities, including children with intellectual disabilities. Please include information on the benchmarks, baselines and indicators used for the strategy, and on the resources allocated to its implementation;

(b) The financial, material and human resources available to provide individualized support for students with disabilities, and on the applicable accessibility standards within the framework of inclusive education;

(c) Measures taken to promote and encourage the training and hiring of teachers with disabilities.

Health (art. 25)

23. Please provide information on measures taken to:

(a) Ensure that health-care facilities and services, including specialist services, are accessible and affordable to all persons with disabilities;

(b) Train health professionals and support personnel on the human rights model of disability and on measures taken to end discriminatory and negative attitudes towards and the stereotyping of persons with disabilities, particularly persons with psychosocial or intellectual disabilities.

Habilitation and rehabilitation (art. 26)

24. Please provide information on measures taken to ensure that habilitation and rehabilitation services are:

(a) Designed and implemented to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability and full inclusion and participation in all aspects of life;

(b) Accessible and affordable, and to ensure that they are provided to persons with disabilities on a non-discriminatory basis and in compliance with the human rights model of disability.

Work and employment (art. 27)

25. Please provide information on measures taken to:

- (a) Enhance programmes to increase the employment rate of persons with disabilities, particularly women with disabilities, in both the private and the public sectors;
- (b) Facilitate the transition of persons with disabilities from unemployment or from employment in sheltered workshops to employment in the open labour market;
- (c) Tackle barriers and discrimination against persons with disabilities in the recruitment process and the workplace, including instances involving a lack of reasonable accommodation;
- (d) Adhere to the Convention when implementing target 8.5 of the Sustainable Development Goals.

Adequate standard of living and social protection (art. 28)

26. Please describe measures taken to:

- (a) Mainstream disability in poverty and homelessness reduction strategies. Please focus in particular on the situation of women, children and older persons with disabilities;
- (b) Ensure that social protection and support services are provided to persons with disabilities, taking into account additional costs related to disability;
- (c) Eliminate the current backlog of applications for social protection measures to the Directorate-General for Persons with Disabilities of the Federal Public Service for Social Security.

Participation in political and public life (art. 29)

27. Please provide information on measures taken to:

- (a) Guarantee the right of all persons with disabilities, including persons with intellectual or psychosocial disabilities, to participate in political and public life. Please include information on the revision of legislative provisions, such as articles 492 and 497 of the Civil Code and article 7 of the Electoral Code, which provide for the suspension of voting rights on the basis of disability;
- (b) Ensure that the voting environment and voting materials are fully accessible and that measures to assist voters with disabilities ensure respect for the secrecy of voting;
- (c) Ensure the effective representation of persons with disabilities, particularly women with disabilities, in political and public decision-making positions at the federal, regional and community levels.

Participation in cultural life, recreation, leisure and sport (art. 30)

28. Please provide information on measures taken to:

- (a) Enhance the accessibility of sports facilities, museums, cultural and natural heritage sites and any other places relevant to the cultural life of persons with disabilities;
- (b) Implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

C. Specific obligations (arts. 31–33)**Statistics and data collection (art. 31)**

29. Please provide updated information on measures taken by the State party to systematize the collection, analysis and dissemination of data on the rights of persons with disabilities, to better design public policy and to disaggregate public policy measures, inter alia, by sex, age, ethnicity, type of impairment, education and employment status and social protection entitlements, particularly taking into account the Washington Group Short Set of Questions on Disability.

International cooperation (art. 32)

30. Please provide information on measures taken by the State party to ensure that all of its international development programmes and activities are inclusive of and accessible to all persons with disabilities. Please take into consideration the linkages between the effective implementation of the Convention and the 2030 Agenda for Sustainable Development.

National implementation and monitoring (art. 33)

31. Please provide information on:

(a) Coordination and collaboration among the appointed focal points in different regions and communities;

(b) The mandate and the human, financial and technical resources of Unia (the Interfederal Centre for Equal Opportunities), which is designated as the independent monitoring mechanism under article 33 (2) of the Convention;

(c) Measures taken to ensure the full and effective participation of persons with disabilities and their representative organizations in the implementation and monitoring of the Convention.
