## Human rights of asylum seekers and migrants

- Reception capacity bolstered and regular resettlement quota increased for 2015 and 2016
- Belgian civil society effectively involved in welcoming recently arriving asylum seekers
- Efforts made to prepare the general population for the new arrivals of asylum seekers
- Families of migrants with children no longer placed in closed detention centres
- Detention of unaccompanied migrant minors prohibited since 2007
- Training of staff in charge of deciding on asylum claims on child’s best interests in determination of needs for international protection

## Concerns

- Systematic detention of asylum seekers without valid travel documents at the border
- No systematic and regular judicial review of detention
- Resuming detention of migrant families with children in closed facilities being considered
- Reported gaps in services provided to unaccompanied migrant minors by the authorities due to a lack of coordination between the different levels of administration
- Children not always considered as right holders in asylum and migration proceedings
- Risk of seriously ill migrants being returned to countries where they would have no effective access to medical treatment

## Human rights of persons with disabilities

- A law of 2014 reinforces the legal capacity of persons with psychosocial and intellectual disabilities
- Reforms launched in parts of the country promote better inclusion of persons with disabilities in the community
- Measures adopted to improve possibilities for children with disabilities to access mainstream education
- New institutions to be opened to provide care to detainees with intellectual and psychosocial disabilities

## Human rights of Roma and Travellers

- Promising practices aimed at providing targeted social assistance and using mediators implemented in some cities
- Caravans have been recognised as housing in some parts of the country

## Concerns

- Widespread institutionalisation of persons with disabilities and lack of community-based services
- High number of children with disabilities who are educated in specialised schools separately from other children
- Persons with psycho-social and intellectual disabilities sentenced to treatment can spend several years in psychiatric wards of prisons, in totally inadequate detention conditions

## Human rights of Roma and Travellers

- Marginalisation and acute destitution of a limited number of migrant Roma families
- Reported over-representation of both foreign Roma children and children of Belgian Roma and Traveller background in specialised education
- Lack of availability of encampment sites for Belgian Roma and Travellers and a growing tendency among local authorities to resort to forced evictions
- Denials of registration of Roma and Travellers at the local level hampering their access to key services
**Recommendations**

**Human rights of asylum seekers and migrants**

- Refrain from resuming the practice of detaining families of migrants with children in closed detention centres
- Improve judicial review of detention of migrants and asylum seekers
- Ratify the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment of Punishment and set up a National Preventive Mechanism for the Prevention of Torture, in accordance with the Protocol
- Ensure that the best interests of migrant children are a primary consideration in all decisions concerning them
- Refrain from enacting measures that limit access by refugees to a number of benefits on an equal footing with Belgian citizens
- Continue to promote the integration of newcomers through comprehensive integration policies

**Human rights of persons with disabilities**

- Make a firm nation-wide commitment towards the inclusion of children with disabilities in mainstream education
- Reroute funding from institutions to persons with disabilities; increase availability of community-based services
- Ensure that judges in charge of implementing the law on legal capacity are trained
- Stop detaining persons sentenced to treatment in psychiatric wards of prisons
- Swiftly implement plans to open new specialised institutions for persons with intellectual and psychosocial disability who are sentenced to treatment

**Human rights of Roma and Travellers**

- Bolster implementation of Belgium’s national Roma integration strategy
- Unequivocally condemn at highest level all instances of hate speech and discriminatory practices against Roma and Travellers, including by elected representatives and political leaders
- Identify sustainable solutions at local level to prevent some migrant Roma families from falling into homelessness and extreme destitution
- Investigate allegations of unlawful denials of registration on municipal rolls
- Increase availability of halting sites, avoid evictions and actively seek human rights compliant alternatives
- Extend possibilities for Travellers to register with local public administrations
- Take resolute measures to improve the enjoyment by Roma and Traveller children of their right to access quality education