

Submission to the United Nations Human Rights  
Committee for the review of Belgium

127<sup>th</sup> session,  
October 14<sup>th</sup> – November 8<sup>th</sup> 2019

Defence for Children International (DCI) – Belgium



Defence for Children International (DCI) - Belgium encourages the Committee members to take the following information into account for the examination of Belgium during its 127<sup>th</sup> session.

Far from being exhaustive, this document stresses some major elements regarding the implementation of the Covenant in Belgium taking into account the LOIPR and the State's response and focusing on the main areas of action and expertise of DCI-Belgium.

Considering the long delay between the establishment of the LOIPR, the response of the State and the 127<sup>th</sup> session, this report also aims at providing more up-to-date information to the Committee members.

This document is meant to be as synthetic as possible then it is completed with a list of external resources.

DEFENCE FOR CHILDREN INTERNATIONAL (DCI) – BELGIUM is a local and independent association founded in 1991. Since 1992 it is member of the DCI worldwide movement.

Although the DCI movement aims at defending and promoting all the rights of the child, DCI-Belgium mainly focuses its actions and attention on violence against children, deprivation of liberty, children justice, children in situations of migration and participation of children.

DCI-Belgium conducts action research (involving desk and field research), trains professionals, develop permanent education tools and activities, supports strategic litigation cases and conducts advocacy activities.

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This document is a translation of the original version of the submission which is in French

## 1. DETENTION OF CHILDREN FOR MIGRATION-RELATED REASONS (LOIPR §20, STATE'S REPORT §161 – 162)

Regarding the question of the Committee on detention for migration related reasons (LOIPR §20), we are particularly surprised that on July 18<sup>th</sup> 2018, the Belgian State responded “Since 2009, families with children who are required to leave Belgium are no longer lodged in closed centres.”<sup>1</sup>.

Indeed, at that time, the work prior to the opening of the new closed centre for families was completed (or in the process of being completed) after several years of construction. In addition, the Royal Decree which constitutes the new legal basis for the detention of children in closed centres was adopted on 22 July 2018 (4 days after the Belgian State's reply to the Committee)<sup>2</sup>. Finally, on 14 August 2018, four young children and their mother were arrested and detained in the centre<sup>3</sup>. Since then, 22 children have been detained in this centre immediately bordering the runways of the country's largest airport.

The implementation of the decree has been suspended since April 2019, following an action brought against this Royal Decree before the Council of State (the suspension will continue until the examination by this same court of the request for annulment). As a result, no child can currently be detained in a detention centre, but the situation is no less serious or urgent.

Indeed, the Royal Decree clarifies the law<sup>4</sup> by detailing the conditions under which children may be detained in closed centres. Thus, even in the event of the annulment of this decree, it would still be possible to adopt a new one to implement the provisions of the aforementioned law and thus detain children in a closed centre.

The experience of these 22 children has once again revealed the very serious consequences of detention on their physical and mental integrity and on all their fundamental rights. The reports of medical and child psychiatric experts issued on the occasion of the detention of these families once again demonstrate the traumas and long-term consequences that this deprivation of liberty causes them<sup>5</sup>.

The Committee on the rights of the child and the Committee on migrant workers jointly stated that « Every child, at all times, has a fundamental right to liberty and freedom from immigration detention. The Committee on the Rights of the Child has asserted that the detention of any child because of their or their parents' migration status constitutes a child rights violation and

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<sup>1</sup> CCPR/C/BEL/6, Sixth periodic report submitted by Belgium under article 40 of the Covenant pursuant to the optional reporting procedure, due in 2017, [Date received: 18 July 2018], §162

<sup>2</sup> Royal Decree of 22 July 2018 modifying the Royal Decree of 2 August 2002 which regulates the regime and conditions of the premises managed by the Foreigners' Office, where a foreigner is detained, placed at the disposal of the government or maintained, in accordance with the provisions cited in article 74/8, §1st of the Law of 15 December 1980 on the access to the national territory, the stay, and return of foreigners

<sup>3</sup> See Document n°2 of the list of complementary information annexed to this report

<sup>4</sup> Law of 15 December 1980 on the access to the national territory, the stay, and return of foreigners

<sup>5</sup> See inter alia CAEKELBERGHS E., interview of the paediatrician Paulette De Baecker after she met children detained in the centre, « Une pédiatre a rencontré les enfants enfermés au 127bis », in Au bout du jour, published on 29.08.2018

contravenes the principle of the best interests of the child. In this light, both Committees have repeatedly affirmed that children should never be detained for reasons related to their or their parents' migration status and States should expeditiously and completely cease or eradicate the immigration detention of children. Any kind of child immigration detention should be forbidden by law and such prohibition should be fully implemented in practice » (CMW/C/GC/4 - CRC/C/GC/23 §5)

**Belgium should therefore adopt a law providing for an absolute prohibition of the detention of children for migration related reasons, even as a last resort.**

Furthermore, since the State mentions existing alternatives to detention (§161), we must, first of all, stress that the placement of families in "return houses" is not an alternative to detention but an alternative form of detention (the legislation is indeed clear: these families are deprived of their liberty, even if the houses are open and allow certain comings and goings under very strict conditions). In addition, the resources allocated do not allow for adequate support of the families who are maintained there. An external and independent evaluation of the return houses is essential. The information collected from the families concerned reveals that home supervision is limited to a single convocation of the family to the municipality where they are invited by an agent of the Foreigners' Office to sign a voluntary return.

## 2. MINORS TRIED AS ADULTS, REFERRAL ORDERS (LOIPR §22 ; STATE'S REPORT §175 – 177)

Regarding the right to a fair trial (articles 2, 14 and 26 of the Covenant), and then including the fundamental principles related to juvenile justice, the Belgian States was questioned about the use of referral orders (LOIPR §22).

The use of « referral orders » allows the juvenile judges to transfer a case concerning a minor who was between 16 and 18 years old at the time of the offence to another court which will judge him according to ordinary criminal law and procedure, under certain conditions, in particular relating to the gravity of the offence, the adequacy of the measures and the personality of the young persons.

The use of referral orders is therefore contrary to all international standards related to juvenile justice and in particular the International Convention on the Rights of the Child (articles 37 and 40) and article 14.4 of the Covenant because it allows a minor to be tried as an adult.

Despite the recent reforms concerning juvenile justice adopted in the French Community<sup>6</sup>, the Flemish Community<sup>7</sup> and the Joint Community Commission (in charge of Community

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<sup>6</sup> French Community, Decree containing the Code on Prevention, Youth Assistance and Protection, 18 January 2018, see particularly article 184

<sup>7</sup> Flemish Community, Autorité flamande, Decree on the law on juvenile delinquency, 15 February 2019, see particularly article 38

competences in the Brussels-Capital Region)<sup>8</sup>, the use of referral orders remains applicable in all communities in Belgium (also in the German-speaking Community).

**All the Communities of Belgium (which are the competent entities on this matter) should urgently reform their legislation to put an end to referral orders.**

### 3. VIOLENCE AGAINST CHILDREN, CORPORAL PUNISHMENTS (LOIPR §23, STATE'S REPORT §179 - 182)

Regarding the State's response to the Committee's question on the prohibition of corporal punishment, it should be noted that despite repeated decisions (in 2004 and 2015) and conclusions (in 2007 and 2011) of the European Committee of Social Rights noting that Belgium do not comply with the European Social Charter due to the lack of a clear legislation prohibiting the use of corporal punishment, particularly in the family; no legislative measures have been taken to this date. This legislative vagueness leads to ambivalent jurisprudence on the issue. As a consequence, a domestic court has recognised the legality of the use of certain corporal punishments (Antwerp Court of Appeal, 13 March 2012).

Whilst, as it is mentioned in the State's report, a discussion has indeed been initiated, none of the legislative proposals introduced (at least four have been submitted since 2003<sup>9</sup>) have received effective or sufficient support to lead to real legal reform.

**The State should support and complete civil law reform** by adopting legislation that clearly prohibits the use of physical or psychological violence, including for educational purposes, and that promotes non-violent education.

This reform must be accompanied by prevention, awareness-raising and public information campaigns targeting children, parents, political actors, professionals in contact with families, prosecuting authorities and members of the judiciary. **The Communities (which are the legal entities in charge of youth and education policy) should, together with the federal authorities, contribute to the implementation of such campaigns.**

### 4. RIGHT OF THE CHILD WHO IS A SUSPECT TO BE ASSISTED BY A LAWYER (LOIPR §19 ; STATE'S REPORT §147)

At the question on the respect of fundamental legal safeguards of all persons deprived of their liberty (LOIPR §19), the Belgian State responds more broadly and states in relation to minors that « Juvenile suspects, whether or not they have been deprived of their liberty, may never

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<sup>8</sup> Joint Community Commission of Brussels – Capital, Ordinance on the assistance and protection of the youth, 16 May 2019, see particularly article 89

<sup>9</sup> See the Law proposals quoted in the list of complementary information annexed to this report (documents 20 to 24)

waive their right to have access to a lawyer, which is proactively organized by the investigating official. » (§147)

We would like to inform the Committee that since 2018, the Circular of the College of Attorneys General COL 11/2018<sup>10</sup> is in force. It provides for the possibility of hearing a minor who is a suspect and who is not deprived of his liberty without his lawyer being present. This decision is indeed not entirely based on the minor, but the lawyer may decide that the hearing will take place without his presence "if the latter, in agreement with the minor, decides that such assistance is not necessary"<sup>11</sup>.

Our researches<sup>12</sup> show that the lawyer for children has an indispensable role to play at each stage of the procedure in order to ensure that fundamental procedural safeguards are respected.

Despite the apparent simplicity of a case or the low stakes it seems likely to have on the child, there is no such thing as a small case for a minor. The particular vulnerability of a child is amplified when he or she is involved in legal proceedings and therefore makes the active assistance of a lawyer indispensable to the respect of his or her fundamental rights.

**Belgium should not regress with regard to the guarantee of children's procedural rights. This exception to the assistance of a lawyer during a hearing of a minor should therefore be removed.**

## 5. BELGIAN CHILDREN IN AREAS OF ARMED CONFLICT IN IRAQ AND SYRIA (ARTICLES 7 ET 24 DU PACTE)

Although this issue is not addressed in the LOIPR, nor consequently in the Belgian State's report, it is essential for the examination of Belgium's implementation of the Covenant (among others articles 7 and 24) to take into account the Belgian children who are to this day still present in areas of armed conflict in Syria and Iraq.

Whether in or outside the camps, the humanitarian emergency no longer need to be demonstrated. It should be noted, among other things, that contagious diseases are spreading, access to healthcare, water, food and hygiene is extremely difficult and violence is on the rise. The physical and psychological integrity of these children is increasingly affected every day; their right to life, survival and development cannot be guaranteed in such a context<sup>13</sup>.

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<sup>10</sup> Circular of the College of the General Attorneys attached to the Courts of Appeal, ADDENDA 2 of the Circular 8/2011 related to the organisation of the right to have access to a lawyer – situation of the minors and persons suspected to have committed an act qualified as an offence before 18, 16 August 2018

<sup>11</sup> Circular COL 11/2018, 2.2, §2 (page 6)- free translation of the extract of the circular from French

<sup>12</sup> See particularly the results of the desk researches (led in 18 European countries) and of field researches (led in 6 European countries, including Belgium), led between 2016 and 2018 in the framework of the project *My Lawyer, My Rights* (coordinated by DCI-Belgium), on the role and the mission of lawyers of children in conflict with the law. All the resources are available in the website of the project: [www.mylawyermyrights.eu](http://www.mylawyermyrights.eu)

<sup>13</sup> See, inter alia, documents n°29 to 33 of the list of complementary information annexed to this report

To this day, the State has not committed itself to repatriating all Belgian children<sup>14</sup> from conflict areas. Repatriations take place on ad hoc basis, while every passing day counts, many children have lost their lives due to lack of adequate and prompt protection.

The Committee on the Rights of the Child recommended that Belgium repatriate these children<sup>15</sup>.

**Belgium should now use all the means at its disposal to repatriate these children, regardless of their age or degree of suspected involvement in the armed conflict and, as far as possible, ensure that they are repatriated with their parents.**

The Belgian State must also do everything in its power to ensure that, when they return, these children receive the assistance they need within the framework of the systems of assistance and protection for young people.

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<sup>14</sup> Including children who were born in areas of conflict and has a Belgian parent, who may be duly granted nationality

<sup>15</sup> Committee on the rights of the child, Concluding observations on the combined fifth and sixth periodic reports of Belgium,, CRC/C/BEL/CO/5-6, 28.02.2019, §50

## COMPLEMENTARY INFORMATION

Among the documents mentioned below, those available in English are marked with an asterisk \* (regarding documents that do not exist in English, if a title is provided in English below, it has been freely translated by the author of this file and does not reflect a translation approved by the author of the document in question)

### DOCUMENTS ON THE DETENTION OF CHILDREN FOR MIGRATION-RELATED REASONS

#### Articles on the detention centre for families « 127 bis »

1. KIHLE L., « Détection d'enfants migrants: les premières photos du centre pour familles », in *Le Soir*, 15.05.2018, available online: <https://www.lesoir.be/156861/article/2018-05-15/detention-denfants-migrants-les-premieres-photos-du-centre-pour-familles>
2. FRERES S., « La première famille est arrivée dans le nouveau centre fermé », in *La Libre*, 14.08. 2018, available online: <https://www.lalibre.be/belgique/la-premiere-famille-est-arrivee-dans-le-nouveau-centre-ferme-5b72adec5532692548ae1b80>
3. CAEKELBERGHS E., interview of the paediatrician Paulette De Baecker after she met children detained in the centre, « Une pédiatre a rencontré les enfants enfermés au 127bis », in *Au bout du jour*, published on 29.08.2018 on the website rtbf.be, available online: <https://www.rtb.be/info/dossier/la-premiere-au-bout-du-jour/detail-une-pediatre-a-rencontre-les-enfants-enfermes-au-centre-127bis?id=10004934>

#### Legal Basis

4. The Royal Decree of 22 July 2018 modifies the Royal Decree of 2 August 2002 which regulates the regime and conditions of the premises managed by the Foreigners' Office, where a foreigner is detained, placed at the disposal of the government or maintained, in accordance with the provisions cited in article 74/8, §1st of the Law of 15 December 1980 on the access to the national territory, the stay, and return of foreigners, available online: [http://reflex.raadvst-consetat.be/reflex/index.reflex?page=chrono&c=detail\\_get&d=detail&docid=139174](http://reflex.raadvst-consetat.be/reflex/index.reflex?page=chrono&c=detail_get&d=detail&docid=139174)
5. Law of 15 December 1980 on the access to the national territory, the stay, and return of foreigners, available online: [http://reflex.raadvst-consetat.be/reflex/index.reflex?page=chrono&c=detail\\_get&d=detail&docid=33702](http://reflex.raadvst-consetat.be/reflex/index.reflex?page=chrono&c=detail_get&d=detail&docid=33702)

#### Ongoing proceedings before the Council of State against the Royal Decree of 22 July 2018

6. RASSON A-C, « La détention des familles avec enfants mineurs dans le centre 127bis suspendue par le Conseil d'État : un premier (petit) pas en faveur des droits de l'enfant étranger », 17.07.2019, available online: <http://www.justice-en-ligne.be/article1206.html>
7. DCI-Belgium, presse release, « Détection des enfants migrants : le gouvernement belge une nouvelle fois tancé par une juridiction », 05.04.2019, available online : <https://dei-belgique.be/index.php/actualites/18-actualites/communiqués-de-presse/55-communiqué-de-presse-detention-des-enfants-migrants-le-gouvernement-belge-une-nouvelle-fois-tance-par-une-juridiction.html>
8. \* GANGNEUX E., VAN KEIRSBILCK B., DCI-Belgium, « Lawyer's voice - Defending the rights of children in migration detention in Belgium through coordinated strategic litigation », published 12.09.2018, available online <https://picum.org/lawyers-voice-defending-the-rights-of-children-in-migration-detention-in-belgium-through-coordinated-strategic-litigation/>



### Positions of international bodies regarding detention of children for migration-related reasons

9. Plate-forme Mineurs en exil – Platform Kinderen op de Vlucht, *LA DÉTENTION CONDAMNÉE, Aperçu des positions des institutions internationales vis-à-vis la détention des enfants*, 13.06.2018, available online : <http://www.mineursenexil.be/files/Image/Detention/6P-La-detention-condamnee-06-2018.pdf>
10. \* Committee on the rights of the child, Committee for migrant workers, *Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return*, CMW/C/GC/4 - CRC/C/GC/23, available online: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f23&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f23&Lang=en)
11. \* Committee on the rights of the child, Concluding observations on the combined fifth and sixth periodic reports of Belgium,, CRC/C/BEL/CO/5-6, 28.02.2019, §43-44, available online: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBEL%2fCO%2f5-6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBEL%2fCO%2f5-6&Lang=en)

### DOCUMENTS ON MINORS TRIED AS ADULTS, REFERRAL ORDERS

12. \* Coordination des ONG pour les droits de l'enfant (CODE), Kinderrechtencoalitie Vlaanderen, *NGO alternative report on the implementation in Belgium of the Convention on the Right of the Child*, 2018, pages 131 – 132, available online : [http://www.lacode.be/IMG/pdf/NGO\\_Alternative\\_Report\\_2018.pdf](http://www.lacode.be/IMG/pdf/NGO_Alternative_Report_2018.pdf)
13. National Commission for Children's Rights (CNDE), Advisory body, « Quel futur pour le dessaisissement ? », 29.03.2017, available online : [https://ncrk-cn.de.be/IMG/pdf/cnde\\_adv\\_avis\\_dessaisissement\\_2\\_.pdf](https://ncrk-cn.de.be/IMG/pdf/cnde_adv_avis_dessaisissement_2_.pdf)

### Legal bases

14. Law on the protection of youth, the treatment of minors who have committed an act qualified as an offence and compensation for the damage caused by this act, 8 April 1965, article 57bis, available online : [http://www.ejustice.just.fgov.be/cgi\\_loi/loi\\_a1.pl?language=fr&la=F&cn=1965040803&table\\_name=loi&&caller=list&fromtab=loi&tri=dd+AS+RANK#modification](http://www.ejustice.just.fgov.be/cgi_loi/loi_a1.pl?language=fr&la=F&cn=1965040803&table_name=loi&&caller=list&fromtab=loi&tri=dd+AS+RANK#modification)
15. French Community, Decree containing the Code on Prevention, Youth Assistance and Protection, 18 January 2018, see particularly article 184, available online : [http://www.ejustice.just.fgov.be/cgi\\_loi/loi\\_a.pl?=&language=fr&tri=dd+AS+RANK&table\\_name=loi&cn=1965040803&caller=image\\_a1&fromtab=loi&la=F&pdf\\_page=158&pdf\\_file=http://www.ejustice.just.fgov.be/mopdf/2018/04/03\\_1.pdf](http://www.ejustice.just.fgov.be/cgi_loi/loi_a.pl?=&language=fr&tri=dd+AS+RANK&table_name=loi&cn=1965040803&caller=image_a1&fromtab=loi&la=F&pdf_page=158&pdf_file=http://www.ejustice.just.fgov.be/mopdf/2018/04/03_1.pdf)
16. Flemish Community, Autorité flamande, Decree on the law on juvenile delinquency, 15 February 2019, see particularly article 38, available online: [http://www.ejustice.just.fgov.be/cgi\\_loi/loi\\_a.pl?=&language=fr&tri=dd+AS+RANK&table\\_name=loi&cn=1965040803&caller=image\\_a1&fromtab=loi&la=F&pdf\\_page=331&pdf\\_file=http://www.ejustice.just.fgov.be/mopdf/2019/04/26\\_1.pdf](http://www.ejustice.just.fgov.be/cgi_loi/loi_a.pl?=&language=fr&tri=dd+AS+RANK&table_name=loi&cn=1965040803&caller=image_a1&fromtab=loi&la=F&pdf_page=331&pdf_file=http://www.ejustice.just.fgov.be/mopdf/2019/04/26_1.pdf)
17. Joint Community Commission of Brussels – Capitale, Ordinance on the assistance and protection of the youth, 16 May 2019, see particularly article 89, available online: [http://reflex.raadvst-consetat.be/reflex/?page=chrono&c=detail\\_get&d=detail&docid=141807&tab=chrono](http://reflex.raadvst-consetat.be/reflex/?page=chrono&c=detail_get&d=detail&docid=141807&tab=chrono)

## DOCUMENTS RELATED TO CORPORAL PUNISHMENTS

### Décisions of the European Committee of Social Rights:

18. \* European Committee of Social Rights, DECISION ON THE MERITS, Association for the Protection of All Children (APPROACH) Ltd. v. Belgium, Complaint No. 98/2013, decision adopted on January 20th 2015, available online : [https://hudoc.esc.coe.int/eng/#{%22tabview%22:\[%22document%22\],\[%22ESCDcIdentifier%22:\[%22cc-98-2013-dmerits-en%22\]}](https://hudoc.esc.coe.int/eng/#{%22tabview%22:[%22document%22],[%22ESCDcIdentifier%22:[%22cc-98-2013-dmerits-en%22]})
19. \* European Committee of Social Rights, Decision on the merits, World Organisation against Torture (“OMCT”) v. Belgium, Complaint No. 21/2003, decision adopted on December 7th 2004, available online: [https://hudoc.esc.coe.int/eng/#{%22ESCArticleViolated%22:\[%2217-01-163%22\],\[%22ESCDcType%22:\[%22FOND%22,%22Conclusion%22,%22Ob%22\],\[%22ESCStateParty%22:\[%22BEL%22\],\[%22ESCDcIdentifier%22:\[%22cc-21-2003-dmerits-en%22\]}](https://hudoc.esc.coe.int/eng/#{%22ESCArticleViolated%22:[%2217-01-163%22],[%22ESCDcType%22:[%22FOND%22,%22Conclusion%22,%22Ob%22],[%22ESCStateParty%22:[%22BEL%22],[%22ESCDcIdentifier%22:[%22cc-21-2003-dmerits-en%22]})

### Examples of legislative proposals introduced since 2003

20. JIROFLEE K., Law proposal amending the Civil Code to prohibit all violence between children and their parents, date of submission to the Chamber (the Belgian federal Parliament) : 04.09.2006, expiration date 02.05.2007, available online: <https://www.lachambre.be/kvvcr/showpage.cfm?section=flwb&language=fr&cfm=/site/wwwcfm/flwb/flwbn.cfm?dossierID=2673&legislat=51&inst=K>
21. BROTCORNE C., Law proposal amending article 371 of the Civil Code in order to include the right to non-violent education and the prohibition of mental or physical violence, date of submission to the Chamber (the Belgian federal Parliament) 14.07.2008, expiration date 07.05.2010, available online: <https://www.lachambre.be/kvvcr/showpage.cfm?section=flwb&language=fr&cfm=/site/wwwcfm/flwb/flwbn.cfm?dossierID=1376&legislat=52&inst=K>
22. BECQ S., VAN HOOT E., DEMON F., Law proposal amending the Civil Code with regard to the right of the child to a non-violent education and the prohibition of all forms of violence against children, date of submission to the Chamber (the Belgian federal Parliament) 20.04.2016, expiration date 23.05.2019, available online: <https://www.lachambre.be/kvvcr/showpage.cfm?section=flwb&language=fr&cfm=/site/wwwcfm/flwb/flwbn.cfm?dossierID=1778&legislat=54&inst=K>
23. DE BETHUNE S., TORFS R., Law proposal inserting an article 371/1 in the Civil Code, submitted to the Belgian Senate, 10.11.2010, available online : <http://senat.be/www/?Mlval=/publications/viewPub&TID=83886646&LANG=fr>
24. DE BETHUNE S., Law proposal inserting an article 371bis in the Civil Code, submitted to the Belgian Senate, 20.08.2003, available online : <http://senat.be/www/?Mlval=/publications/viewPub&TID=50331948&LANG=fr>

### Other documents

25. MATHIEU G., DCI-Belgium, *CHATIMENTS CORPORELS – Non, ce n’est pas pour son bien !*, Outil pédagogique n°3 2015, see particularly pages 14 and 15, available online : <https://dei-belgique.be/index.php/nos-publications/outils-pedagogiques/download/13-vie-familiale/119-chatiment-corporel-2015-2.html>
26. \* Committee on the rights of the child, Concluding observations on the combined fifth and sixth periodic reports of Belgium,, CRC/C/BEL/CO/5-6, 28.02.2019, §22, available online: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CRC%2fC%2fBEL%2fCO%2f5-6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CRC%2fC%2fBEL%2fCO%2f5-6&Lang=en)

## DOCUMENTS ON THE ASSISTANCE BY A LAWYER OF MINORS WHO ARE SUSPECTED

27. Circular of the College of the General Attorneys attached to the Courts of Appeal, ADDENDA 2 of the Circular 8/2011 related to the organisation of the right to have access to a lawyer – situation of the minors and persons suspected to have committed an act qualified as an offence before 18, 16 August 2018, available online: <https://www.om-mp.be/fr/savoir-plus/circulaires>
28. \* Defence for Children International (DCI) – Belgium, *Manual for EU member States, How to ensure the rights of children in conflict with the law? Focus on the role of the lawyer at the different stages of juvenile justice proceedings* (particularly pages 60 to 68), and *Practical Guide for Lawyers, How to assist a child in conflict with the law?* (particularly pages 40 to 79), all the documents published in the framework of the *My Lawyer, My Rights* research on the role of the lawyer of children in conflict with the law are available online on the website of the project: <http://www.mylawyermyrights.eu/manuals/>

## DOCUMENTS ON THE SITUATION OF THE BELGIAN CHILDREN IN AREAS OF ARMED CONFLICT IN IRAQ AND SYRIA

### General documentation

29. DCI-Belgium, « Le respect de la Convention internationale relative aux droits de l'enfant exige l'action urgente de la Belgique pour rapatrier les enfants belges affectés par le conflit armé en Irak et en Syrie – Positionnement de DEI-Belgique », published 8.05.2019, available online : <https://dei-belgique.be/index.php/blog/56-le-respect-de-la-convention-internationale-relative-aux-droits-de-l-enfant-exige-l-action-urgente-de-la-belgique-pour-rapatrier-les-enfants-belges-affectes-par-le-conflit-arme-en-irak-et-en-syrie-positionnement-de-dei-belgique.html>
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