

**Intervention of the APFF at the Forum on Minority Issues
of the UN Human Rights Council**

Geneva, 24-25 November 2015

Mister President,

The aim of the « Association pour la Promotion de la Francophonie en Flandre » (Association for the Promotion of French Culture in Flanders - APFF) in participating in the eighth session of the Forum on Minority Issues is to denounce the lack of protection of national minorities in Belgium, as well as the shortcomings in the fight against linguistic discrimination which hampers access to civil and criminal justice for people belonging to these minorities.

In 2001, the Council of Europe singled out Belgium as one of the countries which « have significant minorities, which ought to be protected, and whose rights are not officially recognised » (Recommendation 1492).

The following year, the Council of Europe recommended that Belgium ratify the Framework Convention for the Protection of National Minorities « without further delay », ensuring that all minorities identified by the Venice Commission be duly recognised as such (Resolution 1301). Among these minorities are the 310,000 francophones who live in Flanders and represent 5% of the population.

It must be noted that Belgium has still not ratified the Framework Convention of the Council of Europe, nearly 15 years after signing it. Indeed, Flanders does not want to acknowledge a francophone minority on its territory. In the Flemish coalition agreement, it also reaffirmed that it would not ratify the convention on minorities.

Neither has Belgium ratified Protocol No. 12 to the European Convention on Human Rights and Fundamental Freedoms, which prohibits any form of discrimination including discrimination based on language. It must be noted that Protocol No. 12 was approved by all relevant parliaments (federal and federated) with the exception of the Flemish Parliament.

In opposing the ratification of these two instruments of international law, Belgium, and more specifically Flanders, is eluding controls on matters it considers sensitive or even taboo, allowing it to pursue with impunity the process of forced assimilation of the francophone minority in Flanders.

In Belgium, the legal framework of the non-discrimination principle is set out in the law of 10 May 2007 whose aim is to the fight against several forms of discrimination, including discrimination based on language. However, we must deplore that, over eight years after the entry into force of the law, the public institution specialised in dealing with discrimination based on language has still not been created. Victims of linguistic discrimination are therefore left to fend for themselves, all the more so as Belgium still does not have a national Institute of Human Rights (NHRI) in conformity with the Paris Principles.

The Belgian State could be held accountable for its shortcomings with regards to the non-ratification of the Framework Convention for the Protection of National Minorities and its failure to create a specialised agency to fight against linguistic discrimination.

(continued overleaf)

Moreover, it is unacceptable that Belgium did not address the issues of national minorities and linguistic discrimination in its national report in preparation for its second Universal Periodic Review (UPR) in early 2016 in spite of the recommendation made during its first UPR in 2011 to ratify the Framework Convention for the Protection of National Minorities. This recommendation has so far received no clear answer from the Belgian authorities.

In light of this situation, six associations, including the APFF, have united to form the Coalition of Francophone associations in Flanders (CAFF)* and submit a joint report to the UN. In their report, the six associations representing all francophones of Flanders, including the outskirts of Brussels and the entity of Fourons, address the following topics: the protection and identification of national minorities; the fight against discrimination; the creation of a National Institute for Human Rights as well as collaboration with and information of civil society. Six recommendation proposals are included in the report.

We thank you for your attention,

* The « Coalition des Associations Francophones de Flandre » (CAFF) includes « Action Fouronnaise », the « Association culturelle de Dilbeek » (ACD), the « Association de Promotion des Droits Humains et des Minorités » (ADHUM), the « Association francophone de Leeuw-Saint-Pierre », the « Association pour la Promotion de la Francophonie en Flandre » (APFF) and « Citoyens de Zaventem ».

For more information

Please refer to the internet site of the « Coalition des Associations Francophones de Flandre » where the joint report can be downloaded (<http://www.francophonie.be/caff>).

About the APFF

The Association for the Promotion of French Culture in Flanders (APFF) has no political objective and has absolutely no intention of questioning the linguistic status of Flanders. It simply wants French, one of Belgium's official languages, to have the right to be used in Flanders in the same way as any other language.

The APFF promotes French culture in particular by publishing the magazine « *Nouvelles de Flandre* » on its website (<http://www.francophonie.be/ndf>). Here you can also find a calendar of activities in French and the addresses of French-speaking resources in Flanders, as well as articles and information on French culture in general. A newsletter, a paper version of the magazine, is also published every three months.

Anyone who is interested in the APFF can become a member. The annual membership fee is 15 EUR for Belgium and 30 EUR for abroad, payment to be sent to the APFF's account number 210-0433429-85 (IBAN : BE89 2100 4334 2985 – BIC : GEBABEBB). Members and donors receive the « *Nouvelles de Flandre* » magazine every three months.

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