

**APFF Intervention at the XIIth Forum of Minorities
of the UN Human Rights Council**

Education, language and human rights of minorities

Geneva, 28-29 November 2019

Mr Chairman,

Eighteen years after signing the Framework Convention for the Protection of National Minorities, Belgium has still not ratified it.

The reason is simple: Flanders wants to avoid any mention of a French-speaking minority in its territory or of linguistic discrimination. It blocks any process that could provide any protection to the 310,000 francophones living in its territory.

The Association for the Promotion of French Culture in Flanders (APFF), which has also been mandated to represent the Association for the Promotion of Human Rights and Minorities (ADHUM), wishes to take this opportunity to participate in this forum to denounce the discrimination in education suffered by the French-speaking minority in Flanders.

First, there is the ban on some children residing in communes with no language facilities in the Flemish periphery of Brussels from accessing French-language schools established in the six communes with language facilities in the Flemish periphery of Brussels.

And this despite the judgment of the European Court of Human Rights of 23 July 1968, which condemned Belgium on this point. Yes, as you heard: 23 July 1968, over 50 years ago! Yet today it is still impossible to enrol the children in French-language schools close to their homes. The Belgian State, under pressure from the Flemish parties, has consistently refused to amend the law in order to comply with the judgment of the European Court of Human Rights.

Secondly, there is the fear that French-language education will disappear in the communes with language facilities, following the steps taken by the Flemish extremists who want these facilities to be abolished. In Renaix in particular, where the authorities have initiated legal proceedings to challenge the special linguistic status of the commune. A status that is nevertheless enshrined in the Constitution.

It should also be noted that Belgium has still not appointed the competent body responsible for combating linguistic discrimination. Twelve years after the adoption of the 2007 Anti-Discrimination Act, victims of linguistic discrimination find themselves left to fend for themselves.

The adoption, at the end of the federal legislature, of the law of 12 May 2019 establishing a Federal Institute for the Protection and Promotion of Human Rights, supposed to be in conformity with the National Human Rights Institute (NHRI) in accordance with the Paris Principles, recommended by over 30 countries during Belgium's last Universal Periodic Review (UPR), will not resolve the problem. Unfortunately, this new Institute, whose members are yet not defined, will not offer any progress in the fight against linguistic discrimination because it has been decided that it will not address individual complaints.

(PTO)

It will be very difficult, if not impossible, to subsequently obtain the appointment of a competent body to combat linguistic discrimination, while UNIA (formerly the Inter-federal Centre for Equal Opportunities) is a candidate. But here too, Flanders is obstructing : in its new government agreement, it has decided to leave UNIA.

The APFF and ADHUM deplore the fact that civil society has not been brought together to discuss the proposed law to create an NHRI, and that civil society has not been brought together since April 2016 as part of the follow-up to Belgium's UPR.

The APFF and ADHUM therefore call on the UN to press Belgium

- to ratify without reservation the Framework Convention for the Protection of National Minorities, following Council of Europe Resolution 1301 of 26 September 2002;
- to sign and ratify the European Charter for Regional and Minority Languages;
- to ratify Additional Protocols Nos. 12 and 16 to the European Convention on Human Rights, in order to prohibit all forms of discrimination, including linguistic discrimination;
- to designate the competent body responsible for combating linguistic discrimination as recommended by the experts responsible for evaluating the 2007 anti-discrimination laws;
- to closely involve civil society in the monitoring of Belgium's UPR and the implementation of anti-discrimination laws.

We thank you,

For further information

Please visit our website (<http://www.francophonie.be/ndf>).

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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