

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE



A rights-based approach to combating poverty in Europe:  
between policy and (good) practice

5<sup>th</sup> Meeting

of the CoE-FRA-ENNHRI-EQUINET Collaborative Platform

on Social and Economic Rights

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*MEETING REPORT*

under Thematic Group 4 of the ESC: Children, Families and Migrants (Articles 7, 8, 16, 17, 19, 27 and 31).

Caritas Europa produces thematic country reports and a European report on a regular basis. The first reports aimed at influencing social policy making at national and EU level, but increasingly included a reference to the ESC and were based on [Caritas "roadmap" for social justice and equality in Europe](#) (also available in [BG](#), [HR](#), [FR](#), [DE](#) and [ES](#)).

These reports are combined with Caritas Europa capacity building initiatives aiming at

- increasing advocacy efforts of the member organisations for the ratification of the revised ESC, for the acceptance of all relevant provisions that could have a decisive impact on the lives of the most deprived (including article 30) and for acceptance of the collective complaints procedure by more member States;
- increasing the collection and use of Caritas data and grass-roots information (country reports) as contribution to the ESC reporting procedure and to prepare collective complaints.

Given the fact that since 1996, only 18 Member States have ratified Article 30 of the ESC and even less accepted the collective complaints procedure, it is needless to say that a lot of advocacy for ratification has yet to be done before the procedure becomes a tool across CoE member States. Peter Verhaeghe concluded saying that the ESC was indeed the Social Constitution of Europe, efforts needed therefore to be continued to ensure that it does not become the best kept social secret of Europe.

#### *Round table: Ending poverty*

During the Round table on ending poverty, participants from the Netherlands, Belgium, Lithuania and Latvia presented some facts and figures but also good practices to reduce poverty in their respective countries.

[Jan de Vries](#) from the Netherlands Institute for Human Rights provided statistics on poverty in the Netherlands, including insufficient resources to acquire goods and services that are basic to function in society and homelessness. The full presentation of Jan de Vries can be found [here](#).

[Veerle Stroobants](#), from Combat Poverty, Insecurity and Social Exclusion Service of Belgium advised that in 1999 the federal, regional and community governments of Belgium signed a Cooperation Agreement which was approved by all parliaments. This Agreement forms the legal ground of the Combat Poverty, Insecurity and Social Exclusion Service whose mission is to evaluate the effectiveness of the fundamental rights of people living in poverty. The premise is that situations of

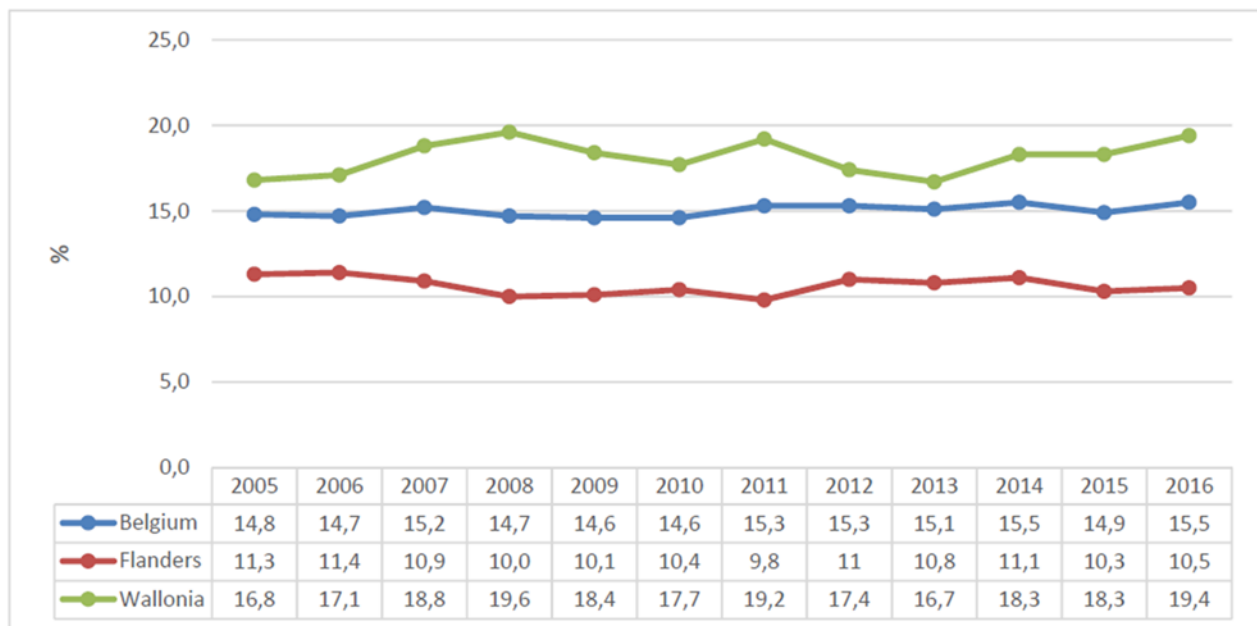
poverty endanger the effectiveness of fundamental rights and that the participation of people who live in these situations is necessary to evaluate the effectiveness of their rights and to restore the conditions in which their rights can be realised. On the basis of a structural dialogue with people who live themselves in poverty, social assistance groups, the administrations, civil society, politics, scientists and others. The Service every two year publishes a report with recommendations to the authorities: <http://www.luttepauvrete.be/>; <http://www.combatpoverty.be/>.

### 1. Overview of poverty in your country

Who is affected by poverty in your country? How does poverty affect people's ability to exercise their rights? What laws, policies and programs has the government used to tackle poverty?

The at-risk-of-poverty rate in Belgium is 15,5% (figures EU SILC 2016 with results for 2015). This number is rather stable over time, but there are differences between the different regions in Belgium.

**Figure A3.1.2. At-risk-of-poverty rate per Region (2005-2016, in %)**



Source: EU-SILC, EUROSTAT Statistics Belgium

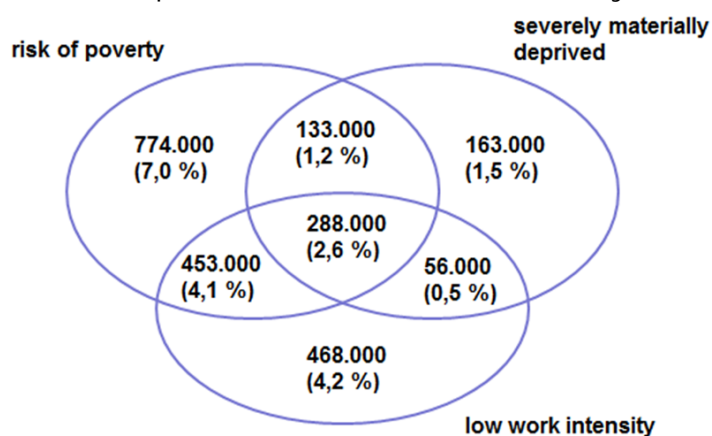
This means that 15,5% of the Belgian population has an income below 60% of the individual median disposable income (at-risk-of-poverty threshold). Today the at-risk-of-poverty threshold for a single person is 1.115 €/month, for a family with two adults and two children it is 2.341 €/month. Most benefits are below this threshold (1 September 2017).

**Table A2.1. Minimum social protection allowances in % of at-risk-of-poverty threshold (60% of median)**

	2010	2011	2012	2013	2014	2015	2016	2017
<b>Social assistance for the elderly</b>								
Single person	92	94	91	93	93	95	93	93
Couple	82	84	80	83	83	84	82	83
<b>Allowance replacing income for persons with a disability</b>								
Single person	74	76	73	75	76	77	75	77
Couple with two children	66	67	65	66	67	67	66	67
<b>Social assistance</b>								
Single person	74	76	73	75	75	77	76	77
Couple	66	68	65	67	67	68	68	68
Couple with two children	67	68	66	67	67	68	67	67
Single parent with two children	88	89	86	88	88	89	89	88
<b>Minimum Unemployment allowance (after 6 months)</b>								
Single person	86	89	85	88	88	89	87	89
Couple	68	70	68	70	70	71	69	71
Couple with two children	69	70	68	69	69	70	68	70
Single parent with two children	86	88	85	87	87	88	86	87
<b>Minimum invalidity allowance</b>								
Single person	102	105	101	104	104	105	101	102
Couple with two children	81	83	80	82	83	83	80	80

Source : SPF Social Security

Next to an indicator for monetary poverty, Eurostat uses also indicators as severe material deprivation and low work intensity.

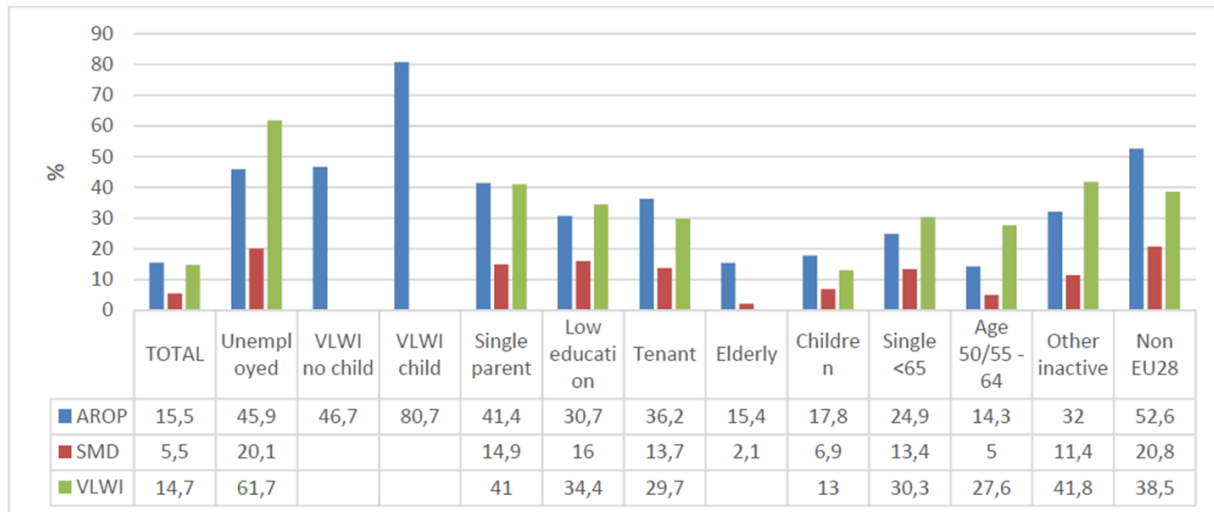


Intersections of Europe 2020 Poverty Target Indicators, Belgium, SILC 2015, Eurostat.

It is important to use a variety of indicators to measure poverty which allow uncovering the various realities people living in poverty face. Another way to show

the variety behind the figures of poverty is looking at disaggregated numbers. It becomes clear that some groups are more affected by poverty than others. The evolution over time shows that these proportions are rather stable, only for people with low education. The gap between them and the others is getting larger.

**Figure 3.2.2. quarter. Incidence of poverty or social exclusion by high risk and policy relevant social categories, Belgium, 2016**



Source : EU-SILC, EUROSTAT, Statistics Belgium

Poverty puts into danger the fundamental rights of people because of their difficult socioeconomic situation their fundamental rights are not effective. Poverty makes that people do not or do no longer think of themselves as people with rights/ subjects who are entitled to rights. This is very clear in this contribution of one of the participants at our meetings.

*"Vivre dans la pauvreté, c'est vivre dans la peur. Peur d'être identifié et de se faire expulser.*

*Peur que cela se retourne contre toi, contre ta famille. Si tu dis les difficultés que tu vis, tu risques d'être repéré: il ne peut pas élever un enfant dans ces conditions. Alors, on place ton enfant.*

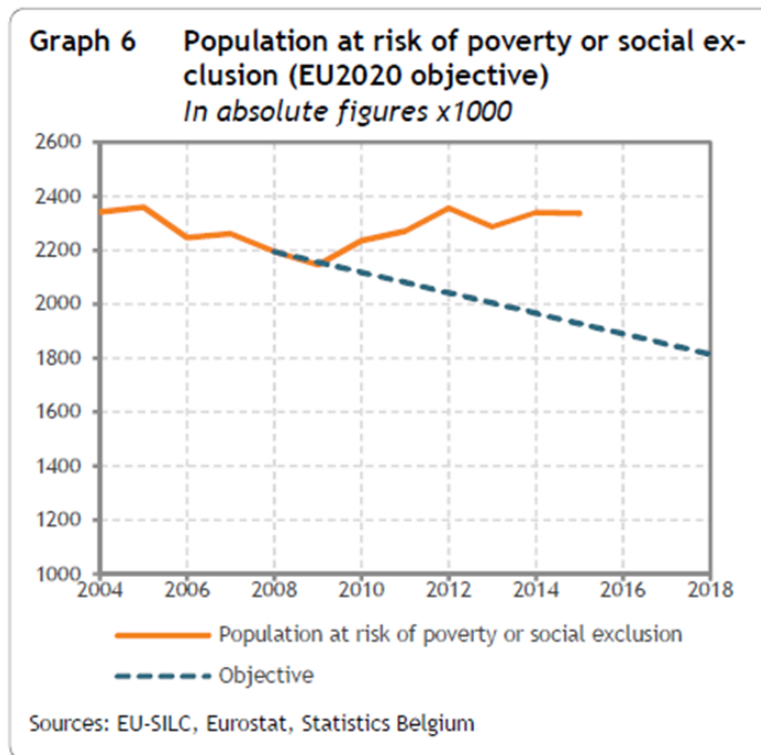
*Peur de se révolter et de se mettre en colère, et que les enfants en pâtissent. C'est pour cela que, par exemple, certains parents préfèrent ne pas aller aux réunions de parents de l'école de leurs enfants.*

*Peur de perdre ses revenus. Peur de représailles si on se révolte contre ceux dont dépendent nos revenus.*

*Peur d'être rabaissé parce qu'on n'a pas fait d'études et qu'on ne comprend pas ce que les autres disent, peur d'être laissé de côté, peur de revivre l'exclusion qu'on a déjà vécue, peur d'être sans droits."*

In Belgium the different policy levels have their own policy plan to fight against poverty. The aim is to reach the Europe 2020 target and to reduce the number of

persons at risk of poverty or social exclusion by 380.000 compared to 2008. When the same policy is held on, the target will not be reached.



There is a focus on

- Activation: having a job is seen as the way to get out of poverty. People who are out of a job are pushed to find another job by making their allowance degressive over time, people who live from a subsistence allowance are obliged to sign an activation contract;
- Fight against child poverty: the government wants to invest in the early childhood period to enhance the chances of children and youngsters in their studies and work. They seem to forget that poor children are children living in poor families;
- Quid pro quo: the number of conditions and obligations that people need to fulfil increases, before they are entitled to something.

## 2. Lessons learned about a human rights based approach to tackling poverty

What added value do you see in addressing poverty as a human rights issue?

Has framing poverty as a human rights issue impacted public discourse? If so, how? If not, why not?

The added value of a human rights approach is that it shows that the reality of the lives of people living in poverty is complex, intertwined and multidimensional. A policy to fight against poverty thus has to be integral and transversal, which is not

easy when different ministers are responsible for different policy domains. Even when we have a federal coordinating minister for the fight against poverty, there is no budget and no authority to impose a policy.

A human rights perspective has a focus on the effectiveness of rights for the most vulnerable groups. It can uncover the real impact of policy measures on the lives of people living in difficult circumstances, for example the activation strategy. Numbers show that compared to 2005, the amount of people in work is now 10% higher and the amount of unemployed people 9% lower. The authorities consider this finding as a confirmation of their strategy. But if you look at disaggregated figures it becomes clear that the rise in employment has been fully absorbed by people in households where other members were already working. Moreover if you look at the quality of the newly created jobs, the conclusion is that more jobs are part-time, temporary, badly paid, far from home, etc. The new jobs are of insufficient quality to lift workers out of poverty. What's more, the income poverty among the unemployed has significantly increased as a result of severe austerity measures. These measures go together with increased conditions, sanctions and suspensions as a result of which people disappear from the statistics.

A human rights perspective reminds us of the human rights standards to achieve. In the fights against poverty the notion of 'rights' is more central than it used to be. Policy makers are introducing the right to child care, the right to child benefits, the right to energy and they are putting forward a strategy to make the attribution of rights (such as for energy discount) as automatic as possible to avoid non-take-up of rights. At the same time however the quid pro quo discourse is stronger than the human rights discourse and fundamental rights are being undermined. More and more the debate is about:

- the right to a subsistence allowance instead of the right to live in dignity;
- the right to go to food aid instead of the right to qualitative food;
- the right to being accompanied in the search for housing instead of the right to a decent and affordable house;
- the right to visit your child in an institution instead of the right to the protection of your family life.

Moreover these 'fake' rights have to be earned and people have to prove that they are entitled to them.

### 3. Examples and case studies of how your institution has addressed poverty in its work

In different ways we try to reflect the real situations in which people in poverty live, because their lives and experiences show us whether their rights are being realised or not.

We have developed a large set of indicators that reflect a diversity of situations of poverty: the impact of debts on the household budget, the notion of 'available budget', the right to water and energy, job quality, visit to food banks, the difference between poverty in cities and in the countryside:

<http://www.luttepauvrete.be/publicationsserviceindicateurs.htm>

We insisted on research to integrate homeless people and undocumented migrants in the EU SILC Survey, some 'forgotten' groups, not taken into account in surveys: <http://www.luttepauvrete.be/publicationsrecherche.htm#> (Sous-représentation des plus pauvres dans les banques de données (SILC-CUT)).

We recorded that often people in poverty have no access to, or do not make use of, certain benefits, services or instruments that are meant to contribute to the effectiveness of their rights. A dominant explanation is that people are not informed, are not capable to take the necessary steps. We focus on the different causes of the non-take-up of rights, which are, next to the individual level, also situated at the policy level (conditions, complexity, perception, target groups), at the level of services (lack of information, accessibility, administrative procedures): <http://www.luttepauvrete.be/themenontakeup.htm>.

Vytautas Valentinavičius, Chief Public Relations Counsellor in the Seimas Ombudsmen's Office of the Republic of Lithuania, provided some statistics regarding poverty in Lithuania: the at-risk-of-poverty rate was the highest in the age group of 65 and older: in 2016, it stood at 27.7 per cent and, against 2015, grew by 2.7 percentage points. The growth was conditioned by an increase in the at-risk-of-poverty threshold, caused by an increase in labour income, and a relatively small increase in old-age pensions. In 2016, the at-risk-of-poverty threshold was EUR 282 per month for a single person and EUR 593 per month for a family consisting of two adults and two children under 14. Compared to 2015, due to an increase in the disposable income of the population, the at-risk-of-poverty threshold grew by 9 per cent. The retired and inactive persons became more exposed to poverty.

In Lithuania, most affected by poverty were individuals older than age of 64 (retired), children, people with disabilities, individuals living in rural areas of the country and employed people with a minimum wage.