

Belgium

Combat Poverty, Insecurity and Social Exclusion Service

As mentioned above, the Combat Poverty Service is a non-accredited institution. It is an inter-federal institution, and covers federal and regional fields of competence in Belgium. It approaches poverty and its eradication on the basis of different human rights and submits parallel reports to UN treaty bodies. The Service works together with Unia and Myria (also ENNHRI members) to promote and protect human rights in Belgium. It is also a member of the Human Rights Platform, where different human rights institutions meet every month. The Combat Poverty Service has made contacts with the new Federal Institute for the Protection and Promotion of Human Rights. The possibilities of cooperation will be further discussed and specified in 2021.

Independence and effectiveness of the NHRI

Changes in the regulatory framework applicable to the Institution

There have been no changes in the regulatory framework applicable to the Combat Poverty Service in the past year.

Enabling space

The Combat Poverty Service publishes biennial reports, the most recent one being the biennial Report 'Sustainability and Poverty', published in December 2019. There is a formal follow-up procedure: these reports are given to the Interministerial Conference "Integration in Society". Unfortunately, the Interministerial Conference has not taken place the last few years. But the biennial Report 'Sustainability and Poverty' has been transmitted to various governments, who in turn have transmitted the report to their parliaments and advisory bodies. The report has been discussed in the parliament of the German-speaking Community, and the three regional socio-economical councils have released an advice on this report.

In addition, the Combat Poverty Service is regularly asked to give advice. In 2020 questions were mostly related to COVID-19. The Service made recommendations for the Task force about vulnerable groups on the federal level, and organized and supported a stakeholder discussion of the Flemish Taskforce 'vulnerable families'.

References

- (1) Combat Poverty Service, Biennial Report 2018-2019 'Sustainability and Poverty', <https://www.combatpoverty.be/wp-content/uploads/sites/3/2020/05/200430-Summary-Sustainability-and-poverty.pdf> (Summary). Full text available in French and Dutch.

Human rights defenders and civil society space

Because of COVID-19 restrictions, it was difficult for people in poverty to gather in their associations and to discuss policy directions. This problem was identified in the stakeholders discussion of the Flemish Taskforce 'vulnerable families'.

Checks and balances

The choice of the theme of sustainability for the 2018-2019 biennial Report was also driven by the desire of people in poverty and their organizations to participate in the climate debate. The analyses and recommendations - made in consultation with people in poverty and many other stakeholders - find their way through presentations to policymakers and advisory bodies and the debates.

Functioning of the justice system

In 2020 a federal law raised the income limit to benefit from legal aid. This law is in line with recommendations made by the Combat Poverty Service (1), and shows a positive development. Nonetheless, the Combat Poverty Service keeps pointing out the difficult access to justice for people with a low income and asks an evaluation of recent measures.

This issue and the recommendations were also addressed in the parallel report of the Combat Poverty Service for the 2020 session of the Committee on economic social and cultural rights (2). The coalition of NGO's 'Plateforme Justice pour Tous' – the Combat Poverty Service follows this NGO as an observer – also addresses this issue in its alternative report for the 2020 session of the Committee on economic social and cultural rights (3).

References

- (1) Combat Poverty Service, Recommendation access to justice, <https://www.luttepauvrete.be/wp-content/uploads/sites/2/2020/06/Avis-propositions-de-loi-aide-juridique-de-deuxi%C3%A8me-ligne-Service-de-lutte-contre-la-pauvret%C3%A9.pdf>
- (2) Combat Poverty Service, Parallel report of the Combat Poverty Service for the 2020 session of the Committee on economic social and cultural rights, <https://www.luttepauvrete.be/wp-content/uploads/sites/2/2020/06/CESCR-rapport-parall%C3%A8le-Service-de-lutte-contre-la-pauvret%C3%A9-FR-2020.pdf>
- (3) https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fCSS%2fBEL%2f41232&Lang=en Combat Poverty Service, Biennial Report 2018-2019 'Sustainability and Poverty', <https://www.combatpoverty.be/wp-content/uploads/sites/3/2020/05/200430-Summary-Sustainability-and-poverty.pdf> (Summary). Full text available in French and Dutch.

Impact of measures taken in response to COVID-19 on the national rule of law environment

Most significant impacts of measures taken in response to the COVID-19 outbreak on the rule of law and human rights protection

When the COVID-19 pandemic started, the Combat Poverty Service had just published its biennial Report 'Sustainability and poverty'. It concluded that existing inequalities would be enhanced by climate change and climate policy. Unfortunately, this is also one of the conclusions during the COVID-19 pandemic: the most vulnerable groups in society are more heavily impacted by the coronavirus and related health protection measures. The Combat Poverty Service repeated its message from the Biennial Report in the context of climate policy – to leave no one behind – through several press releases: an appeal to governments and field organizations not to leave vulnerable groups behind in their COVID-19 policy, to support people in precarious situations in making use of certain measures (Hello Belgium Rail Pass) and their right to vaccination. Within the context of the SDGs, regular links could also be made with human rights.

From the start of the COVID-19 pandemic, the various levels of government within the country have taken measures. In April 2020 the Combat Poverty Service started to make an overview of all COVID-19 related measures taken by all governments in order to support people in situations of poverty or insecurity. Regularly, it has been publishing updated versions of this overview. This overview is seen as an important instrument by many governments and administrations, as it can inspire these governments and also has shown which groups have been less included in governmental policies (e.g. tenants).

An important concern was the participation of the stakeholders in COVID-19 policy, and the question of how proposals by these stakeholders and by human rights institutions could find their way into policy. In this context, the Combat Poverty Service is a member of the consultation group of the [Task Force \(inter\)fédérale 'groupes vulnérables'](#), where it made different proposals on the basis of concerns in the field. The input of the different stakeholders is also meant to inspire the recovery plans.

At the request of the Flemish minister of wellbeing, public health and the fight against poverty, the Combat Poverty Service organizes the stakeholder consultation of the taskforce 'vulnerable families'. Through weekly meetings in this group, proposals were collected. These proposals were bundled and transmitted to the ministerial departments, who provided political feedback to the group. In the report of July 2020 there are special parts with recommendations for the Flemish recovery plan about digitalization (2.2.), education (6.6.), employment (11.9.) and housing (12.8.).

On July 20th the Combat Poverty Service was invited – together with other organizations and institutions like Unia and Myria – by the Prime Minister, the members of the governmental core group and the competent ministers, in order to contribute to “the relaunch, recovery of the social protection and the sustainable reconstruction of our economy”.

Another one of the themes during the COVID-19 pandemic concerns communication to groups in precarious situations. In this light, the Combat Poverty Service has made several recommendations in order to pay attention to accessible communication and to the existence of the digital divide. On the basis of these recommendations, the Combat Poverty Service has become a member of the communication and societal dialogue cell of the Taskforce Vaccination in the heart of the “Corona Commissionerate”.

References

- Combat Poverty Service, recommandations, press releases and overview of measures taken: available on <https://www.luttepauvrete.be/themes/covid-19/>
- Combat Poverty Service, Input of the stakeholderconsultation of the Flemish Taskforce 'vulnerable families', 6 July 2020, <https://www.luttepauvrete.be/wp-content/uploads/sites/2/2020/07/200706-Nota-Input-Stakeholdersoverleg-TF-Kwetsbare-gezinnen-06-juli-2020-publicatie.pdf>
- Myria's report on closed centres for migrants and COVID's impact: <https://www.myria.be/fr/publications/visites-de-myria-dans-les-centres-fermes>
- Unia, "COVID-19 : les droits humains mis à l'épreuve", 2020, <https://www.unia.be/fr/publications-et-statistiques/publications/covid-19-les-droits-humains-a-lepreuve-2020>

