



**Interfederal Centre  
for Equal Opportunities**



Service de lutte contre la pauvreté,  
la précarité et l'exclusion sociale

Steunpunt tot bestrijding van armoede,  
bestaansonzekerheid en sociale uitsluiting

Dienst zur Bekämpfung von Armut, prekären  
Lebensumständen und sozialer Ausgrenzung

## **Different approaches in working with poverty and discrimination**

**Conference Equinet, 21<sup>th</sup> March 2018**

Emmanuelle Devillé  
Unia  
[Emmanuelle.deville@unia.be](mailto:Emmanuelle.deville@unia.be)  
0032 (0)2 212 30 88

Henk Van Hootegem,  
Combat Poverty, Insecurity and  
Social Exclusion Service  
[henk.vanhootegem@cntr.be](mailto:henk.vanhootegem@cntr.be),  
0032 (0)2 212.31.71

# UNIA



- Independent public institution
  - combats discrimination
  - promotes equal opportunities
- Processing individual reports of discrimination
- Reporting, studies, research...
- Policy recommendations
- Awareness raising and training

## Grounds 'fortune' and 'social origin'

2 grounds in the Federal Belgian antidiscrimination legislation :

- “fortune” : financial resources
  - “social origin” : belonging to a certain social class (heritage)
- +
- At the *Flemish Community* level -> “social condition” :  
larger than social origin...

### Recommendation from Unia:

- change “social origin” -> “social condition”,  
to take into account a broader range of situations, like family  
composition (lone parenthood), place of residence (in deprived  
areas...)

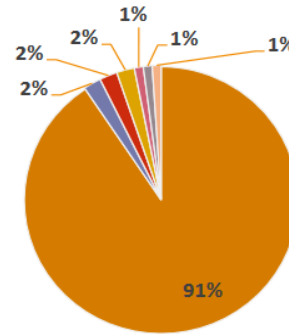
In 2016:

- 5 % of the complaints are based on the ground of fortune
- 91% of the complaints based on fortune are related to housing

Graphique 61 : Nouveaux dossiers « Unia compétent » 2016 - fortune par domaine (i

Typically:

A landlord refusing to rent to social assistance beneficiaries or unemployed people.



Position Unia:

Selecting a tenant on basis of the amount of his income, to be sure he can pay the rent each month, is OK.

Refusing to rent because someone is a benefit recipient or requiring a specific form of employment contract is discrimination.

## 2 CASES BROUGHT BEFORE COURT

- A landlord requires a permanent employment contract from tenants.  
The court says the landlord exceeds what should normally be required from a tenant. No legitimate goal in asking a permanent contract.
- Barriers:
  - In general, it is difficult to prove discrimination
  - Difficulties for people, especially the poor, to reach Unia

UNIA CARRIES OUT STUDIES TO BETTER UNDERSTAND A REALITY THAT THE LEGAL APPROACH CAN'T FULLY GRASP...

### **Diversity Barometer - Housing and Education :**

- Attempt to measure discrimination towards specific target groups
- But also tolerance /attitudes towards these groups and the participation of these groups in society.
- Combines qualitative and quantitative research methods.

<https://www.unia.be/en/publications-statistics/publications/diversity-barometer-housing>

<https://www.unia.be/en/publications-statistics/publications/diversity-barometer-education-2018>

# DIVERSITY BAROMETER - HOUSING

Test of discrimination (paired testing and random assignment)

% discrimination	TELEPHONE			E-MAIL
	Total	Femmes	Hommes	Hommes (sauf pour les mères célibataires)
Critères « raciaux »	n.s.	n.s.	13.8**	12.7***
Mère célibataire	5.5**	5.5**	/	6.1*
Handicap	n.s.	n.s.	n.s.	7.2**
Fortune	12.4**	17.0**	n.s.	13.5***

\*\*\* significatif à 1% ; \*\* significatif à 5% ; n.s.: résultat non significatif ( $p > 5\%$ )

# DIVERSITY BAROMETER - HOUSING

Mystery Shopping: *Is it possible to avoid... people of foreign origin / unemployed?*

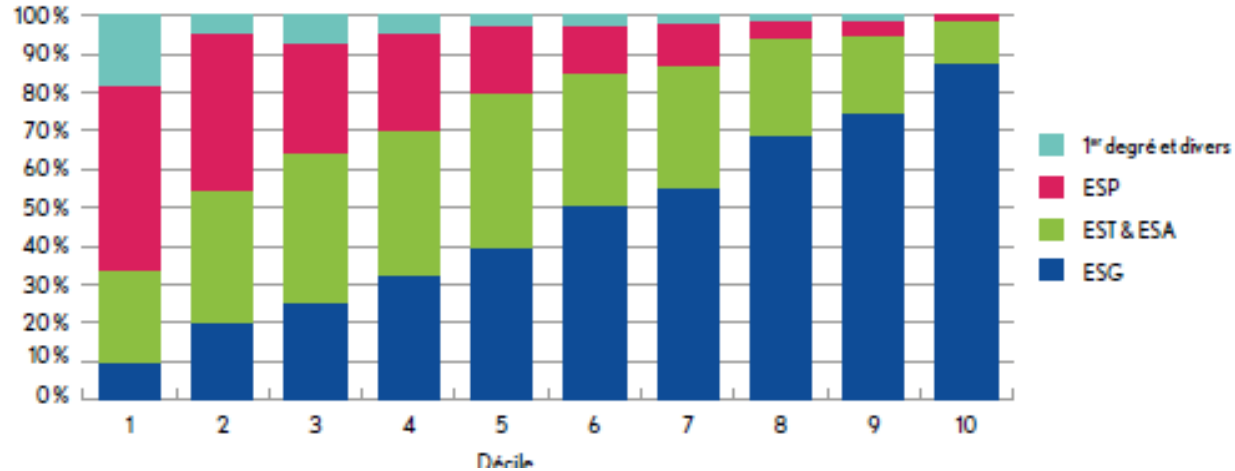
Est-il possible d'éviter...? (pourcentage)	les étrangers N=300	les chômeurs N=300
Oui	<b>42.3</b>	<b>61.3</b>
Non	14.0	7.3
Non, le choix revient au bailleur (liste)	34.0	24.3
Cela doit faire l'objet d'une discussion avec la direction	1.0	0
On ne parle pas de cela au téléphone	2.7	1.7
La question est éludée	1.7	0.3
La procédure est expliquée (ex. fiches de salaire, information auprès du bailleur précédent, ...)	1.0	2.7
La procédure est expliquée, en ce compris la pré-sélection par l'agence immobilière au niveau de la solvabilité	0.7	1.3
Autres	2.7	1.0

Recommendations: Mystery shopping for real estate agents.  
Setting up a universal guarantee fund, etc.



# DIVERSITY BAROMETER EDUCATION

Figure 2 : Orientation à 15 ans, selon l'indice socio-économique (par décile)



Flemish community,

Figures for French community are very similar

With same results:

- Students whose parents are low skilled /blue-collar workers are more likely to be oriented in less rewarded, vocational studies which prepares to a quick entry in employment.
- Students whose parents are high skilled workers (executives...), are more likely to be maintained in academic studies, to preserve their chance to achieve higher education.

### Recommendations:

Train the teachers to get along with the diversity of students.

Enhance the links between the school and the parents.

Improve the decision process for the study orientation of the students, etc.



**Interfederal Centre  
for Equal Opportunities**



Service de lutte contre la pauvreté,  
la précarité et l'exclusion sociale

Steunpunt tot bestrijding van armoede,  
bestaansonzekerheid en sociale uitsluiting

Dienst zur Bekämpfung von Armut, prekären  
Lebensumständen und sozialer Ausgrenzung

## **Different approaches in working with poverty and discrimination**

**Conference Equinet, 21<sup>th</sup> March 2018**


Emmanuelle Devillé  
Unia  
[Emmanuelle.deville@unia.be](mailto:Emmanuelle.deville@unia.be)  
0032 (0)2 212 30 88

Henk Van Hootegem,  
Combat Poverty, Insecurity and  
Social Exclusion Service  
[henk.vanhootegem@cntr.be](mailto:henk.vanhootegem@cntr.be),  
0032 (0)2 212.31.71




# Combat Poverty Service

- Cooperation Agreement between the federal State, the Regions and the Communities, approved by the Parliaments (1999), installing the Combat Poverty Service
- The Service acts in independancy
- Poverty in terms of human rights
- Mission: to evaluate the effectiveness of fundamental rights in situations of poverty and to do recommendations



# Evaluation of the effectiveness of fundamental rights, with the implication of people in poverty

- 
- Method: the Service organises dialogue processes with participation of different stakeholders, with a special attention on people living in poverty and their organizations (collective approach)

The results of these thematical exchanges/dialogues (analysis and recommendations) are published in the bi-annual reports of the Service, addressed to the different governments, parliaments and their advisory structures. Are also used in memoranda (elections), notes, ...



○ Ex post evaluation:

For example: rental guarantee

- working group about rental guarantee: proposal of a central/universal guarantee fund
- analysis of new reglementation in the three Regions with two criteria: affordability and risk on stigmatization (discrimination)



○ Ex ante evaluation

- working group with several stakeholders about the instrument of a 'poverty impact analysis' or 'poverty test'
- experiences in some 'poverty impact analysis' in the Flemish Region: new tarification water (water bills), child benefits, smart meters energy, ...



- Jurisprudence

- Publication of summaries of decisions from national and international courts







- Importance of the recognition of poverty because of non-take-up of rights
  - not evident for people in poverty to go to anti-discrimination institutions or courts: under-reporting in complaints
  - cfr. Redegeld, Ton. *Discrimination à raison de la pauvreté. Plaidoyer pour une approche européenne* (Pierrelaye, ATD Quart Monde, 2017, <http://blogs.atd-quartmonde.org/humanrights/wp-content/uploads/sites/4/2017/06/2017-06-Plaidoyerdiscrimination.pdf>)



- different reasons for non-take-up: more than lack of information, and the procedure problems, ... also stigma, expected consequences of the demand... and not-awareness to be a subject of rights





**DMI**

**ARMOEDE EN  
INEFFECTIVITEIT  
VAN RECHTEN**  
non-take-up van rechten

**PAUVRETÉ ET  
INEFFECTIVITÉ  
DES DROITS**  
non-recours aux droits

**DROIT EN MOUVEMENT**

Steunpunt tot bestrijding van armoede, bestaans-  
onzekerheid en sociale uitsluiting  
Service de lutte contre la pauvreté, la précarité et  
l'exclusion sociale

die Keure  la Charte

Combat Poverty, Insecurity and Social Exclusion Service

[www.combatpoverty.be](http://www.combatpoverty.be) - [www.luttepauvrete.be](http://www.luttepauvrete.be) - [www.armoedebestrijding.be](http://www.armoedebestrijding.be) - <http://www.armutsbekaempfung.be>



## INHOUDSTAFEL - TABLE DES MATIÈRES

Introduction

Inleiding

Quand on vit dans la pauvreté, exercer ses droits est risqué  
Marijke Decuyperre et Georges de Kerchove

Als je in armoede leeft, is de uitoefening van je rechten riskant  
Marijke Decuyperre en Georges de Kerchove

Take-up of benefits: lessons from the UK  
Paul Spicker

Analyse du non-recours aux droits : un outil d'évaluation des politiques publiques  
Pierre Mazet

Gaten in de sociale bescherming. Onderzoek over de niet-effectiviteit van sociaal-economische rechten in België  
Ides Nicaise

À la base du non-accès aux droits : le manque d'effectivité des lois  
Nicolas Bernard

Reducing poverty and improving fairness by ensuring that people receive the social benefits to which they are entitled: evidence from the EU  
Hans Dubois

De rol van diensten en administraties ten aanzien van de niet-toegang tot en het niet-gebruik van rechten  
Henk Van Hootegem

Les services et administrations face au non-accès et au non-recours aux droits  
Henk Van Hootegem

Les législateurs et acteurs judiciaires face au non-accès et au non-recours aux droits  
Françoise De Boe

De rol van wetgevers en justitiële actoren ten aanzien van de niet-toegang tot en het niet-gebruik van rechten  
Françoise De Boe

Justice et pauvreté  
Françoise Tulkens

Justitie en armoede  
Françoise Tulkens



Service de lutte contre la pauvreté,  
la précarité et l'exclusion sociale

Steunpunt tot bestrijding van armoede,  
bestaansonzekerheid en sociale uitsluiting

Dienst zur Bekämpfung von Armut, prekären  
Lebensumständen und sozialer Ausgrenzung

# Thank you