

●● **Cooperation Agreement between the Federal State, the Communities, and the Regions concerning the continuation of the Poverty Reduction Policy**

The Cooperation Agreement between the Federal State, the Communities, and the Regions concerning the continuation of the Poverty Reduction Policy was signed in Brussels on 5 May 1998 and approved by:

- >> the Flemish Community, Act of 17 November 1998, *Belgian Official Journal* of 16 December 1998
- >> the Federal State, Law of 27 January 1999, *Belgian Official Journal* of 10 July 1999
- >> the French Community, Act of 30 November 1998, *Belgian Official Journal* of 10 July 1999
- >> the German-speaking Community, Act of 30 November 1998, *Belgian Official Journal* of 10 July 1999
- >> the Walloon Region, Act of 1 April 1999, *Belgian Official Journal* of 10 July 1999
- >> the Brussels Capital Region, ordinance of 20 May 1999, *Belgian Official Journal* of 10 July 1999

● **Text of the Agreement**

Taking into account art. 77 of the Constitution;

Taking into account the special law of 8 August 1980 on institutional reform, with particular emphasis on article 92bis, § 1, appended to the special law of 8 August 1988 and amended by the law of 16 July 1993;

Taking into account the special law of 12 January 1989 concerning the Brussels Institutions, with particular emphasis on articles 42 and 63;

Taking into account the law of 31 December 1983 on institutional reform for the German-speaking Community, with particular emphasis on article 55bis, appended to the law of 18 July 1990 and amended by the law of 5 May 1993;

Taking into account the decision of the Advisory Committee of the Federal Government and the Community and Regional Governments of 3 December 1997;

Considering that insecurity, poverty and social, economic, and cultural exclusion, even in the case of just one single individual, seriously and adversely affect the inherent dignity and the equal and inalienable rights of all human beings;

Considering the restoration of the conditions of human dignity and the exercise of human rights, as established in and by the Universal Declaration of Human Rights on 10 December 1948 and in the two International Covenants on Economic, Social, and Cultural Rights and on Civil and Political Rights dated 19 December 1966, constitutes a common goal for each and every public authority in the country;

Considering that the above is achieved, in particular, through constant endeavour by each public authority separately and together, to outline, implement, and evaluate policies aimed at the prevention of insecurity, the fight against poverty, and the integration of individuals into society;

Considering that social security is a priority to maintain social cohesion among citizens and for the prevention of insecurity, poverty, and social inequality, and for human emancipation;

Considering that it is important to guarantee the continuation of this integration policy, in particular by the adaptation and the development of public services;

Considering that the involvement of all individuals affected by this integration policy, from the time of its development, must be guaranteed by the public authorities;

>> the Federal State, represented by the Prime Minister, the Minister of Social Affairs, the Minister of Employment and Labour, responsible for the policy of Equal Opportunities for Men and Women, the Minister of Public Health and Pensions, and the Secretary of State for Social Integration;

>> the Flemish Community and the Flemish Region, represented by its Government through the Minister-President and the Ministers responsible for the coordination of the Policy for Poverty Reduction and for Assistance to Individuals;

>> the French Community, represented by its Government through the Minister-President;

>> the German-speaking Community, represented by its Government through the Minister-President and the Minister for Youth, Education, Media and Social Affairs;

>> the Walloon Region, represented by the Minister-President and the Minister for Social Action;

>> the Brussels Capital Region, represented by the Minister-President;

>> the Common Community Commission, represented by the members of the United College competent for matters concerning Assistance to Individuals;

Have agreed as follows:

● **Art. 1.**

Without prejudice to their own individual competences, the signatories undertake to continue and coordinate their policies for the prevention of insecurity, the fight against poverty, and the integration of individuals into society, based on the following principles:

>> the realisation of social rights as established in article 23 of the Constitution;

>> equal access to all of such rights for every individual, which may also include measures for positive action;

>> the introduction and reinforcement of modes of participation of all public administrations and individuals concerned, in particular those living in poverty, and the development, implementation and evaluation of these policies;

>> a policy of social integration is an inclusive, global, and coordinated policy, meaning it must be implemented throughout all of the areas of competence and requires an ongoing evaluation of all of the initiatives and actions undertaken and contemplated.

● **Art. 2.**

In this way, the signatories undertake to contribute, each within its own competence, to a "Report on Insecurity, Poverty, Social Exclusion, and Unequal Access to Rights", hereinafter referred to as "the Report". The Report shall be drawn up every two years no later than November by "Combat Poverty, Insecurity and Social Exclusion Service", as provided for in article 5 of this Agreement, based on the contributions by the parties. The Report shall be drawn up in the country's three national languages.

The Report shall contain at least:

>> an evaluation of the evolution of the insecurity of personal living conditions, of poverty, and of social exclusion based on indicators defined at article 3;

>> an evaluation of the effective exercise of social, economic, cultural, political, and civil rights, as well as of the inequalities that persist in relation to individuals' access to rights;

>> an inventory and an evaluation of the policy and of the actions taken since the previous Report;

>> concrete recommendations and proposals to improve the situation of the affected individuals within all of the areas considered in this article, both for the long and the short term.

● **Art. 3.**

Following consultation with the scientific community, the competent administrations and institutions, the social partners, and the organisations where people living in poverty have a voice, the signatories shall investigate what quantitative and qualitative indicators and tools can be employed and/or developed to analyse the evolution in all areas as considered in article 2, in order to enable the competent authorities to intervene in the most appropriate manner. A first set of indicators will be defined prior to 15 November 1998.

Without prejudice to the laws and regulations concerning the protection of the individual's privacy, the signatories undertake to make available to the "Combat Poverty, Insecurity and Social Exclusion Service", without charge, all data about which prior agreement has been reached, or to facilitate access to this data should they belong to external services. The signatories will also have access to this data.

● **Art. 4.**

§ 1. The Report shall be presented via the Interministerial Conference on Social Integration, as mentioned in article 9, to the Federal Government and to the respective Governments of the Communities and the Regions, which in turn undertake to forward it on to their Councils, Parliaments, or Assemblies.

§ 2. Within one month of receipt, the Federal Government shall forward the Report to the National Labour Council and the Central Economic Council which, in turn, shall within one month issue an advisory opinion, particularly in relation to the areas that are part of their mandate. Following the same procedure, the Communities and the Regions shall likewise request the advice of their advisory bodies that are competent in this area.

§ 3. All of the signatories undertake to hold a debate about the content of the Report and of the advisory opinions, particularly in relation to the recommendations and proposals set out in the Report.

● **Art. 5.**

§ 1. In order to be able to realize the above objectives, a "Combat Poverty, Insecurity and Social Exclusion Service" shall be formed, to be charged with the following responsibilities:

>> to index, systematize, and analyze information concerning insecurity, poverty, social exclusion, and access to rights on the basis of the indicators defined in article 3;

>> to make concrete recommendations and proposals to improve the policies and the initiatives towards the prevention of insecurity, the fight against poverty, and the integration of individuals in society;

>> to draw up a Report at least once every two years as stated in article 2;

>> following a request from one of the signatories, of the Interministerial Conference on Social Integration, or on its own initiative, to issue advisory opinions or draw up interim reports concerning any question that pertains to an area that falls within its mandate;

>> to organize structural consultation with the most disadvantaged.

§ 2. In order to realize the objectives in § 1, the Combat Poverty, Insecurity and Social Exclusion Service shall, in a structured and ongoing manner, involve in its activities the organisations where the poor can voice their opinions, using the dialogue method as developed during the composition of the "General Poverty Report".

The Combat Poverty, Insecurity and Social Exclusion Service may likewise call upon assistance from any person or public or private organisations that have expertise in the areas in question.

● **Art. 6.**

§ 1. The "Combat Poverty, Insecurity and Social Exclusion Service" shall be formed as a trilingual institution at the federal level, at the "Centre for Equal Opportunities and Opposition to Racism". It shall be subsidized by all of the parties. For 1998, a budget of BEF 20 million is being earmarked:

>> BEF 15,000,000 by the Federal State;

>> BEF 2,800,000 by the Flemish Community and the Flemish Region;

>> BEF 1,700,000 by the Walloon Region (in consultation with the French and German-speaking Communities);

>> BEF 500,000 by the Brussels Capital Region (in consultation with the Common Community Commission).

These amounts shall be subject to annual indexation. With agreement from all of the involved parties, the budget may be adjusted to need by means of an addendum to the present Cooperation Agreement.

The amounts shall be paid by the month of March of the year in which they are applicable.

§ 2. A permanent and structural cooperation shall be established between the “Combat Poverty, Insecurity and Social Exclusion Service” and the competent administrations of the Communities and Regions. To that end, scientific collaborators shall, in one form or another, be put at the disposal of the “Combat Poverty, Insecurity and Social Exclusion Service” by the three Regions, namely 1.5 full-time equivalents by the Flemish Region, 1 full-time equivalent by the Walloon Region, and a 1/2 full-time equivalent by the Brussels Capital Region. In the event this involves the participation of civil servants, these shall remain attached to the personnel complement of the Region in casu.

§ 3. The Communities and the Regions shall, with all due respect for each other’s mutual competences and budgets, strive for the recognition and encouragement of organisations where the poor can voice their opinions.

● **Art. 7.**

§ 1. A Board of Administrators shall be formed within the “Combat Poverty, Insecurity and Social Exclusion Service” and assigned the following tasks:

- >> ensuring the correct implementation of the present Cooperation Agreement;
- >> calling upon the services, at the proposal of the Advisory Board as provided for in article 8, of scientific institutions or specialized study bureaus that, given their experience and the material resources at their disposal, will be in a position to assist the “Combat Poverty, Insecurity and Social Exclusion Service” in the execution of its tasks. In this case, an agreement must be concluded with the “Centre for Equal Opportunities and Opposition to Racism”;
- >> drawing up for the benefit of the “Combat Poverty, Insecurity and Social Exclusion Service” a draft budget, the management of which shall remain strictly separate from the organic endowment for the “Centre for Equal Opportunities and Opposition to Racism”;
- >> determining the personnel requirement plan and, in particular, the coordinator’s job profile.

§ 2. The Chairman and the Vice-Chairman of the Board of Administrators and the Coordinator of the “Combat Poverty, Insecurity and Social Exclusion Service” shall attend the meetings of the Board of Directors of the “Centre for Equal Opportunities and Opposition to Racism” with an advisory voice when points concerning the “Combat Poverty, Insecurity and Social Exclusion Service” are placed on the agenda.

§ 3. Aside from the representative of the Prime Minister who chairs the Board of Administrators, this committee counts 12 members, including:

- >> 4 members proposed by the Federal State;
- >> 3 members proposed by the Flemish Community and the Flemish Region;

- >> 2 members proposed by the Walloon Region in consultation with the French Community;
- >> 2 members proposed by the Brussels Capital Region in consultation with the Common Community Commission, amongst whom one Dutch and one French-language speaker;
- >> 1 member proposed by the German-speaking Community.

These members shall be appointed on the basis of their expertise and experience in the areas that are identified in the present Cooperation Agreement. They shall be assigned their mandates by the respective Governments and appointed for a renewable 6-year office term by a Royal Decree submitted to and discussed in a Council of Ministers.

§ 4. In addition, the Director and Assistant Director of the “Centre for Equal Opportunities and Opposition to Racism”, and likewise the coordinator of the “Combat Poverty, Insecurity and Social Exclusion Service”, shall be members of the Board of Administrators with an advisory voice.

● **Art. 8.**

An Advisory Board shall be formed under the chairmanship of the Minister or the State Secretary with the competence for Social Integration, to guide and assist the activities of the “Combat Poverty, Insecurity and Social Exclusion Service”. The Advisory Board shall also monitor the methodology and the criteria as established in article 3, as well as the progress made with the Report. The Advisory Board is to be composed of members of the Board of Administrators, as provided for in article 7, to be complemented by at least:

- >> 4 representatives of the social partners, proposed by the National Labour Council;
- >> 2 representatives of the health insurance institutions, proposed by the National Belgian Intermutualist College;
- >> 5 representatives proposed by the organisations where the poor can voice their opinions, amongst whom a representative of the homeless;
- >> 3 representatives proposed by the Department of Social Welfare from the Association of Belgian Cities and Municipalities.

These representatives are proposed on the basis of their expertise and experience in the areas identified in the present Cooperation Agreement. They are given a 6-year mandate by the Board of Administrators.

● **Art. 9.**

In order to guarantee consultation among the various Governments, the Interministerial Conference on Social Integration shall meet at least twice a year.

Without prejudice to the competences held by the administrations that make up its composition, the Conference is mandated to ensure a global, integrated, and coordinated approach to the policy for the prevention of insecurity, towards the fight against poverty, and for integration of all members of society.

The conference shall be chaired by the Prime Minister and prepared in collaboration with the Minister or State Secretary responsible for Social Integration. They likewise shall be

responsible for its follow-up. To that end, they shall call upon expertise assistance from the Poverty Cell within the Directorate of Social Integration and from the "Combat Poverty, Insecurity and Social Exclusion Service".

● **Art. 10.**

Within the context of the Interministerial Conference on Social Integration, the signatories shall on an annual basis evaluate the activities and procedures of the "Combat Poverty, Insecurity and Social Exclusion Service" and of this Cooperation Agreement.

● **Art. 11.**

The present Cooperation Agreement intends to confirm the mandate of the "Centre for Equal Opportunities and Opposition to Racism" as described in article 2 of the law of 15 February 1993 with respect to the formation of a "Centre for Equal Opportunities and Opposition to Racism", in particular with regard to the competence for the fight against any and all forms of exclusion. That is therefore also the reason why, at the time of re-electing the Centre's Board of Directors, the Federal Government will invite Parliament to take this confirmation into due account based on the evaluation as provided for in article 10.

Executed in Brussels, on 5 May 1998, in 7 copies (originals).

On behalf of the Federal State: J.-L. DEHAENE, Prime Minister; M. COLLA, Minister of Public Health;

M. DE GALAN, Minister of Social Affairs; M. SMET, Minister of Employment and Labour, J. PEETERS, Secretary of State for Social Integration;

On behalf of the Flemish Region and the Flemish Community: L. VAN DEN BRANDE, Minister-President;

L. PEETERS, Minister of Internal Affairs, Urban Policy and Housing;

L. MARTENS, Minister of Culture, Family and Well-being;

On behalf of the French Community: L. ONKELINX, Minister-President;

On behalf of the German-speaking Community: J. MARAITE, Minister-President; K.-H. LAMBERTZ, Minister for Youth, Education, Media and Social Affairs;

On behalf of the Walloon Region: R. COLLIGNON, Minister-President; W. TAMINIAUX, Minister of Social Action;

On behalf of the Brussels Capital Region: CH. PICQUE, Minister-President;

On behalf of the Common Community Commission: R. GRIJP, D. GOSUIN, Members of the Associated College responsible for Social Assistance to Individuals.