

BELGIUM

EMN COUNTRY FACTSHEET

2019

MAIN DEVELOPMENTS IN MIGRATION AND INTERNATIONAL PROTECTION, INCLUDING LATEST STATISTICS



LEGAL MIGRATION AND MOBILITY¹

WORK-RELATED MIGRATION

Since January 2019, third-country nationals wishing to work and stay in Belgium for more than 90 days can apply for a **single permit** at the level of the competent region. In autumn, the single permit procedure was opened up to highly qualified and seasonal workers.

The Walloon Region established a [list of seven shortage occupations](#) for medium-skilled third-country nationals, for which employers no longer need to prove that they cannot find a suitable candidate within a reasonable period of time. The Flemish Region introduced a [similar list](#) in December 2018.

FAMILY REUNIFICATION

In autumn, the federal parliament discussed a **possible reform** of the rules on family reunification.

¹ As the Belgian federal government was acting in a **minority caretaking capacity** throughout 2019, it was not allowed to take new policy initiatives and could only adopt ongoing or urgent measures. On 26 May 2019, regional, national and European elections took place in Belgium. In the months

KEY POINTS



An increase in the occupation rate in the reception network for asylum seekers saw 6 000 additional and temporary places created in existing and new reception facilities.



Inclusion of the principle of non-punishment in the Penal Code means that victims of human trafficking can no longer be punished for acts they committed as a direct result of their exploitation.



The Council of State partly suspended the Royal Decree of 22 July 2018 on the detention of irregularly staying minor families with children in return units.



INTERNATIONAL PROTECTION INCLUDING ASYLUM

IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM

In 2019, Belgium registered 18.3% **more applications** for international protection than in 2018. This increase stemmed partly from increased applications in the context of secondary movements, both by asylum-

following the elections, **new governments** were formed at the level of the regions and the communities.

seekers subject to the Dublin Regulation and those already holding a protection status in another EU Member State. In response to growing applications, the federal government increased its budget for processing applications and reception, and set up a system of chain management between the asylum authorities.

The pressure on the reception network strongly increased in 2019, leading the Federal Reception Agency (Fedasil) to create a large number of temporary places to guarantee accommodation for all asylum seekers. The **occupation rate** of the reception network increased from 86.91% in January 2019 to 96.61% in December 2019. This stemmed from greater numbers of applications for international protection, increased processing time, substantial reduction of places in previous years, and the lack of a buffer capacity. A total of 6 000 additional places were created during the year in existing and new reception centres.



UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

In 2019, the Guardianship Service created a new group of **guardians trained in transmigration**. These guardians are assigned to unaccompanied minors in transit to the United Kingdom who are unwilling to accept a place in a reception facility.

In April, the national asylum authority (the Office of the Commissioner General for Refugees and Stateless persons - CGRS) adapted its policy on requests for international protection submitted by parents on behalf of their daughter(s) fearing **female genital mutilation**. The policy change means that parents are no longer granted derivative refugee status on the basis of the principle of family unity, but should instead submit an application for regularisation of stay based on Article 9bis of the [Immigration Act](#).



INTEGRATION

NON-DISCRIMINATION

The [Law of 12 May 2019](#) established the legal basis for a Federal Institute for the Protection and Promotion of Human Rights. This **national human rights institute**

will have residual power for federal matters that are not assigned to another organisation. It will monitor whether Belgium is compliant with its international human rights obligations and encourage the ratification of new international human rights instruments.

PROMOTING INTEGRATION AT LOCAL LEVEL

In February 2019, the Flemish Agency for Home Affairs (*Agentschap Binnenlands Bestuur*) launched a [database of good practices](#) in integration at local level. The database provides local authorities with solutions to prevent and combat polarisation between and within population groups and to increase social cohesion.

The Flemish Minister for Integration appointed **liaison officers** to ease local residents' concerns about a new reception centre for asylum-seekers. The liaison officers are tasked with improving communication with locals and providing accurate information on the activities of the reception centre.



CITIZENSHIP AND STATELESSNESS

No significant developments in 2019.



BORDERS, SCHENGEN AND VISAS

BORDER MANAGEMENT

Following a May 2019 [amendment to the national legislation on advanced passenger information \(API\) and passenger name records \(PNR\)](#), the passenger information unit (BelPIU, part of the Crisis Centre of the Federal Public Service Home Affairs) became responsible for **processing passenger information** in the framework of illegal immigration. Once fully implemented, border checks will be enhanced by automated cross-checking with relevant databases and rule-based targeting.



IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

MIGRANT SMUGGLING AND PREVENTION OF IRREGULAR STAY

Recent years have seen Belgium subjected to strong migratory pressure, notably due to transmigration to the United Kingdom, which intensified in late 2019 in response to the (then upcoming) Brexit.

The **Reach Out project** was launched to improve outreach to undocumented and homeless migrants, especially those in transit. The project aimed to establish trust with these migrants and to inform them of their rights in respect of reception, social support and voluntary return.

The Immigration Office launched a new **awareness-raising campaign** using a [website](#) and [social media](#) to communicate the risks of irregular migration to Belgium and the chances of being granted residence rights to migrants abroad. As part of the campaign, migrants within the territory were provided with information on their return options. The online campaign targets visa-free foreign nationals, migrants in transit and other third-country nationals.



TRAFFICKING IN HUMAN BEINGS

VICTIMS OF TRAFFICKING

The Federal Parliament adopted the [Law of 22 May 2019](#) on the trafficking of human organs and the principle of non-punishment for victims of human trafficking. This law introduced the **principle of non-punishment** in the national Penal Code, meaning that victims of human trafficking cannot be punished for acts they committed as a direct consequence of their exploitation, regardless of the type of exploitation of which they were a victim.



RETURN AND READMISSION

RETURN MIGRATION MANAGEMENT

Since the entry into force of the [Royal Decree of 22 July 2018](#) in August 2018, national authorities were allowed to detain families with children in irregular stay in

special return units, housed on the grounds of detention centre 127bis, next to Brussels Airport. The **detention of minor children** was strongly criticised by civil society organisations, which requested the Council of State to suspend and annul the decree. In April 2019, the Council of State [partly suspended](#) the execution of the Royal Decree of 2018, as its provisions did not preclude that young children could be detained in places where they could be exposed to serious airport noise.

In the spring, a **detention centre for irregularly staying women** opened in Holsbeek, near Leuven. Managed by the Immigration Office, the new site accommodates 28 women and will reach its maximum capacity of 50 in 2020.



MIGRATION AND DEVELOPMENT

MOBILITY PARTNERSHIPS

In March 2019, the Belgian Development Agency (Enabel) and its partners launched 'PALIM', a pilot project addressing **labour shortages** in the information and communication technology (ICT) sector in Flanders and Morocco. The Agency offered specialist training to young graduates in Morocco, as well as peer-to-peer training for staff of the national employment agency (*l'Agence Nationale de Promotion de l'Emploi et des Compétences* – ANAPEC).

STATISTICAL ANNEX

The Statistical Annex was prepared by the European Commission's Knowledge Centre on Migration and Demography (KCMD). It provides an overview of the latest available statistics for Belgium on aspects of migration and international protection (2016–2019), including legal residence, asylum, unaccompanied minors, integration, irregular migration, return and visas. Where statistics were not available at the time of publication, this is indicated in the Annex as 'N/A'. A How to Read guide, describing each chart and reporting the sources, is available [here](#).



GENERAL NOTES

This four-page statistical annex complements the Country Factsheet with relevant migration-related data organised in nine thematic sections. The dashboard-like layout of the annex allows comparability across countries as well as simultaneous visualisation of different indicators.

Whenever data is not available, the relative chart is left blank or indicated with 'N/A'. Data are provided for the latest available year or the latest available four-year period.

The sum of percentages or of individual values might not add up to 100 or to the total value. This is due to rounding and confidence intervals in the original data.

A How to Read guide, describing each chart and reporting the sources, is available on the EMN website.

COLOUR LEGEND

Whenever not specified, the following colour legend is adopted. Colours for multiple nationalities are randomly chosen.

■ data relative to Belgium

■ data relative to EU

LEGAL MIGRATION AND MOBILITY

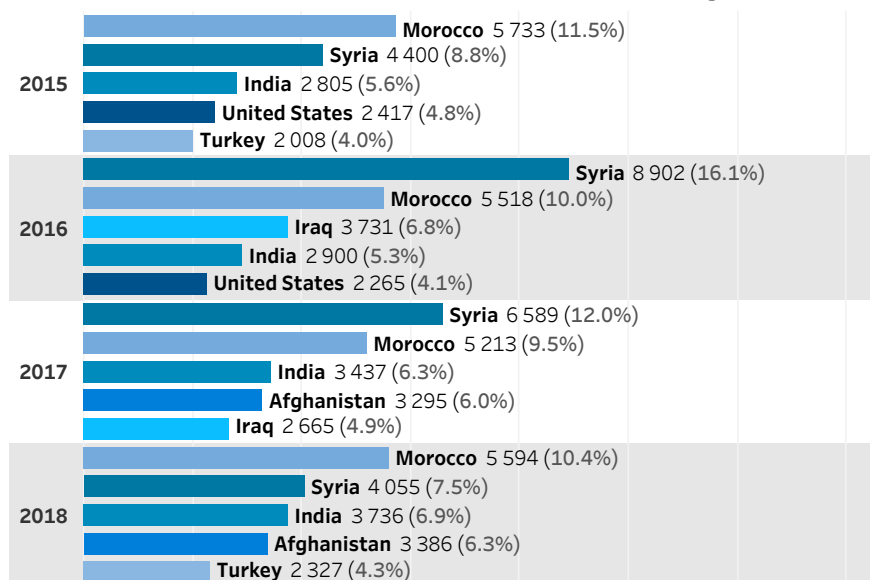
Third-Country Nationals (TCNs) as % of total population (in the country and in the EU)

SOURCE: Eurostat (migr_pop1ctz)



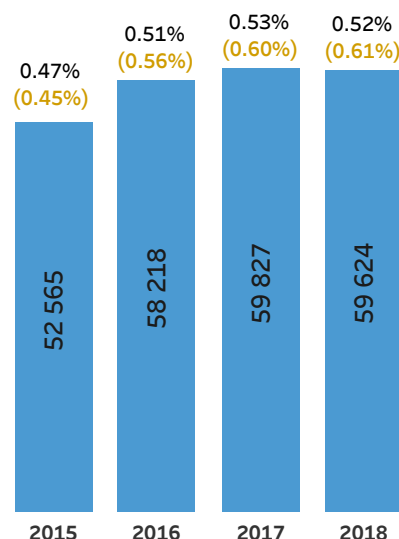
Top 5 nationalities of number of first residence permits annually issued: number of permits and % of total annual permits

SOURCE: Eurostat (migr_resfirst)



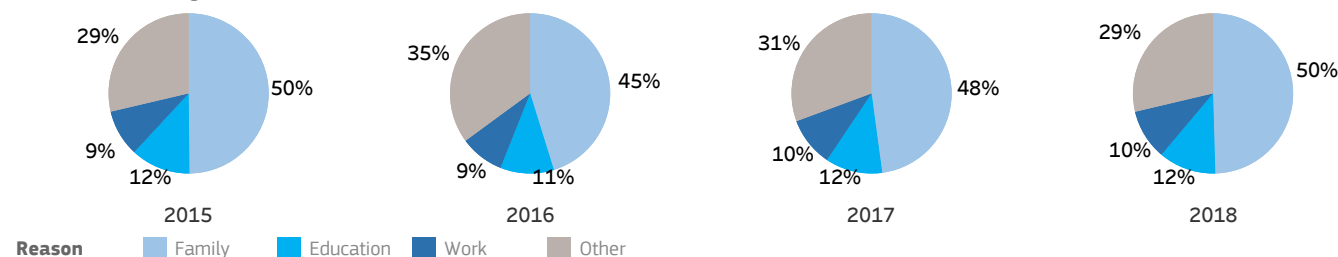
First residence permits annually issued: tot. num. and % of tot. pop. in the country (and EU)

SOURCE: Eurostat (migr_resfirst)



First residence permits annually issued by reason

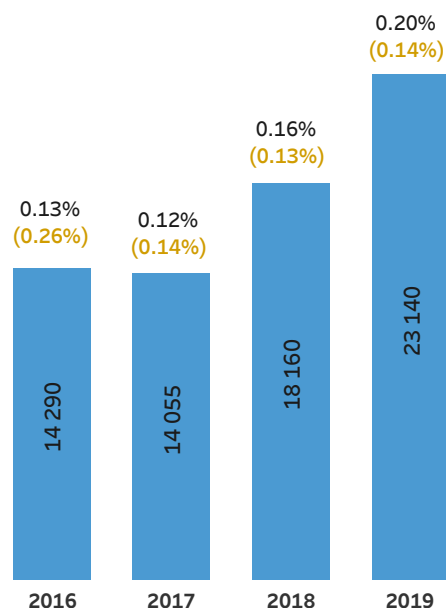
SOURCE: Eurostat (migr_resfirst)



INTERNATIONAL PROTECTION INCLUDING ASYLUM

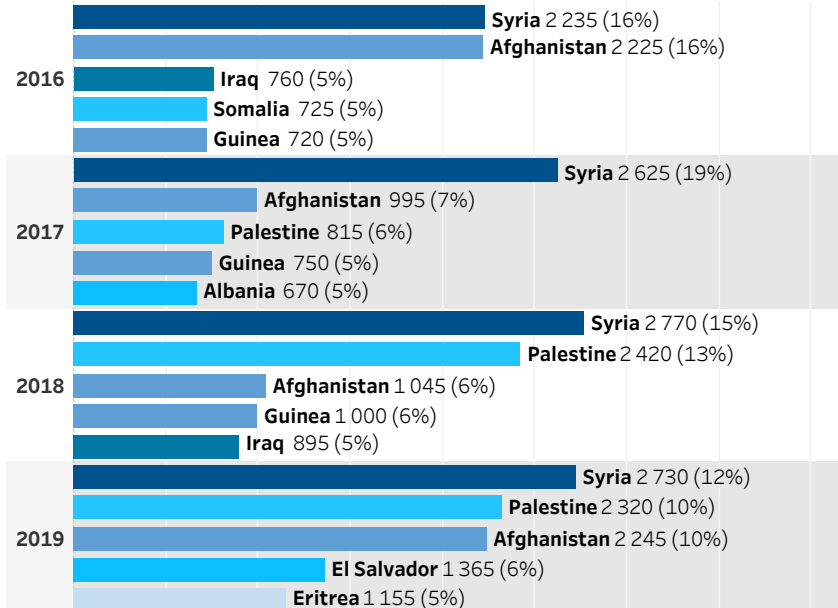
First-time asylum applications: total num. and as % of population in the country (and in EU)

SOURCE: Eurostat (migr_asyappctza, migr_pop1ctz)



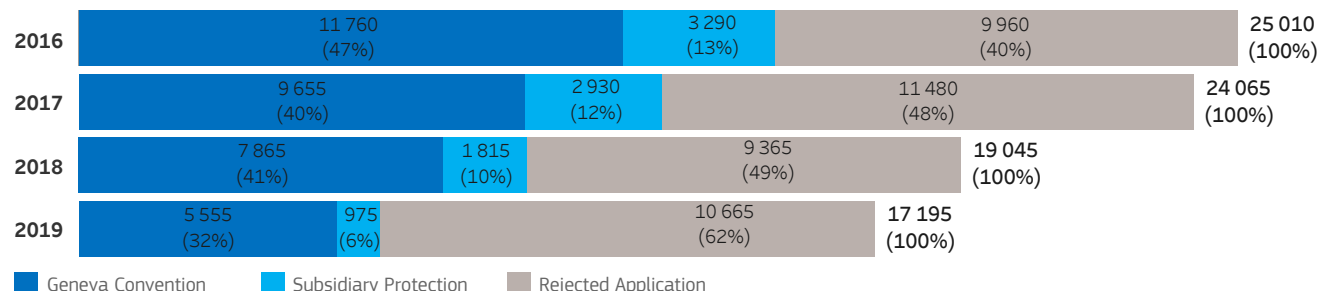
Top 5 nationalities of annual number of first-time asylum applications: number of applications and % of total first-time annual applications

SOURCE: Eurostat (migr_asyappctza)



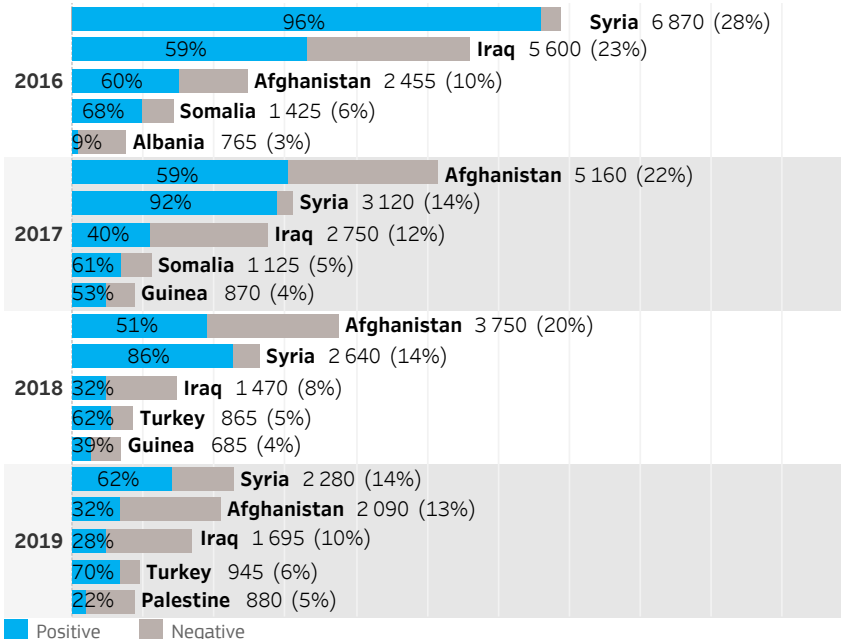
Number of first-instance asylum decisions by outcome (% of total decisions)

SOURCE: Eurostat (migr_asydcfst)



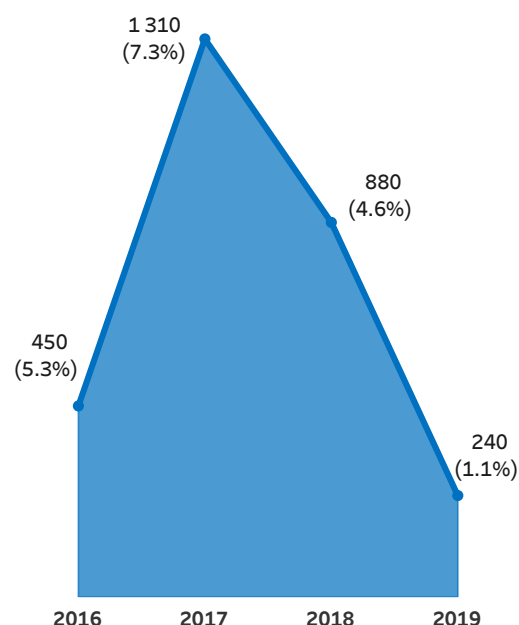
Top 5 nationalities of annual number of first-instance decisions: number of decisions (% of total decisions in the country) and % of positive outcome

SOURCE: Eurostat (migr_asydcfst)



Third-Country Nationals resettled: absolute number and as % of total resettled in EU

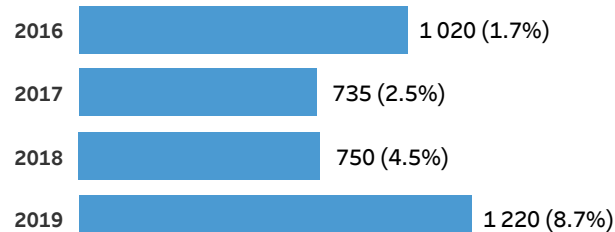
SOURCE: Eurostat (migr_asyresa)



UNACCOMPANIED MINORS

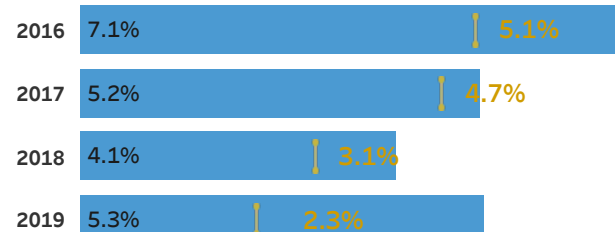
Unaccompanied Minors applying for asylum in the country (and % of total applications from Unaccompanied Minors in EU)

SOURCE: Eurostat (migr_asyunaa)



Unaccompanied Minors as % of first asylum applications (in the country and in EU)

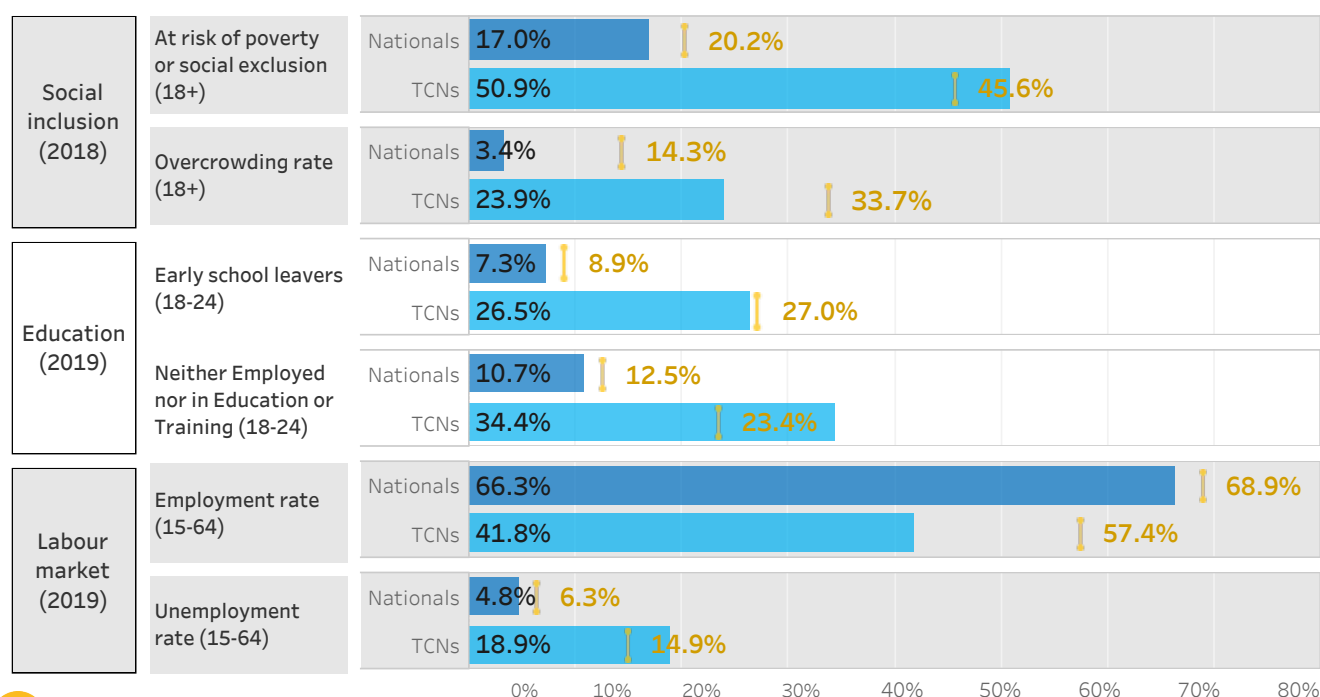
SOURCE: Eurostat (migr_asyunaa)



INTEGRATION

Integration indicators for nationals of the country (blue) and Third-Country Nationals (TCNs - light blue) in the country (when available). The same indicator is provided in yellow for EU. Data are relative to the last year available.

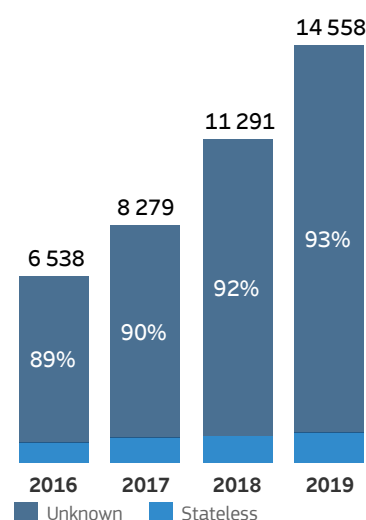
SOURCE: Eurostat (ilc_peps05, ilc_lvho15, edat_lfse_01, edat_lfse_23, lfse_ergan, lfse_urgan)



CITIZENSHIP AND STATELESSNESS

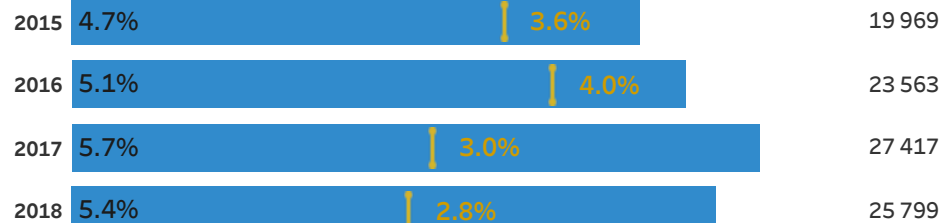
Stateless, Recogn. Non-Citizens (RNC) and Unknown Citizens

SOURCE: Eurostat (migr_pop1ctza)



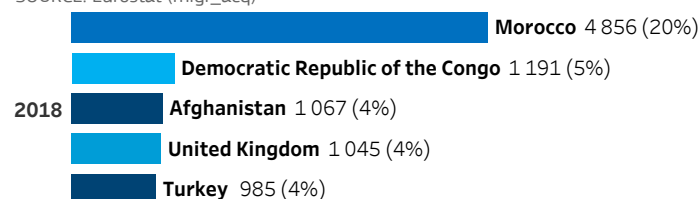
Third-Country Nationals who have acquired citizenship as a share of total Third-Country Nationals (in the country and in the EU) and in absolute number

SOURCE: Eurostat (migr_acqs, migr_acq)



Top 5 nationalities by number of citizenship acquisition in 2018: absolute number and % of total acquisitions in the country by Third-Country Nationals

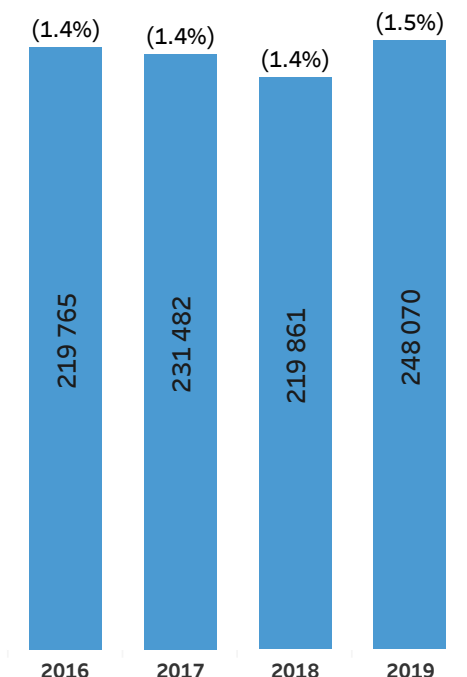
SOURCE: Eurostat (migr_acq)



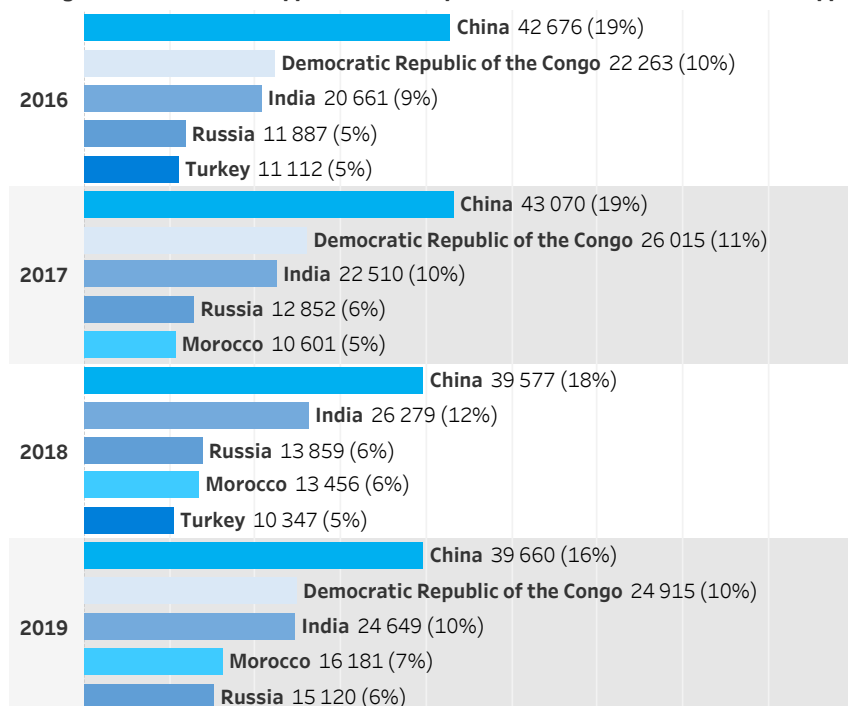
BORDERS, SCHENGEN AND VISAS

SOURCE: DG Migration and Home Affairs (complete statistics on short-stay visas applications to Schengen States)

Lodged short-term Visa app. (% of Schengen)



Lodged short-term Visa applications in top 5 consulate countries (% of total app.s)



IRREGULAR MIGRATION

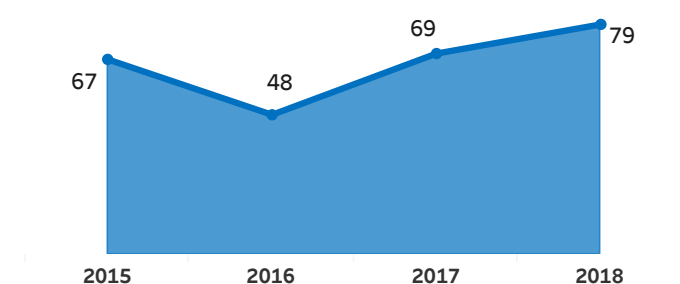
SOURCE: Eurostat (migr_eirfs, migr_eipre, migr_eiord, migr_eirtn)



TRAFFICKING IN HUMAN BEINGS

Number of residence permits issued to victims of Trafficking in Human Beings

SOURCE: Eurostat (migr_resoth)



RETURN AND READMISSION

Number of Third-Country Nationals who left the territory by type of return

SOURCE: Eurostat (migr_eirt_vol)

