

The reception of asylum seekers in Belgium



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1

Asylum seeker?

Any immigrant arriving in Belgium can request asylum here, which means this country will protect them. Registration takes place at the application centre in Brussels, which is managed by Fedasil.

The Immigration Office (Office des étrangers) will record the request and the Office of the Commissioner-General for Refugees and Stateless Persons (CGRS) will then investigate it. The CGRS can grant, refuse or withdraw refugee status.



The **Geneva Convention** (of 28 July 1951 relating to the status of refugees), which Belgium has signed, lays out the conditions that a person must meet in order to be recognised as a 'refugee'.

A refugee is "a person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country".

2

How many are there?

There is a record number of more than **90 million people taking flight** worldwide. A large majority of these lives in a different region within their own country or in a neighbouring country. Only a small proportion of these come to Europe to request asylum (source: UNHCR.be).

In the past few years, Belgium has recorded between 20,000 and 40,000 asylum applications per year, with a peak of 45,000 in 2015.







3

What help do they get?

Asylum seekers receive **material support**. This assistance is guaranteed for as long as the investigation into their request for asylum is running. This involves housing them in a reception structure for asylum seekers (collective centre or individual home). Asylum seekers do not receive any financial assistance.

There is a right to reception, although this is not an obligation. Some asylum seekers prefer to stay with friends or family. In such an event, they do not receive the guidance offered by the reception structures, with the exception of medical aid, which is guaranteed for all asylum seekers.



4

Where do they stay?

Asylum seekers are normally received at a **collective centre** managed by Fedasil or one of its partners (e.g. the Red Cross).

Some people reside in **individual homes**, managed by Public Centres for Social Welfare (CPAS) (the 'local reception initiatives' or LRIs) or NGOs. These are furnished apartments or studio flats. These homes are intended for vulnerable people or people who are highly likely to be recognised as refugees.

5

How does a reception centre work?

The reception centre will provide for **the residents' basic needs (accommodation, meals, clothing)**, but they will also receive social, legal, medical and psychological guidance. Every resident has a social worker to turn to.

Families will be given their own room, while single people will share a communal room. Since living in a community requires some adaptation, a set of house rules will be drawn up to make sure people can live together peaceably.

The residents will stay at the reception centre while they await a decision regarding their request for asylum. Staff and volunteers help the residents to fill their days productively by providing all manner of activities, such as training, entertainment and sporting activities.



Open versus closed centres. The centres operated by Fedasil and its partners are 'open'. The residents are asylum seekers and they can enter and leave the buildings freely. By contrast, the closed centres are managed by the Immigration Department and the immigrants staying there are mainly those waiting to be deported.

6

Do asylum seekers get money?

Asylum seekers in Belgium receive no financial support, only material support (reception and guidance). However, asylum seekers do receive an **allowance** every week (a few euros per week). They can supplement this allowance by taking on community work at the centre (cleaning, helping to distribute meals, etc.).





7

Are they allowed to work?

Not at first. Asylum seekers can request a work permit **4 months** after submitting their request for asylum, under certain conditions.

If an asylum seeker is receiving a wage, Fedasil will ask for a financial contribution (in proportion to the income) for the costs of reception at the centre.



8

How long does the reception last?

For as long as their request for asylum is being investigated, the asylum seekers will have a right to reception. The reception period will therefore depend upon how long it takes the asylum authorities to process the file. This may vary from a few weeks to more than a year, not counting any appeal procedures.





9

What about children?

It goes without saying that children arriving with their parents will live here as a family and share a single room.

Just like all other minors in Belgium, young asylum seekers are required to attend school. They will generally go to a school in the centre's neighbourhood. Where possible, the children will first attend a welcoming class ('DASPA'), where they will follow a specially adapted curriculum (a course in Dutch) before being transferred to a standard class.

Children at the centre can also rely on the support of the staff and the innumerable volunteers to help them with schoolwork, homework clubs, etc.



Minors arriving in Belgium without parents will receive specially adapted reception and guidance. At first, unaccompanied minors (or **UMs**) will be received at a Fedasil Observation and Orientation Centre (OOC). They will then move on to the reception facility that best meets their needs (Fedasil, reception partner, foster home).

Each young person will be assigned a guardian by the Federal Public Service Justice's Guardianship Service. This guardian will advocate for their interests and help them make choices about their future.

10

Are all asylum seekers allowed to stay in Belgium?

No. The Office of the Commissioner-General for Refugees and Stateless Persons (CGRS) is tasked with investigating the request for asylum.

If the CGRS grants refugee status, the asylum seeker will be under the protection of Belgium and will receive a temporary residence permit (for 5 years initially). The refugee can then search for a home of their own, and may approach a CPAS for financial support if they have no source of income themselves.

If the request for asylum is rejected and the asylum seeker has exhausted all avenues for appeal, he will be ordered to leave the territory. Some will leave Belgium on their own initiative (with the aid of the programme for voluntary return, for example), while others will be forcibly repatriated.

11

How can they integrate in Belgium?

Integration begins at the reception centre. Asylum seekers will be given information there about living in Belgium, including the standards and values of this country. The centres organise language classes, generally with the help of volunteers.

If they receive a residence permit, the integration will continue after their stay at the centre. The integration pathway will depend upon the region in which the refugees choose to settle.

12

How can they return to their country?

If their request for asylum is rejected and they have to leave the country, asylum seekers can ask Fedasil to organise a voluntary return to their country of origin.

13

Can I visit a centre, become a volunteer, do a work placement or donate clothing?

By all means. The simplest way is to get in touch with the reception centre(s) concerned directly to find out what opportunities and needs they have. The contact details for all centres (Fedasil and partners) can be found at www.fedasil.be.

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What is resettlement?

Belgium is a member of the European 'resettlement' programme: refugees located on the border of a country at war will be selected and subsequently brought across to this country. In this context, Belgium mainly resettles Syrians temporarily residing in Turkey, Jordan or Lebanon.

Belgium has committed to resettling a certain number of refugees per year since 2013 (more information at www.fedasil.be/en/resettlement).

15

What is Fedasil's role?

Fedasil is a Belgian federal government organisation. It is tasked with receiving and guiding asylum seekers during the investigation into their request by the asylum authorities.

Fedasil guarantees quality reception within the various reception structures. Fedasil is also responsible for the voluntary return of migrants.





The other asylum authorities:

- **The Immigration Office (OE)** records requests for asylum, checks the declarations of identity and the asylum seeker's itinerary and investigates whether Belgium is authorised to process the request.
- **The Office of the Commissioner-General for Refugees and Stateless Persons (CGRS)** is an independent organisation that investigates whether the asylum seeker meets the conditions for granting refugee or subsidiary protection status.
- **The Council for Aliens Law Litigation (CCE)** is an independent court of law to which an asylum seeker can appeal following a negative decision. This court may confirm the CGRS' decision, order a new investigation or grant protected status to the asylum seeker itself.

Key terms

Asylum seeker

A person who has fled his country in search of protection and has submitted a request for asylum. The person concerned must wait until Belgium has decided to accept or reject this. During this procedure, the person will have a valid residence permit for the territory.

Applicant for international protection

The official terminology we use is an 'applicant for international protection'. This term is used in Belgian and European legal texts in place of 'asylum seeker'.

Refugee

A person whose asylum application has been accepted by Belgium because, within the meaning of the Geneva Convention, it has reasonable grounds to suspect that the person would be in fear for his life were he to return to his own country. In such an event, the term we use is a "recognised refugee".

Asylum seeker denied residency

An asylum seeker whose request for asylum was not accepted and has been ordered to leave the territory.

Undocumented persons

Migrants who are in Belgium without legal residency documents. These may be asylum seekers who have exhausted all available avenues, foreigners (students or tourists) whose visa is no longer valid, people who have entered Belgium without authorisation, etc. Another commonplace term for this is "a person who is residing in Belgium illegally".

Regularised migrant

A person who did not have a valid residence permit, but has been granted the right to reside in Belgium for medical or humanitarian reasons.

Migrant

A person who has left their country to settle in another country, irrespective of the reason for this (asylum, study, work, etc.). A Belgian citizen who departs the country to live abroad is also a migrant ... Migration may be voluntary or involuntary.

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