

MYRIA

Belgium

On the road to the United Kingdom

Migrants in transit

Contents

- I. Presentation of Myria
- II. Methodology
- III. Working definition
- IV. Profile of transit migrants
- V. Contextualization
- VI. Human rights at stake
- VII. Unaccompanied minors
- VIII. Smuggling of human beings
- IX. Conclusion & recommendations

I. Legal missions Myria

- Mapping of migration flows
- Protection of fundamental rights of migrants
- Promoting the fight against trafficking and smuggling of human beings

II. Methodology

- Desk research
- Meetings with key actors & transit migrants
- Data analysis
 - Large dark number + only partial data available
 - No information on size of population
 - Insufficient monitoring

Actors

- Immigration Office
- BXL Refugees Citizen Platform
- Porte d'Ulysse (homeless shelter)
- Detention centre 127bis
- Detention centre Bruges (CIB)
- Police
 - Maritime police
 - Police zone Westkust
 - Migration experts
- Guardianship Service
- FPS Home Affairs: Department of International Relations
- Humanitarian Hub Brussels
- Independent Chief Inspector of Borders and Immigration UK
- UK Home Office
- UNHCR
- Volunteers Bruges
- Transit migrants

III. Working definition

A transit migrant in Belgium is a third country national, usually in irregular stay:

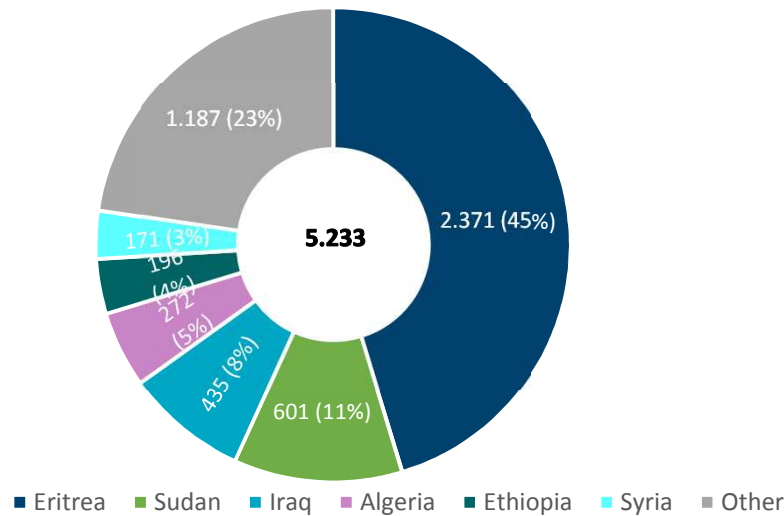
- who is in transit through Belgium with the aim of establishing her/himself in the United Kingdom, and
- who initially has no intention of settling in Belgium.

IV. Profile of transit migrants in Belgium (1)

- Eritrean, Sudanese, Iraqi
- Mainly male
- 17-25 years old
- Diverse in terms of:
 - administrative situations
 - means and ways of travelling
 - place of departure
 - place of residence

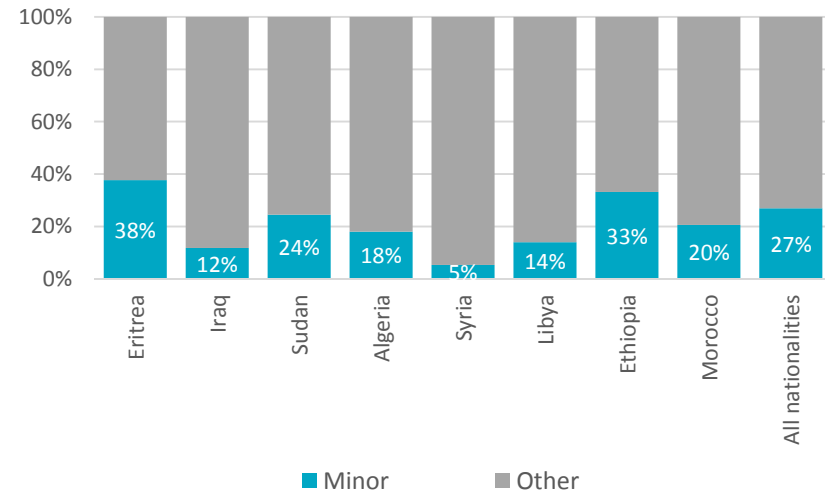
IV. Profile of transit migrants in Belgium (2)

Watch out!
Number of administrative arrests ≠ Individual persons



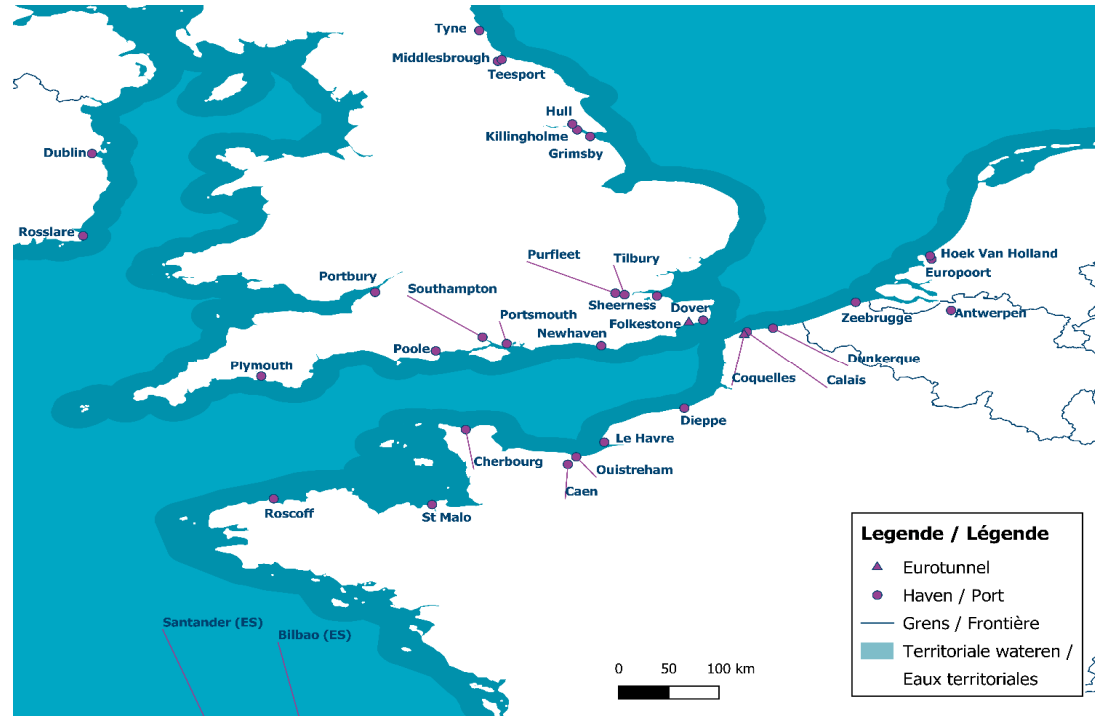
Administratieve arrests of transit migrants, top nationalities 1 January – 31 July 2019;
Source: Immigration Office

Watch out!
Number of administrative arrests ≠ Individual persons



Declared minors amongst transit migrants by nationality based on decisions of the Immigration Office; Source: Immigration Office

V. Contextualization



- Specific situation Belgium-UK
 - UK as a destination country
 - Belgium as a transit country
- Comparable to France, the Netherlands and Spain
- Regional cooperation

VI. Human rights at stake

- Right to human dignity
- Right to information
- Prohibition of torture
- Right to freedom
- Right to life
- Right to an effective remedy
- ...

A. Right to human dignity and information

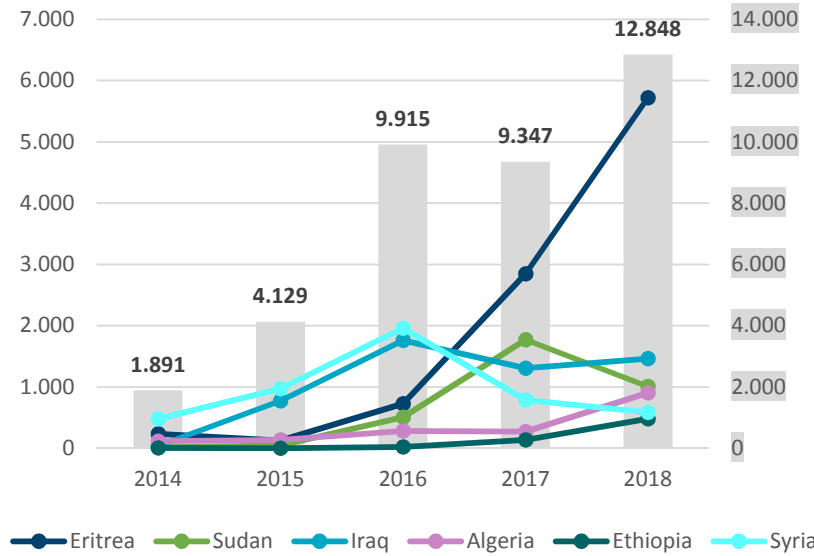
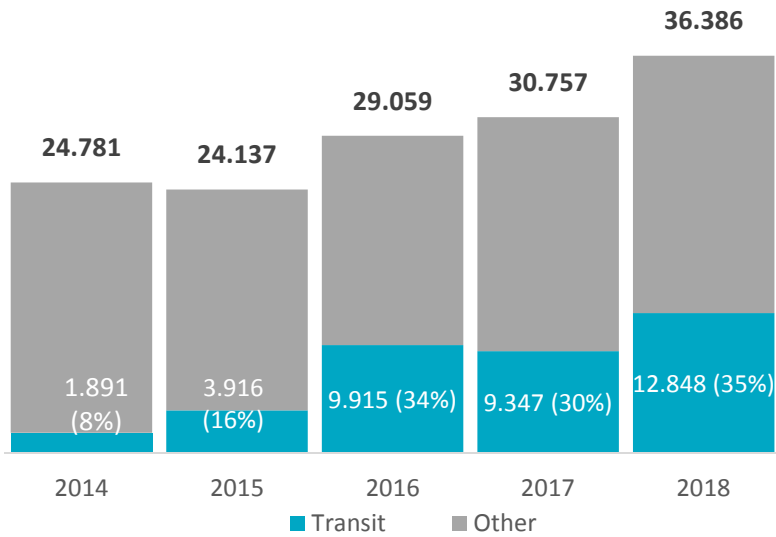
- Mainly civil society, with limited government support
- Migrant as agent:
 - Need for accurate, complete information in a language (s)he understands
 - Not preoccupied with basic needs

B. Right to freedom & prohibition of torture

Arrests

Watch out!
Number of administrative arrests ≠ Individual persons

Watch out!
Number of administrative arrests ≠ Individual persons

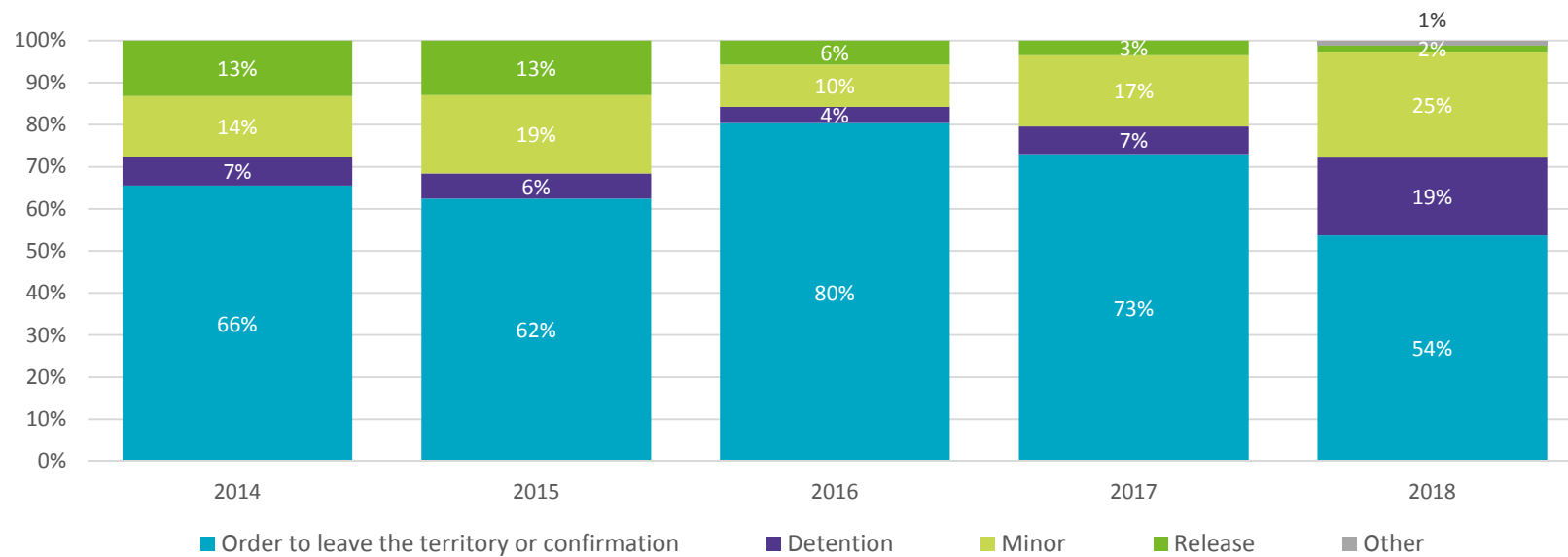


Administratieve arrests: transit migrants vs. total, 2014-2018; Source: Immigration Office

Administratieve arrests of transit migrants, top nationalities; Source: Immigration Office

Detention

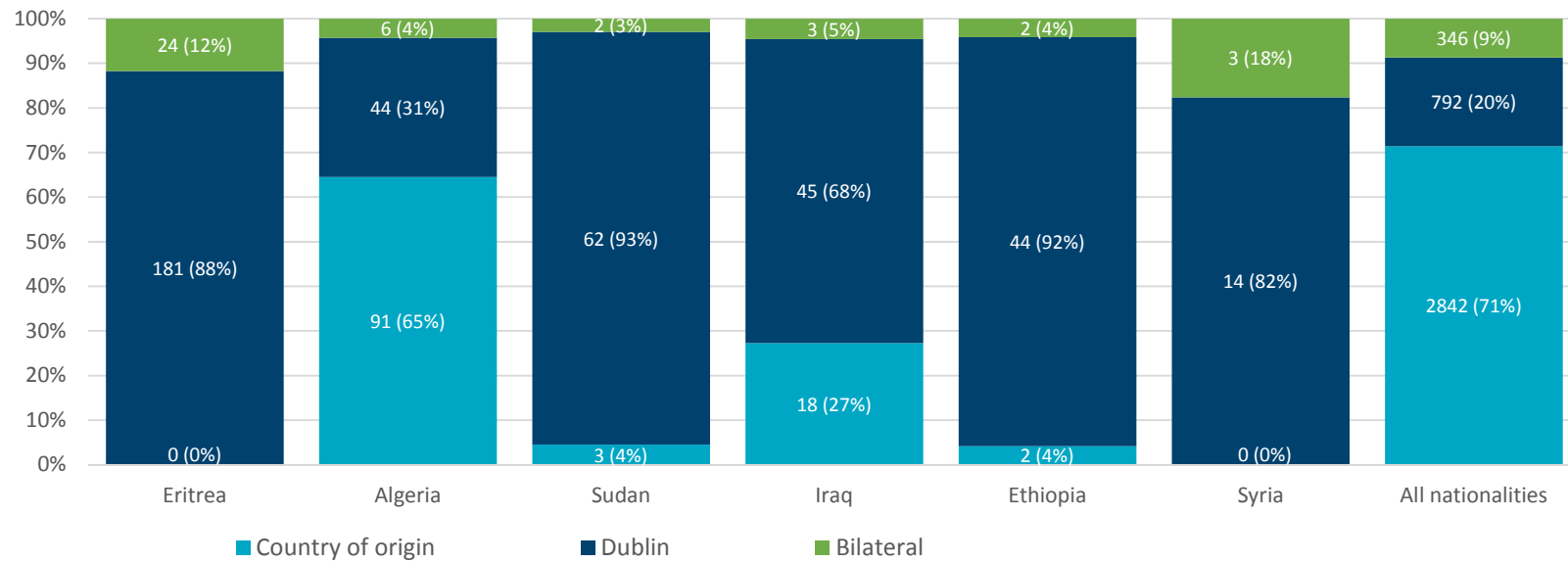
Watch out!
Number of decisions ≠ Individual persons



Administrative decisions regarding transit migrants by the Immigration Office, 2018; Source: Immigration Office

Removal

Watch out! These numbers do not only concern transit migrants
Presented nationality = declared nationality



Removals most prevalent nationalities in transit arrests 2018; Source: Immigration Office



VII. Unaccompanied minors

Observations:

- Many young transit migrants
- Disappearances from the OOC
 - Insufficient data

! Best interest of the child

VIII. Smuggling of human beings

Intrinsic nexus with transit migration

Year	Number of persons
2016	60
2017	46
2018	23
2019 (jan-sept)	49

Port of Zeebrugge: arrest with suspicion of smuggling

Source: Maritime police Zeebrugge

IX. Conclusion & recommendations

Migration management with respect for the fundamental rights

- Extensive monitoring
- Consolidation of the Humanitarian Hub
- Specialized training for staff
- Better protection of unaccompanied minors
- Broader application of the Dublin regulation's sovereignty clause + detention only when realistic perspective of removal
- Clarification of scope of Article 77 Immigration Act

Related publications

- Note on treatment of transit migrants by police
<https://www.myria.be/nl/publicaties/nota-politie-en-transitmigranten>
- Annual reports human trafficking and smuggling
<https://www.myria.be/nl/publicaties/jaarverslag-mensenhandel-en-mensensmokkel-2019-slagkracht-voor-slachtoffers>
- Myriadocs on arrests, detention and removal
<https://www.myria.be/nl/publicaties/myriadoc-8-detentie-terugkeer-en-verwijdering>

Thank you for your attention!
Merci de votre attention!
Bedankt voor uw aandacht!

www.myria.be

Nina.Roox@myria.be
Elizabeth.mensah@myria.be

