



# THE CHANGING INFLUX OF ASYLUM SEEKERS IN 2014-2016 IN BELGIUM

STUDY OF THE BELGIAN CONTACT POINT  
OF THE EUROPEAN MIGRATION NETWORK (EMN)

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The Belgian National Contact Point (NCP) of the European Migration Network (EMN) is a multi-institutional entity composed of experts from the Immigration Office, the Office of the Commissioner General for Refugees and Stateless Persons (CGRS), Myria - the Federal Migration Centre, and the Federal Agency for the Reception of Asylum Seekers (Fedasil). It is coordinated by the Federal Public Service Home Affairs. The Belgian NCP is financed both by the European Union and the aforementioned Belgian entities.

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## BELGIAN REPORT AND SYNTHESIS REPORT

**Belgian report:** This is the Belgian contribution to the EMN focused study on the changing influx of asylum seekers 2014-2016. Other EMN National Contact Points (NCPs) produced a national report on the same topic for their (Member) State.

**Common template and Synthesis Report:** The different national reports were prepared on the basis of a common template with study specifications to ensure, to the extent possible, comparability. On the basis of all national contributions, a Synthesis Report is produced by the EMN Service Provider, in collaboration with the European Commission and the EMN NCPs. The Synthesis Report gives an overview of the topic in all (Member) States.

**Aim:** The overall aim of the study is to provide an overview of the changes to national strategies, approaches and measures in response to the unprecedented migratory movements to EU Member States and Norway between 2014 and 2016. The study focuses on changes made regarding international protection procedures, reception and wider reception services, registration procedures, border control and law enforcement, integration measures, as well as other areas.

**Scope of the study:** The temporal scope of the study includes the years 2014, 2015 and 2016. The study focuses on policy changes and operational measures taken by state and non-state entities acting on behalf of the responsible authorities in response to changing influxes.

**Available on the website:** The Belgian report, the Synthesis Report and the links to the national reports of the other (Member) States and the Common Template are available on the website of the Belgian Contact Point of the EMN: [www.emnbelgium.be](http://www.emnbelgium.be)

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# FACTSHEET

## SIGNIFICANT FLUCTUATIONS IN THE NUMBER OF APPLICATIONS FOR INTERNATIONAL PROTECTION IN 2015-2016.

In 2015 and 2016, the European Union experienced an unprecedented influx of applicants for international protection and migrants: more than 1 million people arrived in the EU. This led to significant challenges at the EU and Member State levels. It was commonly referred to as the “**asylum crisis**”, the “**refugee crisis**”, or “**the migration crisis**”.

Belgium was one of the Member States that faced **significant fluctuations in the number of applications for international protection** in 2015 and 2016. The number of applications for international protection increased significantly in 2015. The Immigration Office registered 44,760 applications that year (first applications and subsequent applications), which represents about double the amount of applications lodged in 2014 (with 22,850 applications). The rise in the number of applications was particularly significant in the second half of 2015, with a peak in September (6,830 applications). The trend then changed with a decrease in the number of applications starting in October 2015. Overall, the Immigration Office registered a total of 18,325 applications for international protection in 2016, which represented a drop by more than half compared to 2015.

It is worth noting that this was **not the first time** that Belgium experienced significant fluctuations in the number of applications for international protection over the last two decades, nor was it the most important influx that Belgium faced. A higher peak could be observed in the year 2000 (with 46,855 first applications lodged, compared to 39,064 first applications lodged in 2015). A second peak could be observed in the year 2011 – although to a lesser degree – with 25,585 first applications. Both these influxes had an impact on the Belgian asylum and reception policies and practice.

## STRENGTHENED COOPERATION AT DIFFERENT LEVELS.

In the framework of the high influx of applicants for international protection in 2015/2016, the Belgian authorities strengthened their cooperation in order to define and implement appropriate responses. Existing cooperation mechanisms were used. In addition, several specific **task forces and working groups** – at different levels (federal, regional, local) – and with different organisations (authorities, but also other organisations) were set up. **Collaboration agreements and protocols** were also concluded between different authorities, including regarding the reception of applicants for international protection and vulnerable groups (e.g. a collaboration agreement was concluded between the federal reception agency Fedasil and the authorities of the French and Flemish Communities in order to offer specific accommodation and support foster care for unaccompanied minors, or UAMs). The Belgian authorities also increased their **practical cooperation** in the framework of projects that were set up following the important inflow of applicants for international protection (e.g. in the framework of the Medusa Operation, the different Police services in Belgium closely cooperated).

Belgium also **consulted and cooperated with other Member States** as a result of the changing influx, in the framework of EU agreements and EU projects, or through bilateral contacts and meetings, queries or study visits.

## POLICY AND LEGISLATIVE MEASURES TO RESPOND TO THE CHANGING INFLUX.

### Increase in the number of applications for international protection

In order to respond to the **high influx** of applicants for international protection in 2015/2016, many different measures (policy, legislation) were defined and implemented in Belgium, at different levels (federal, regional, local) and in different domains (international protection procedure, reception, integration, border management, etc.). Various bodies and organisations were involved in said measures (federal/regional/community governments and administrations, but also municipalities, universities, NGOs, international organisations, etc.). This report provides information on the main measures taken in the framework of the influx by Belgian public authorities, but it does not provide an exhaustive overview of all the numerous measures taken in Belgium.

The important number of applications for international protection led to an increase in the workload of the Immigration Office – which registers applications for international protection – and of the Office of the Commissioner General for Refugees and Stateless Persons (CGRS) – which processes said applications, and an increase in the backlog. In order to ensure the efficiency of the procedure for international protection and reduce the backlog, several measures were taken. First of all, **the personnel of both the Immigration Office and the CGRS were increased**. The (newly hired) staff of the CGRS benefited from training sessions on the asylum procedure, the legislative framework and new techniques (e.g. social media training). Several measures were also implemented by the CGRS to **increase the efficiency of the decision making process and reduce the processing time** (including an increase in the number of interviews to be performed by protection officers for countries of origin with a high protection rate, as well focused interviews; or the processing of applications from applicants with a similar profile/coming from the same region by specialized protection officers).

Furthermore, at the beginning of the important influx of applicant for international protection in Belgium in the summer of 2015, the Immigration Office did not manage to register all applicants for international protection on the day they presented themselves. In this context, a **"pre-registration"** phase was introduced in the procedure for international protection. This means that before an asylum application is formally lodged, fingerprints and a photo of the third-country national are taken by the Immigration office and a security screening is carried out. During this phase, (potential) applicants are also provided with **a letter** with information on a variety of subjects, such as the temporary duration of residence permits in case of a positive decision, collective accommodation (only material assistance during the procedure for international protection), etc. In parallel, **emergency "pre-reception"** was provided to applicants for international protection who did not manage to lodge their application on the day they presented themselves to the Immigration Office.

The important influx of applicants for international protection also required the **capacity of the reception network to be rapidly increased** in order to offer accommodation to all applicants. This increase was achieved by the federal reception agency Fedasil through different means, including the activation of the "buffer places" (which are places that are not used in times of normal inflow, but which are ready to be quickly activated in case of an increased inflow), the opening of emergency reception places and mobile units, as well as the opening of new reception places in existing centres or the opening of new centres. From 16,500 places at the beginning of June 2015, Fedasil increased the reception capacity to around 36,000 places by the end of July 2016. In this framework, Fedasil closely collaborated with the different reception partners, the Ministry of Defence, as well as with a new type of partner (private operators). A distribution plan for reception places across the different municipalities of Belgium was also defined, but it was never put into practice.

Several measures were also taken to adapt the **wider reception services** to the changing needs, such as the provision of specific accommodation to young UAMs where they received more intense and personalized care or various initiatives to improve the health assistance provided to applicants for international protection.

Regarding **legislative changes**, as of July 2016, people who were granted a refugee status no longer received a residence permit of unlimited duration but **a temporary residence permit valid for 5 years**.

It is also worth mentioning that - as measure of solidarity with other Member States and third-countries dealing with the "asylum crisis" - Belgium decided to **substantially increase the number of people to be resettled or relocated to Belgium**.

What's more, in order to facilitate the **integration** of applicants for international protection and refugees into the Belgian society, several initiatives were taken at the level of the federated entities (i.e. the Communities and the Regions). This included additional resources in order to reinforce the specific schooling system for newly arrived children and language classes for children or adults. Furthermore, **additional funding was granted to local authorities** (municipalities) in Brussels and Flanders and the Public Social Welfare Centres received extra funds from the federal government aimed at the integration of beneficiaries of international protection. Regarding the **recognition of foreign diplomas**, a pilot project was set up in Flanders to allow for the specific recognition of diplomas in the absence of the necessary documents (in certain fields of studies). In the French Community, specific provisions were introduced for the procedure of equivalence of diplomas for beneficiaries of international protection (such as exemption from the fees). A specific focus was also put on the integration into the **labour market**. For example, the Public Employment Services elaborated activities, projects and action plans to facilitate the access of applicants for/beneficiaries of international protection to employment. As for **legislative changes**, the **access to the labour market** of applicants for international protection was shortened from 6 to 4 months to increase the chances of successful integration.

In the framework of the increasing number of **migrants transiting through Belgium** (mostly in order to reach the UK), and the issues related to **smuggling and trafficking in human beings**, several measures were also implemented in this regard, including the so-called "Medusa" operation, which involves reinforced police actions on the Belgian territory and at the border.

In addition to the "pre-registration" phase and security screening mentioned above, other measures were taken to ensure **national security** in the framework of the high influx of migrants, with a specific focus on the issues linked to **radicalism** (including a working group on radicalism gathering different authorities; or the elaboration of a procedure to report detected signs/elements of radicalism among residents of the reception network).

## Decrease in the number of applications for international protection

Following the **decrease** in the number of applicants for international protection in 2016, changes were made to a few of the above mentioned measures, in order to adapt to the new reality. This was the case for the reception capacity. As the occupation rate of the reception network started to decrease, several measures were taken for the "**phasing out**" of the **reception capacity** (two phases). The first phase of the decrease started in June 2016 and led to a decrease of around 10,000 reception places by the end of that year. This was achieved through different means, including the closure of centres with expiring agreements, or the reduction of places created during the crisis that scored poorly on quality and/or cost price. In August 2016, Fedasil also resumed the implementation of the **new reception model**, which main objectives are to properly manage the outflow of residents from the collective centres to individual housing and to better embed those individuals into the Belgian municipalities. The second phase of the "phasing-out" was approved in November 2016 (but the implementation started only in 2017).

Other temporary measures came to an end (such as certain temporary efficiency increasing measures of the CGRS). However, some measures taken were **structural** in nature, and were not (immediately) abolished or dismantled. For example, the staff of the CGRS could not be immediately reduced following the decrease in the number of asylum applications, as the CGRS was still dealing with an important backlog.

## EVALUATION OF THE RESPONSES TO THE INFLUX.

Not many systematic formal evaluations that have been carried out.

Evaluations are on hold: Fedasil has planned the drafting of a **report on the best practices and the lessons learnt from the experience of 2015/2016** regarding the reception of applicants for international protection. Furthermore, a **few specific internal evaluations** have already been made for certain measures (such as the internal evaluation by Fedasil on the collaboration with the private operators). What's more, the **Belgian Court of Auditors** published a report in October 2017 which presented the main findings of the audit it carried out to **assess whether Fedasil provided efficient and qualitative reception** during the "asylum crisis". Among other conclusions, the report underlined that Fedasil did manage to provide sufficient reception places during the crisis by increasing the reception capacity- which was in part due to the efforts of the reception partners, who could react quickly to changing needs. Certain challenges could also be noted (e.g. regarding difficulties associated with making good "forecasts" for the reception network when relevant data is not always available).

As a consequence of the strong diminishing inflows, there are now grounds for believing that there will be **less autonomous and more planned arrivals** in the future. Belgium has therefore shift the focus on **securing the arrivals** (e.g. by setting up an initial reception structure). The believe that there will be no more similar high influx has complicated the task of getting the necessary support to implement an actual contingency planning.

## CHALLENGES IN RESPONDING TO THE INFLUX.

The changing influx of applicants for international protection in Belgium led to **significant challenges** for the Belgian authorities.

One of the main challenges for the authorities dealing with the **international protection procedure** (Immigration Office and Office of the Commissioner General for Refugees and Stateless Persons, or CGRS) was to **quickly respond to the influx** of applicants for international protection in order to timely register and process all applications. The **administrative burden** for the authorities concerned increased significantly (additional staff hired, trainings organized, modifications to procedures, etc.). The CGRS had to ensure the efficiency of the **international protection procedure** and keep the backlog under control. However, this was not evident due to the fact that recruitment procedures of new staff members and the associated training sessions required time, and the new staff was not immediately operational. The CGRS also had to ensure a speeding up of the decision making on applications for international protection - for example by organising shorter interviews – while at the same time guaranteeing that the applications for international protection were properly assessed, the identity and country of origin were properly verified and a well-motivated decision was taken.

**Providing accommodation** to the growing number of applicants for international protection was also challenging for the **federal reception agency Fedasil**. Properly forecasting the need for reception places and adapt the reception network accordingly could prove difficult when not all the needed data is available.

**Other challenges** were linked to the integration of applicants for international protection and beneficiaries of international protection, as well as irregular migration, transit migration and smuggling, or security related issues.

## LESSONS LEARNT AND GOOD PRACTICES.

In terms of lessons learnt, the experience of 2015/2016 showed that – inter alia – an awareness of the "crisis" at the political level is important, and that **quick political decision making** regarding measures to be taken - such as the allocation of additional resources - is crucial. Furthermore, the "asylum crisis" also highlighted the importance of a **coordinated and integrated approach of the relevant authorities that transcends the various policy areas and policy levels** in order to define and implement appropriate measures. Regarding the **recruitment of new staff** by the Office of the Commissioner General for Refugees and Stateless Persons, the experience of 2015/2016 showed that it takes time to recruit and train these new staff members, in particular for what concerns more complex jobs (e.g. protection officers who assess the applications for international protection). It is thus important to have realistic expectations as regards when the envisaged results can be obtained. Regarding the reception of asylum seekers, the crisis showed that the **reception network needs to be sufficiently flexible** to respond to possible fluctuations in the influx of applicants for international protection. This includes sufficient and cost-efficient buffer places.

Despite the lack of formal evaluations of the measures implemented during the "asylum crisis", a certain number of **good practices** have been identified in the framework of this report. First of all, the rapid and adequate decisions taken by the Federal Government to **allocate additional resources to the asylum authorities and to increase the reception capacity** can be considered as a good practice. The focus on **efficiency increasing measures** for the international protection procedure can also be considered as a good practice. These measures required no legislative changes nor substantial additional budgetary means and could thus be implemented rapidly, contributing to an increase in the number of decisions taken and a limitation of the backlog. Furthermore, Fedasil managed to provide a reception place to all applicants for international protection – which was in large part due to the **reception partners** (Rode Kruis, Croix-Rouge, LOIs...) - who could respond in a flexible way to the sudden and swift increase in the need for reception places.

## PLANNED MEASURES AND FUTURE PREPAREDNESS.

The experience of 2015/2016 also helped the government and concerned authorities to define future measures to be taken in order to be better prepared for a future changing influx of applicants for international protection.

Besides the contingency planning for the reception agency Fedasil (see above) and the participation in the dedicated EASO working group, Fedasil has undertaken the elaboration of a **contingency planning** in case of an important influx of applicants for international protection, which should focus on a **better collaboration between the different Belgian authorities** involved in the asylum procedure (Fedasil, Office of the Commissioner General for Refugees and Stateless Persons, and the Immigration Office). It should also define at what moment a situation can be declared as being a "crisis" by the government and the appropriate mechanisms that can be used in this case.

Furthermore, the Government decided in July 2017 to open a **separate registration centre for applicants of international protection in Neder-Over-Heembeek (expected in 2022)** in order to make the registration of applicants for international protection and the allocation to reception structures more efficient. This centre, with an expected capacity of 750 places, will be the only registration point for people who want to apply for international protection in Belgium.

What's more, in order to ensure the flexibility of the reception system, the reception agency Fedasil proposed to **increase the number of buffer reception places to 1,500**.

EMN Common Template "Top-line Factsheet" and Q.1.

## 1. OVERVIEW OF THE NATIONAL CONTEXT

### 1.1 THE CONCEPTS OF « CHANGE IN APPLICATIONS FOR INTERNATIONAL PROTECTION » AND « SIGNIFICANT INFUX »

The Belgian legislation does not provide a definition of the concept of a "change in applications for international protection" or "significant influx". The only reference to a "mass influx or imminent mass influx of displaced persons" is related to the transposition of the **Council Directive 2001/55/EC of 20 July 2011** on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and bearing the consequences thereof. The law of 18 February 2003 amended the law of 15 December 1980 on the access to the territory, residence, establishment and removal of foreign nationals by inserting a new chapter II bis: "Foreigners who benefit from temporary protection on the basis of the Council Directive 2001/55/EC of 20 July 2001"<sup>1</sup>.

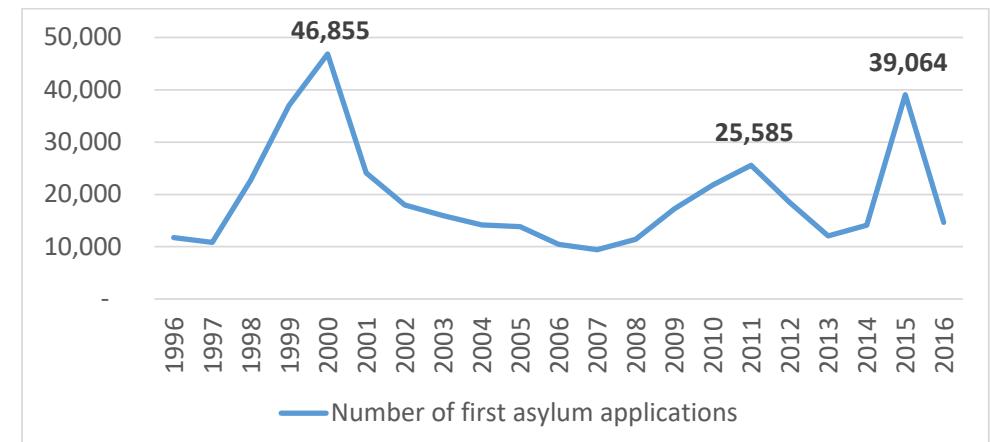
EMN Common Template Q.2.

### 1.2 FLUCTUATIONS IN THE NUMBER OF APPLICANTS FOR INTERNATIONAL PROTECTION IN BELGIUM

#### Before 2014

Belgium experienced **several significant changes** in the influx of applicants for international protection between 2000 and 2014 (see Figure 1 below). A first peak regarding the number of applications for international protection can be observed in the **year 2000**, with 46,855 first applications for international protection lodged. It is worth noting that the number of first applications for international protection was more important in 2000 than in 2015 (with 39,064 first applications). A second peak can be observed in the **year 2011** - although to a lesser degree (with 25,585 first applications).

Figure 1:  
Number of first applications for international protection in Belgium between 1996 and 2016



Sources of the data: Immigration Office – calculations by Nicolas Perrin until 2007<sup>2</sup>, and Immigration Office-Eurostat between 2008 and 2016). Graph extracted from Myria, *La migration en chiffres et en droits 2016*<sup>3</sup>.

1. European Migration Network, Ad-hoc Query of the Estonian National Contact Point on emergency situation in case of mass influx of asylum seekers, 2017.

2. CECL & GEDAP (2008), *Demandeurs d'asile, réfugiés et apatrides en Belgique : un essai de démographie des populations demandeuses ou bénéficiaires d'une protection internationale*, pp. 19-20.

3. Myria, *La migration en chiffres et en droits 2016*, p. 127, <http://www.myria.be/fr/publications/la-migration-en-chiffres-et-en-droits-2016>

Both these increased influxes had an impact on the international protection and reception framework in Belgium. First of all, the important influx of applicants for international protection **between 1998 and 2000** had an impact on the practices and policies regarding **reception**. The Annual Report 2016 of the Federal Migration Centre Myria includes a chapter comparing the influxes of applicants for international protection in 2000 and 2015. The report provides a historical overview of the reception policy in Belgium and the impact of the crisis in 2000: In the 1980's, applicants for international protection could go to the Public Social Welfare Centres (PSWCs) of their place of residence in order to receive financial assistance. As this could be burdensome for certain PSWCs in big cities (where most applicants for international protection were residing), the first reception structures were progressively created (such as the "Petit Chateau" reception centre in 1986). The objective was that applicants for international protection would reside in these structures during the admissibility examination phase of their application. If their claim was deemed admissible, they would be entitled to financial assistance from the PSWC. In order to avoid a concentration of the financial burden on certain PSWCs, a plan for the distribution of applicants for international protection between the PSWCs was adopted in 1994: applicants would receive a "mandatory place of registration" in a Belgian municipality. In 2000, with the important influx of applicants for international protection, the reception structures were often at full capacity and the applicants for international protection were directly referred to the PSWCs. In 2001, following a legislative change<sup>4</sup>, applicants for international protection were in principle not entitled to financial assistance from the PSWCs anymore, but only to material aid in the reception structure that they were assigned to (at this time, this still only applied to the admissibility examination phase of their asylum claim). This change aimed at limiting a possible "pull factor" (the financial assistance) and at ensuring that applicants for international protection would receive a dignified reception place. Furthermore, the Federal Agency for the Reception of Asylum Seekers (Fedasil) was created in 2001 in order to manage the reception framework in Belgium. The principle of only providing material aid to applicants for international protection – which was a result of the crisis of 2000 - was extended in the Reception Act of 12 January 2007<sup>5</sup>.

The increased influx **between 2007 and 2011** also led to changes regarding the international protection and reception framework. The increasing number of applicants for international protection arriving in Belgium (as well as an increase in the length of stay in the reception network) led to a saturation of the reception structures. Belgium faced a "reception crisis" from mid-2008 until the beginning of 2012. This meant that certain applicants for international protection could not be provided a place in a reception structure. A range of measures were taken to tackle this crisis. This included a new approach focusing on an integrated policy on asylum, reception and return (so-called "chain management"). More emphasis was put on the coordination of the actions of the different institutions involved in the processes of asylum, reception and return. Structural measures were taken at different levels. The inflow of applicants for international protection in the reception facilities was limited (e.g. legal changes to limit the inflow and to limit misuses) and the duration of the stay in reception structures was shortened by accelerating the processing of applications for international protection. At the end of the "chain", the outflow out of the reception structures was increased, due to an improved control of departures and the introduction, from September 2012, of a new third stage in the reception model: the creation of the open return places<sup>6</sup>. The revision and optimization of the reception model was continued in 2014. Belgian authorities put a focus on ensuring quality as well as flexible and optimal management of the reception network. In this context, Fedasil started the revision of the quality standards of reception conditions for applicants for international protection. In light of the shortened international protection procedure and the low occupancy rate, the reception capacity for applicants for international protection was reduced. But – in order to ensure the flexibility of the network - a certain number of reception places were converted into so-called "buffer places" (which can be activated in case of an important influx of applicants for international protection).

Furthermore, during this period of time, Belgium did not have a **single federal government body responsible for all migration related issues** (i.e. migration and asylum policy and reception). Since 2008, the federal government did appoint among its members a Minister or State Secretary for migration and asylum policies, but he/she was not competent for social integration (which included reception). In December 2011, when the new government was sworn in, one State Secretary (Maggie De Block) became solely responsible for the migration policy, asylum policy and the reception of applicants for international protection<sup>7</sup>. This position is now known as the State Secretary for Asylum Policy and Migration. The State Secretary is the supervising authority of the Immigration Office, the Office of the Commissioner General for Refugees and Stateless Persons (CGRS) and the Council for Alien Law Litigation (CALL), as well as for the Federal Agency for the Reception of Asylum Seekers (Fedasil). However, the State Secretary has no authority on matters that are the competencies of the other entities (Regions and Communities) and shas to rely on cooperation agreements with other departments on certain topics (e.g. on labour migration).

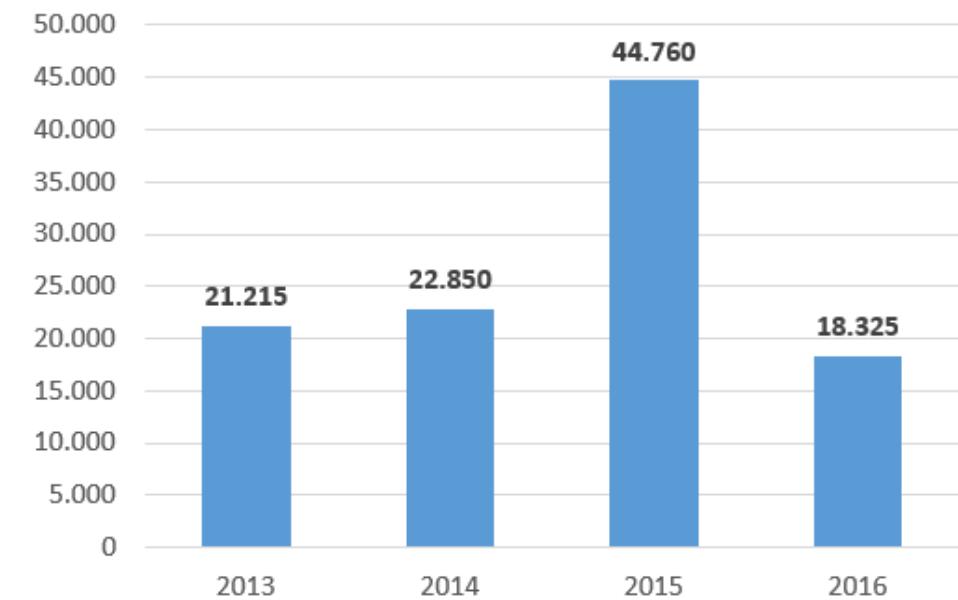
*EMN Common Template Q.3.*

#### Between 2014 and 2016

There were no significant changes in the number of applications for international protection in Belgium in **2014**. The Immigration Office registered a total of **22,850 asylum applications** (first and subsequent applications), which represents a slight increase compared to 2013 (with 21,215 applications). The number of applications for international protection fluctuated slightly over the course of 2014.

There were **significant fluctuations** in the number of applications for international protection in Belgium in **2015 and 2016** (see Figure 2 below).

**Figure 2:**  
Number of applications for international protection in Belgium between 2013-2016



*Source: Eurostat<sup>8</sup>.*

4. Programme Law of 2 January 2001, Belgian Official Gazette, 3 January 2001, [http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=n&la=N&cn=2001010230&table\\_name=wet](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=n&la=N&cn=2001010230&table_name=wet)

5. See the analysis provided in : Myria, La Migration en chiffres et en droits 2016, [http://www.myria.be/files/Migration2016-Focus-2000\\_vs\\_2015.pdf](http://www.myria.be/files/Migration2016-Focus-2000_vs_2015.pdf)

6. Belgian Contact Point of the EMN, The organisation of reception facilities in Belgium, August 2013, [https://emnbelgium.be/sites/default/files/publications/be\\_ncp\\_emn\\_focussed\\_study\\_on\\_reception\\_version\\_30\\_august\\_2013.pdf](https://emnbelgium.be/sites/default/files/publications/be_ncp_emn_focussed_study_on_reception_version_30_august_2013.pdf)

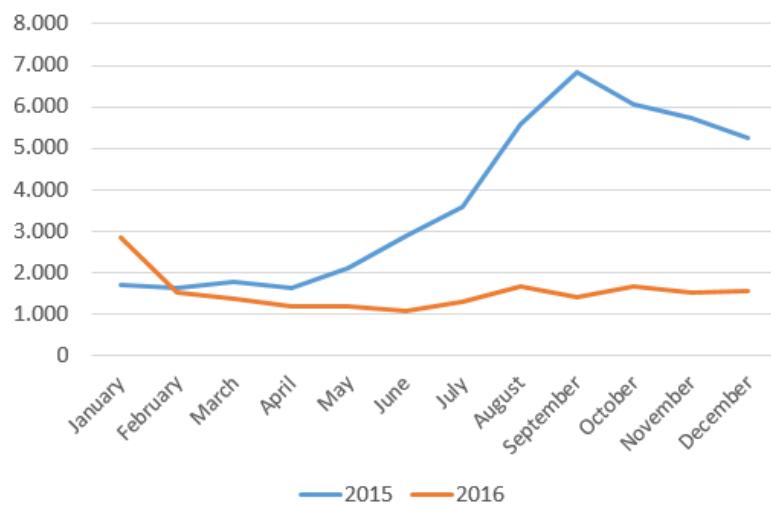
7. See: <http://www.dekamer.be/FLWB/PDF/53/1964/53K1964009.pdf>

8. Eurostat, Asylum and first time asylum applicants by citizenship, age and sex, Annual aggregated data (rounded) [migr\_asyap\_pctza], extracted on 12.12.2017.

In **2015**, Belgium experienced a **significant increase** in the number of applications for international protection compared to the previous year. The Immigration Office registered **44,760 applications for international protection** in 2015 (first applications and subsequent applications), which represents about double the amount of applications lodged in 2014 (with 22,850 applications)<sup>9</sup>. The rise in the number of applications for international protection was particularly significant in the second half of 2015: the number of applications increased from 1,625 applications in April to 2,095 in May, 2,895 in June, 3,600 in July, 5,595 in August, and peaked at 6,830 in September. The trend then changed with a decrease in the number of applications in October (6,045), November (5,725) and December (5,240)<sup>10</sup> (see figure 3 below).

This decrease continued in **2016**, with a sharp drop in January and February (respectively 2,840 and 1,525), and a steady decrease until June (1,075). The number of applications for international protection then fluctuated slightly in the following months<sup>11</sup> (see figure below). Overall, Belgium experienced a **significant decrease** in the number of applications for international protection in 2016 compared to the previous year. The Immigration Office registered a total of **18,325 applications for international protection** in 2016 (first and subsequent applications), which represents a drop by more than half compared to 2015<sup>12</sup>.

**Figure 3:**  
Monthly evolution of the number of applications for international protection in Belgium in 2015 and 2016



Source: Eurostat<sup>13</sup>.

In addition to the above mentioned applications for international protection, Belgium also received an increasing number of **resettled persons** between 2014 and 2016: 35 in 2014; 275 in 2015; and 450 in 2016 (source: Eurostat)<sup>14</sup>.

EMN Common Template Q.4, Q.5.

### 1.3 COOPERATION AT THE NATIONAL LEVEL

Cooperation was strengthened in Belgium between authorities and with other organisations - at different levels (federal, regional, local) - in response to the changing influx of applicants for international protection. Existing **cooperation mechanisms** were used. In addition, several **specific task forces/working groups/committees were set up** to manage the responses to the influx. A few examples can be provided below (non-exhaustive overview):

At the federal level:

- A federal **governmental taskforce on the reception of applicants for international protection** was set up in 2015. It was chaired by the Cabinet of the State Secretary for Asylum Policy and Migration and included the Cabinets of the Prime Minister and Deputy Prime Ministers, the other concerned ministerial Cabinets (such as Defence and Budget) as well as experts from the public administration. The taskforce met on a weekly basis in order to follow up on the inflow and outflow of applicants for international protection, the measures taken and their results, and possible other measures<sup>15</sup>.
- At the initiative of the State Secretary for Asylum Policy and Migration, a **temporary task force transmigration** was set up in June 2015<sup>16</sup> within the framework of the existing COTER mechanism (i.e. coordination on return), with operational objectives regarding irregular migration. This task force gathers various stakeholders (e.g. the cabinet of the State Secretary for Asylum Policy and Migration, the cabinet of the Minister of the Interior, the Immigration Office, the federal reception agency Fedasil, prosecution offices, federal and local police, etc.).
- The **Federation of Belgian Enterprises (FEB)** created a so-called "refugee crisis task-force" in September 2015, which gathered a variety of organisations, such as the FEB, sectorial federations, employer organisations, companies, public bodies (e.g. the Federal Reception agency Fedasil and the Federal Migration Centre Myria); Regional Public Employment Services; and NGOs (e.g. Roi Baudoin Foundation, Red Cross, Caritas, etc.). The objective of the taskforce was to develop realistic and feasible initiatives that would meet the needs of applicants for international protection and beneficiaries of international protection and would facilitate their integration into the Belgian society and economy<sup>17</sup>.
- In February 2016, **UNHCR launched a working group on the integration of beneficiaries of international protection** with the actors involved in the reception and integration of applicants for international protection and beneficiaries of international protection in Belgium. The working group served as a platform for the exchange of information on various topics (e.g. housing, employment, education and family reunification).

9. Eurostat, Asylum and first time asylum applicants by citizenship, age and sex, Annual aggregated data (rounded), [migr\_asyapctza], extracted on 12.12.2017.

10. Eurostat, Asylum and first time asylum applicants by citizenship, age and sex, Monthly data (rounded) [migr\_asyappctzm], extracted on 12.12.2017.

11. Source: Eurostat, Asylum and first time asylum applicants by citizenship, age and sex, Monthly data (rounded) [migr\_asyapctzm], extracted on 12.12.2017.

12. Eurostat, Asylum and first time asylum applicants by citizenship, age and sex, Annual aggregated data (rounded), [migr\_asyapctza], extracted on 12.12.2017.

13. Eurostat, Asylum and first time asylum applicants by citizenship, age and sex, Monthly data (rounded) [migr\_asyappctzm], extracted on 12.12.2017.

14. Eurostat, Resettled persons by age, sex and citizenship Annual data (rounded) [migr\_asyresa], extracted on 10.11.2017.

15. NVA, "Regering keurt overbruggingscapaciteit voor opvang asielzoekers via mobiele units goed en richt taskforce Opvang op", 14 August 2015, <https://www.nva.be/persbericht/regering-keurt-overbruggingscapaciteit-voor-opvang-asielzoekers-via-mobiele-units-goed>

16. 'Actieplan ter bestrijding van mensensmokkel 2015-2018', p. 9.  
17. See: <http://www.vbo-feb.be/globalassets/actiedomeinen/ethiek--maatschappelijke-verantwoordelijkheid/ethiek--maatschappelijke-verantwoordelijkheid/jaarverslag-2016-vbo-taskforce-vluchtelingen/rapport-annuel-taskforce-fr.pdf>

At the level of the Regions/ Communities:

- On 4 September 2015, the **Flemish Government** decided to set up a **Ministerial Refugee and Asylum Crisis Committee** in order to ensure a cross-policy approach in responding to the high numbers of applicants for international protection and refugees and offering the conditions and opportunities for their successful integration. This concerned various policy areas (e.g. Integration and Civic Integration, Internal Administration Agency, Work, Welfare, Education, etc.). The Committee was chaired by the Flemish Minister-President and was responsible for – inter alia - mapping all available data, conducting research where necessary and taking the appropriate measures within the policy areas concerned. The outputs were submitted to the full Flemish Government for a decision.
- In order to carry out the official coordination in **Flanders**, an **official working group on the "asylum crisis"** was started. It consisted of civil servants from different policy domains (Public Governance and the Chancellery; International Flanders; Education and Training; Public Health and Family; etc.) and had the following tasks: keep and complete an overview of measures taken regarding refugees; coordination and exchange across policy domains within the Flemish government; coordination and exchange at official level with other authorities (federal, Flemish Community Commission (Brussels), local authorities and the French-speaking community where necessary); identifying and analysing bottlenecks, elaborating proposals for solutions, in particular for cross-policy themes; and elaborate policy domain-transcending measures that are decided in the Ministerial Committee. Because local authorities as first-line authorities play an important role in the implementation of the measures, they also took part in the consultation (Flemish Association for Cities and Municipalities<sup>18</sup>, Flemish Community Commission<sup>19</sup>). The working group met every two months and reported to the Minister-President and the Ministerial Committee.
- The **Flemish Integration and Civic Integration Agency** had the task of **monitoring the inflow** of applicants and beneficiaries for international protection in Flanders and Brussels. The Agency frequently consulted with Fedasil and the Office of the Commissioner General for Refugees and Stateless persons to establish a clear agreement framework and a fast exchange of numbers and statistics.
- Regarding **education**, a first coordinating consultation concerning the increased influx of applicants for/beneficiaries of international protection took place on 29 September 2015 - at the initiative of the Minister of Education of **Flanders** - with all concerned stakeholders (e.g. Public Governance and the Chancellery; Flemish Association of Cities and Municipalities (VVSG); Agency for Higher Education, Adult Education, Qualifications and Study Allowances (AHOVOKS); Agency for Education Services (AGODI); Red Cross; Fedasil; etc.). The purpose of this consultation is to exchange information, follow up signals and make agreements. Structural consultations also took place between AGODI and Fedasil to discuss the latest developments on a three monthly basis. Thanks to this exchange of information, the reception logic and the educational logic could be better coordinated. As a result, schools could better prepare for the arrival of the refugee children and reception facilities could take better into account the concerns from schools.
- In September 2015, the Government of the Walloon Region announced the creation of a coordination taskforce in order to coordinate the actions to be taken following the influx of applicants for international protection - in the fields of competence of the Region (e.g. for the reception of refugees regarding housing, emergency/night reception; etc.)<sup>20</sup>.

- The **Government of the French Community** set up an inter-ministerial working group in August 2015 – which was coordinated by the Cabinet of the Minister-President - in order to define the appropriate measures to take following the influx of applicants for international protection. The working group mapped the needs and developed certain measures to be taken regarding the specific schooling system for newly arrived pupils; the courses of "French as a Foreign language" and literacy; and unaccompanied minors<sup>21</sup>.

**Collaboration agreements and protocols** were also concluded between different authorities. This was the case regarding the reception of applicants for international protection and vulnerable groups. For example, collaboration agreements were concluded between the federal reception agency Fedasil and the authorities of the French and Flemish Communities in order to offer specific accommodation and support foster care for unaccompanied minors. Fedasil also signed protocols with the departments of the Ministry of Defence and Civil Protection, in order for them to contribute to the opening of new reception sites and for the provision of existing sites run by the Ministry of Defence.

The Belgian authorities also increased their **practical cooperation** in the framework of projects that were set up following the important inflow of applicants for international protection. For example, in the framework of the Medusa Operation, the different Police services in Belgium closely cooperated.

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18. The Association of Flemish Cities and Municipalities (VVSG) is the membership organization of local authorities: cities and municipalities, Public Social Welfare Centres, police zones, autonomous municipal companies and other independent agencies, intercommunales and other inter-local partnerships. The central tasks of the VVSG are service provision to its members, representation of the local level of government and vision development about local government (see: [www.vvsg.be](http://www.vvsg.be)).

19. As an authority in Brussels, the Flemish Community Commission (VGC) is responsible for cultural, educational and person-related matters (well-being and health). For these community matters, the VGC has the competence of organising body (see [www.vgc.be](http://www.vgc.be)).

20. Government of the Walloon Region, "La Wallonie apportera sa contribution à l'accueil des réfugiés", 4 September 2015, <http://antoine.wallonie.be/la-wallonie-apportera-sa-contribution-l-accueil-des-r-fugi-s>

21. Government of the French Community, "Accueil des réfugiés: le gouvernement met en place un groupe de travail", 26 August 2015, <http://gouvernement.cfwb.be/accueil-des-r-fugi-s-le-gouvernement-met-en-place-un-groupe-de-travail>

## 1.4 COOPERATION AT THE EUROPEAN LEVEL

Belgium consulted and cooperated with **other EU Member States** during the period 2014-2016 as a result of the changing influx. This was the case in the framework of EU agreements (including on relocation and resettlement) and EU projects, but also through bilateral (informal) contacts, meetings, queries, study visits, etc. This consultation/ cooperation focused on different policy domains. A few examples are provided below (non-exhaustive).

Regarding the **reception of applicants for international protection**, a series of informal contacts were taken by the reception agency Fedasil with the reception agencies of other Member States, either via the European Platform of Reception Agencies (EPRA) or ad-hoc meetings. For example, a "flash meeting EPRA" was organized in October 2015 to exchange information with other Member States on coping mechanisms and reception as part of the relocation and resettlement procedures. Fedasil used this meeting to gather information on tendering processes to contract private operators in order to extend its reception capacity. Information on the experiences of countries which had already carried out such tenders was very valuable and helpful to Fedasil. Queries and study visits were also conducted via EPRA.

Furthermore, Fedasil conducted bilateral encounters with other Member States. For example, meetings were organized with the Dutch Central Agency for the reception of applicants for international protection (COA), a long-time partner of Fedasil, to discuss sharing reception capacities. Following the sharp increase in the number of applicants for international protection in 2014, the Netherlands experienced a shortage of reception places. At that time, Belgium experienced a decrease in the influx of applicants for international protection and had a number of reception places that were available. In June 2014, discussions between COA and Fedasil started, and a draft memorandum was elaborated regarding the sharing of reception capacities. Nevertheless, this measure was never implemented in practice – due to the complexity of the project and the fact that the occupation rate of the Belgian reception network increased over the course of 2015.

Regarding **wider reception services**, Belgium participated in the SH-CAPAC project (Supporting Health Coordination, Assessments, Planning, Access to health care and Capacity building), which was implemented from January to December 2016. The aim of this project was to support EU Member States experiencing a particular migratory pressure in their response to health related challenges, through building capacity in areas of coordination practices, needs assessments, planning actions to strengthen the public health response of local health systems, improving access to health care, and developing health workers' competencies for the delivery of migrant/refugee sensitive health services<sup>22</sup>.

Regarding **border control**, Belgium consulted and collaborated with neighbouring countries regarding the phenomenon of transit migration, more specifically transit migrants wishing to reach the United Kingdom. Belgium consulted with France and the Netherlands – i.e. countries from which transit migrants could potentially leave in order to reach the United Kingdom<sup>23</sup>. The collaboration between the border control authorities of Belgium, the Netherlands and the United Kingdom was intensified. In this regard a mutual declaration was signed on 12 November 2015. This mutual declaration contains concrete operational actions to ensure effective security at Belgian, Dutch and UK ports, and to tackle the operation of organised crime gangs. These actions include – *inter alia* - the sharing of operational expertise and uses of technology, and a greater exchange of tactical and strategic intelligence. In this mutual declaration, the three countries also agree that a comprehensive and coherent response is required to tackle the unprecedented irregular migration flows at source, both within and outside of the EU. This joint cooperation will thus complement the wider EU initiatives<sup>24</sup>.

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## 1.5 IMPACT OF MEASURES TAKEN IN OTHER MEMBER STATES

Some measures taken in other Member States had an impact on Belgium. For example, in the context of the announcement of the (partial) dismantling of the **camp in Calais** (in the North of France) – where migrants were residing – Belgium decided on 23 February 2016 to implement temporary controls at the border between the province West Flanders and France, on the basis of the Schengen Border Code. This decision was taken to avoid the establishment of camps in Belgium and to combat smuggling. In this context, police officers were deployed in the border areas in the framework of the Medusa operation (see Chapter 2 of this report).

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22. See: [www.sh-capac.org](http://www.sh-capac.org)

23. See: <https://www.dekamer.be/doc/CCRI/pdf/54/ic362.pdf>

24. Joint Ministerial Statement on co-operation between Belgium, The Netherlands and the United Kingdom on improving border security at ports and countering organised immigration crime', The Hague, 12 November 2015.

## 2 NATIONAL RESPONSES TO THE CHANGING INFUX BETWEEN 2014-2016

### 2.1 OVERVIEW OF THE MAIN MEASURES TAKEN

An overview of the main measures taken in Belgium following the changing influx of applicants for international protection between 2014-2016 is provided in the table below. Each one of these measures is described in further detail in the following sub-sections.

**Table 1 :**

Overview of the main measures taken in Belgium following the changing influx of applicants for international protection.

2.1.1. Border control	
<b>Measure 2.1.1.1 - 'Medusa' operation</b>	
<b>Time period</b>	September 2015 – ongoing.
<b>Brief description</b>	The "Medusa" Operation – which was launched in the framework of the important influx of applicants for international protection and the high number of transit migrants - is part of a global approach to fight human trafficking, human smuggling and transmigration. It involves small- and large-scale police actions, surveillance activities and patrols (on air, sea, road and rail connections) on the Belgian territory and in border areas.
<b>Measure 2.1.1.2 - Awareness-raising campaign on transit migration targeting truck drivers</b>	
<b>Time period</b>	April/May 2016 - ongoing.
<b>Brief description</b>	In the framework of the high numbers of "transit migrants" entering trucks on Belgian car parks along the highway (mostly in order to reach the United Kingdom), the prevention campaign "Give smugglers of people no chance" was implemented by the Immigration Office in cooperation with the transport Federation (Febetra) and with the Federal Police. It uses different information channels (e.g. posters or website) to inform truck drivers on how to reduce the risk of irregularly staying migrants entering their trucks; on what to do when they suspect irregularly staying migrants have already entered their trucks; and on the sanctions associated with being involved in smuggling activities.
2.1.2. Reception centres / accommodation arrangements and other housing	
<b>Measure 2.1.2.1 - Pre-reception</b>	
<b>Time period</b>	September 2015 – ongoing.
<b>Brief description</b>	In the context of the increasing number of applicants for international protection, not all potential applicants could lodge their application on the day they presented themselves at the Immigration Office. In order to provide accommodation to these potential applicants, the Federal reception agency Fedasil provided "pre-reception" accommodation (first on the vacant floor of an office building, then a pre-reception centre was opened).

<b>Measure 2.1.2.2 - Increase of the capacity of the reception network</b>	
A. Increase of the occupation of the existing network. B. Activating the "buffer places". C. Opening additional reception places in existing centres and opening new centres. D. Distribution plan.	
<b>Measure 2.1.2.3 - Phasing out/decrease of the capacity of the reception network</b>	
<b>Time period</b>	June 2015 - May 2016.
<b>Brief description</b>	The capacity of the reception network was increased to cope with the increasing number of applicants for international protection. This was achieved through different means (e.g. activation of the buffer places, emergency reception places and mobile units, creation of new reception places in existing centres or new centres of Fedasil, partners or private operators). A distribution plan of reception places for applicants for international protection across the different municipalities was defined, but it was not put into practice (due to the decreasing inflow of applicants for international protection).
<b>2.1.3. Wider reception services (social services, health services) and rights afforded to applicants</b>	
<b>Measure 2.1.3.1 - Specific reception capacities for Unaccompanied Minors &amp; Foster Care</b>	
<b>Time period</b>	June 2016 –ongoing.
<b>Brief description</b>	In the framework of the decreasing number of the applicants for international protection and the decreasing occupation rate of the reception network, the capacity of the reception network was decreased and the implementation of the new reception model was resumed. Following the first reduction plan of 3 June 2016, the government decided to re-align the number of reception places to the reduced inflow of applicants for international protection. From 1 July started a step-by-step reduction: in the first phase all emergency shelters (tents, campsites, etc.) were closed. In a second phase the temporary places were phased out both by closing around 30 centres and reducing capacity in the centres that remained open. Between 2016 and 2017, more than 13.000 temporary places were closed. All the premises managed by private operators were closed as well as several centres managed by Fedasil or its partners (the Red Cross, Caritas, etc.). The second reduction plan of 24 March 2018 foresees the closing of more than 6.000 places (both collective and individual).
<b>Measure 2.1.3.2 - Trauma guidance for refugee children</b>	
<b>Time period</b>	February 2016 – ongoing
<b>Brief description</b>	Accommodation for young unaccompanied minors (UAMs) was provided in smaller, and more family-scale reception facilities (from five up to 25 people), where they received a more intense and personalized care to meet their specific needs. In addition, both the Communities (responsible for foster care), and the federal government invested to increase foster care opportunities for UAMs.

<b>Measure 2.1.3.3 - Health provisions</b>	
A. Additional medical screening at the Dispatching Service of Fedasil B. Vaccination of applicants for international protection on arrival in Belgium C. Availability of medical kits for new reception centres	
<b>Time period</b>	July 2015 - onwards
<b>Brief description</b>	Because of the increased influx of applicants for international protection, various initiatives were taken to improve the medical accompaniment of applicants for international protection (medical screening and vaccinations on arrival, and availability of medical kits).
<b>2.1.4. Registration process of applicants for international protection</b>	
<b>Measure 2.1.4.1 - Pre-registration and security screening.</b>	
<b>Time period</b>	March 2016 - ongoing
<b>Brief description</b>	On 7 March 2016, a "pre-registration" phase was introduced in the procedure for applications for international protection. This means that before an application for international protection is formally lodged, fingerprints and a photo of the foreign national are taken by the Immigration Office and a security screening is carried out (by police and the security services).
<b>2.1.5 International protection procedure (at first and second instance)</b>	
<b>Measure 2.1.5.1 - Measures to increase efficiency in order to increase the number of asylum decisions</b>	
<b>Time period</b>	End 2015 - ongoing
<b>Brief description</b>	In the framework of the high influx of applicants for international protection, efficiency increasing measures were implemented in order to increase the number of asylum decisions taken by the CGRS (e.g. more and focused interviews to be performed by the protection officers for countries of origin with a high protection rate, similar asylum cases to be assessed by the same protection officer, etc.).
<b>Measure 2.1.5.2 - Training of staff of the Office of the Commissioner General for Refugees and Stateless Persons (CGRS)</b>	
<b>Time period</b>	End 2015 - ongoing
<b>Brief description</b>	Training sessions were organized for the newly recruited staff members (and other staff members) of the Office of the Commissioner General for Refugees and Stateless Persons on the international protection procedure, legislative framework and new techniques (e.g. social media training).
<b>Measure 2.1.5.3 - Increase in the number of resettlement and relocation cases</b>	
<b>Time period</b>	End 2015 - ongoing
<b>Brief description</b>	The number of resettlement and relocation cases was substantially increased (solidarity with other Member States and third countries to address the "asylum crisis").
<b>Measure 2.1.5.4 - Temporary residence permit for recognized refugees</b>	
<b>Time period</b>	July 2016 - ongoing
<b>Brief description</b>	As of 8 July 2016, recognized refugees no longer receive a residence permit of unlimited duration (B Card) but a temporary residence permit (A Card) valid for five years. After these five years, the refugee will receive a residence permit of unlimited duration, unless the refugee status has been withdrawn.

<b>Measure 2.1.5.5 - Update of the list of safe countries of origin</b>	
<b>Directly impacted by the changing influx?</b>	No
<b>Time period</b>	List on safe countries of origin was updated and extended in August 2016.
<b>Brief description</b>	In addition to the seven countries that were already included on the list (i.e. Albania, Bosnia-Herzegovina, FYROM, Kosovo, Montenegro, Serbia, India), Georgia was also added to the list of safe countries of origin.
<b>2.1.6. Infrastructure, personnel and competencies of the responsible authorities</b>	
<b>Measure 2.1.6.1 - Recruitment of additional staff members (Immigration Office, CGRS and Fedasil)</b>	
<b>Time period</b>	Staff members were gradually hired: the first ones were hired on 15 September 2015, the last ones on 13 June 2016.
<b>Brief description</b>	<p>The staff of the migration, asylum and reception authorities were reinforced following the increase in the number of applicants for international protection:</p> <ul style="list-style-type: none"> <li>• The Immigration Office hired an additional 52 Full Time Equivalents (FTE) for the purpose of increasing the number of intake interviews at the Immigration Office during the registration stage.</li> <li>• The Office of the Commissioner General for Refugees and Stateless Persons (CGRS) hired 117 additional staff members in the course 2015. 100 staff members were incorporated in the case processing (asylum interviews, assessing the cases, drafting decisions). 17 staff members were hired to provide for the administrative support of the case processing. In 2016 an additional 35 persons were contracted (25 protection officers and 10 persons for administrative support)</li> <li>• The Immigration Office was reinforced with 37 FTE staff members to increase the return of rejected applicants for international protection.</li> <li>• As from August 2015, the federal reception agency Fedasil gradually hired 598 additional staff FTE members (headquarter, dispatching and reception centres) to reach 1,524 FTE in March 2016.</li> </ul>
<b>2.1.7 Integration measures for applicants for international protection</b>	
<b>Measure 2.1.7.1 - Reinforcement of the specific schooling system in primary and secondary education for newly arrived pupils – French Community</b>	
<b>Time period</b>	September 2015 - ongoing
<b>Brief description</b>	The Government of the French Community implemented a certain number of measures to reinforce the specific schooling system in primary and secondary education for newly arrived pupils (the so-called "DASPAs") in order to respond to the needs following the important inflow of applicants for international protection in Belgium. These included: the continuation of DASPAs for the next school year; creation of new DASPAs; and the granting of additional "teaching periods" to certain schools.
<b>Measure 2.1.7.2 - Reinforcement of the courses of "French as a Foreign Language" and literacy (further education) for applicants for international protection and refugees – French Community</b>	
<b>Time period</b>	September 2015 - ongoing
<b>Brief description</b>	The Government of the French Community reinforced the courses of "French as a Foreign Language" and literacy – by increasing the number of "teaching periods" granted to the institutions of further education to remunerate teachers – following the increase in the number of applicants for international protection.

<p><b>Measure 2.1.7.3 - Reinforcement of the specific schooling system in primary and secondary education for newly arrived pupils - Flemish Community</b></p> <p>A. Nursery education. B. Increased flexibility regarding the programming regulation for full-time reception education for non-Dutch speaking newcomers in secondary education (OKAN). C. Change in the financing mechanism for the follow-up school coaches in secondary education. D. Rent subsidies for the installation of temporary modular units.</p>	
<b>Time period</b>	A. November 2015 – prolonged until schoolyear 2017-2018 B. November 2015 -prolonged until schoolyear 2017-2018 C. September 2016 - prolonged until schoolyear 2017-2018 D. January 2016 – December 2017
<b>Brief description</b>	The high influx of applicants for international protection in 2015 led to a need for extra capacity and flexibility in the field of education. A. To absorb the influx of foreign-language newcomers pre-schoolers, additional financial resources were provided for the schools to organise the initiation and strengthening of Dutch in nursery education. B. To allow for sufficient reception classes during the school year, the start-up conditions were relaxed. C. Changes were made to the financing mechanism for the follow-up school coaches in secondary schools, allowing for the number of follow-up school coaches to grow along with the number of non-Dutch speaking newcomers in secondary schools. D. The setting up of temporary school infrastructure was subsidized and financed, namely the hiring and placement of temporary modular units in the context of the reception of inflowing minors in the education system (both pre-schoolers, primary and secondary pupils).
<p><b>Measure 2.1.7.4 - Reinforcement of the courses of "Dutch as a Second Language" and literacy (further education) for applicants for international protection – Flemish Community</b></p>	
<b>Time period</b>	October 2015, prolonged for the school year 2016-2017 and for the school year 2017-2018.
<b>Brief description</b>	Several initiatives were taken to increase the offer of Dutch as a second language in the Centres for Adult Basic Education, the Centres for Adult Education, the University Language Centres and during the summer holidays.
<p><b>Measure 2.1.7.5 - Recognition and equivalence of a foreign diploma or certificate</b></p> <p>A. Flanders: new trajectory towards a broader recognition of the qualifications of refugees B. French Community: specific provisions for beneficiaries of international protection</p>	
<b>Time period</b>	A. Flanders: September 2016 – June 2018 and prolonged for the academic year 2018-2019 B. French Community: September 2016 - ongoing
<b>Brief description</b>	A. Flanders: A pilot project was set up to allow for a specific recognition of diplomas in the absence of the necessary documents in the study domains of exact sciences, engineering sciences and economics and business - in collaboration with five Flemish universities. B. French Community: An Ordinance of 2016 introduces specific provisions for beneficiaries of international protection regarding the procedure for the equivalence of diplomas obtained abroad (i.e. they can obtain an equivalence of the level of their studies by providing a limited amount of documents; exemption of the payment of the fees for the procedure).
<p><b>Measure 2.1.7.6 - Employment of applicants for/beneficiaries of international protection</b></p> <p>A. Earlier access to the labour market B. Taskforce Refugee Crisis of the Federation of Enterprises in Belgium C. Public Employment Services</p>	
<b>Time period</b>	A. October 2015 (structural) B. September 2015 C. June 2015 - ongoing
<b>Brief description</b>	A. The access to the labour market of applicants for international protection was shortened from six to four months to increase the chances of successful integration. B. The task force aimed at developing realistic and feasible initiatives to promote the integration of newcomers through language training, enhanced access the labour market and empowering employers to recruit applicants and beneficiaries of international protection. C. The Public Employment Services elaborated activities, projects and action plans to facilitate the access to the labour market for foreign language speaking jobseekers with a migration background, including applicants for and beneficiaries of international protection.
<p><b>Measure 2.1.7.7 - Additional funding for local authorities (municipalities)</b></p> <p>A. Additional integration funding for Flemish and Brussels municipalities B. Additional reimbursement of the (equivalent) integration income for the Public Social Welfare Centres (PSWC)</p>	
<b>Time period</b>	2016-2017
<b>Brief description</b>	A. Because of the increase in the number of persons granted international protection, the Flemish and Brussels Governments provided an additional budget to support the municipalities facing an increased inflow with the integration of beneficiaries of international protection. B. The Belgian Public Centres for Social Welfare temporarily received an additional allowance of 10% of the subsidy amount of the (equivalent) integration income for beneficiaries of international protection to promote their integration.
<p><b>2.1.8. Other</b></p>	
<p><b>Measure 2.1.8.1 - Plan R (Radicalism)</b></p>	
<b>Time period</b>	October 2015 – ongoing
<b>Brief description</b>	Different measures were implemented in order to ensure national security in the framework of the important influx of applicants for international protection, with a focus on radicalism (e.g. working group on radicalism gathering different authorities; security screening of applicants for international protection; procedure to report the detection of signs/elements of radicalism in the reception network; and training sessions on radicalism for the migration and asylum authorities).
<p><b>Measure 2.1.8.2 - Information campaigns targeting asylum seekers present in Belgium</b></p>	
<b>Time period</b>	Beginning of 2016 - ongoing
<b>Brief description</b>	The aim of these campaigns is to give (potential) applicants for international protection a realistic view on the procedure for international protection, accommodation, family reunification, and to inform them about the option of voluntary return (and if applicable, the possibility of reintegration support).

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## **2.1.1 Border control**

### **Measure 2.1.1.1 - "Medusa" operation (fight against human trafficking, human smuggling and transmigration).**

- **Duration of the measure:** The "Medusa operation" was started on 22 September 2015. It has not yet been determined when this operation will end.
- **Measure following an increase or decrease in numbers:** Increase.
- **New measure or change to an existing measure:** New measure.
- **Structural or ad-hoc measure:** Ad-hoc (but the end date of this operation has not been determined yet).
- **Type of measure:** Interinstitutional / multi-agency working group; and other : various.
- **General aim of the measure:** When the number of applicants for international protection increased in Belgium (especially in the second half of 2015), there was also an increase in the number of "transit migrants" in the country, a large part of them wanting to reach the United Kingdom. To manage the increased influx of transit migrants, the Belgian authorities launched the so-called "Medusa" operation, which is an umbrella term for different actions focused on transit migration.

The main aims of the "Medusa" operation are:

- To dissuade human smuggling through Belgium by multiple and visible police checks<sup>25</sup>.
- To systematically register biometric data (fingerprints and photo) of migrants to gain a better understanding on the different nationalities and the migration phenomenon on Belgian territory.
- To check every intercepted migrant in the police database (minimum security screening)<sup>26</sup>.

Key elements of the measure: A **task force transmigration** was set up in June 2015<sup>27</sup>. This task force was composed of the cabinet of the State Secretary for Asylum policy and Migration, the cabinet of the Minister of the Interior, the Immigration Office, the federal reception agency Fedasil, the Guardianship Service (which is part of the Federal Public Service Justice), prosecution offices, federal police and local police. Possible partners of the task force transmigration were the cabinet of the Minister of Foreign Affairs, customs, provincial governors, etc. Consultation with the authorities of neighbouring countries was also crucial.

The "Medusa operation" was launched in September 2015<sup>28</sup>. It led to the strengthening of police controls along key motorways, international trains, ports and airports in Belgium. Between 22 September 2015 and 29 November 2015, around 950 irregularly staying migrants were intercepted, mostly following police controls carried out in trains (418) and in vehicles (385).

In addition, the "Medusa border operation" (**Medusa 1**) was launched in February 2016: Following the (partial) dismantling of the so-called "jungle" (camp) in Calais (North of France), Belgium decided on 23 February 2016 to implement temporary controls at the border between the Province of West Flanders and France, on the basis of the Schengen Border Code. The border controls were extended on two occasions (until 22 April 2016). The Medusa border operation focused on coordination tasks, obtaining an overview of the situation, and carrying out controls in order to avoid the establishment of camps in Belgium and combat smuggling<sup>29</sup>. It resulted in the deployment of (around) 290 police officers tasked to implement controls at selected crossing points. The control measures could be adapted according to changes in the migratory routes. Between February 2016 and July 2016, 5,826 irregularly staying migrants were intercepted within the framework of Medusa 1.

In October 2016, in the context of the (final) dismantling of the camp in Calais, Belgian authorities decided to launch **Medusa 2**, resulting in the deployment of (around) 120 police officers at the border with France and in new police operations in that area. Between October 2016 and January 2017, 1,736 'transit migrants' were intercepted.

- **Authorities involved in drafting and proposing the measure:** The cabinet of the Minister of the Interior and Security and the federal police.  
Authorities involved in proposing and approving the measure: At the initiative of the Minister of the Interior and Security, in collaboration with the State Secretary for Asylum Policy and Migration<sup>30</sup>.
- **Authorities implementing the measure:** The Immigration Office and the police.
- **Impact of the measure:** It is difficult to measure the effects of the Medusa operation, as it is not possible to determine the preventive and dissuasive effects of this operation. However - generally speaking - it was determined that there was a decrease in the number of transit migrants in the coastal region, and that "tent camps" (such as the camp in Calais in France) were not set up in Belgium<sup>31</sup>.

The Medusa operation led to a certain number of interceptions of "transit migrants" (see below).

Furthermore, as a result of the Medusa operation, the different police forces in Belgium have become more aware of the problem of transit migration<sup>32</sup>.

- **Collateral/side effects and unforeseen effects:** Within the framework of the Medusa operation, different police services in Belgium had to work closely together. A positive effect was that they got to know each other better. As a result, they now call on each other more often, also regarding other police operations<sup>33</sup>.
- **Evaluation of the measure:** A mid-term evaluation was carried out by the police in October 2016. In addition, evaluations take place mostly during the meetings of the task force transmigration.

25. According to the National Security plan 2016-2019, the fight against human smuggling and trafficking is a priority for the Belgian police. See Belgian police, National Security Plan 2016-2019, pp.41-44 and p. 97.

26. Note of the Commissioner General of the Belgian police, 'Operatie MEDUSA: bijkomende richtlijnen ter uitvoering van prioritaire politiecontroles in het kader van transmigratie', undated.

27. Actieplan ter bestrijding van mensensmokkel 2015-2018, p. 9.

28. Belgian House of Representatives, General Policy Note on Asylum and Migration, 3 November 2015, DOC 54 1428/019, p. 19.

29. <https://www.dekamer.be/doc/CCRI/pdf/54/c362.pdf>

30. [http://www.myria.be/files/Migratie2016-7-Terugkeer\\_detentie\\_en\\_verwijdering.pdf](http://www.myria.be/files/Migratie2016-7-Terugkeer_detentie_en_verwijdering.pdf)

31. Integral report of the Commission for Internal Affairs of the Belgian Parliament, CRIV 54 COM 362, 15 March 2016, p. 20.

32. Source: Federal police, Migration Unit.

33. Federal Police, Debriefing Medusa, undated.

### **Measure 2.1.1.2 - Awareness raising campaign on transit migration targeting truck drivers.**

• **Duration of the measure:** Preparations for the campaign began in 2015. The project was launched in April / May 2016.<sup>34</sup> It has not yet been decided when this campaign will end. On the basis of interception reports by the police, the campaign is evaluated every month and is modified if necessary.

• **Measure following an increase or decrease in the number of applications for international protection:** Increase.

• **New measure or change to an existing measure:** New measure.

• **Structural or ad-hoc measure:** Ad-hoc (but the end date of this project has not been determined yet).

• **Type of measure:** Other (information campaign) and Interinstitutional / multi-agency working group (composed of the Immigration Office, the police, and the Belgian Federation of Road Haulage Operators Febetra).

**General aim of the measure:** When the influx of applicants for international protection increased (especially in the second half of 2015), there was also an increase in the number of "transit migrants" in Belgium. A large part of them wanted to reach the United Kingdom.

As it appeared that many transit migrants used Belgian **car parks along the highway** to enter trucks (mostly heading towards the United Kingdom), the Immigration Office initiated an awareness-raising and prevention campaign targeting truck drivers. The **main aim of the campaign** was to provide truck drivers (and transport companies) with information about the sanctions associated with being involved in smuggling of human beings; about how to reduce the risk of irregularly staying migrants entering their trucks; and about what to do when they suspect irregularly staying migrants have already entered their trucks<sup>35</sup>. The overall aim of the campaign was to reduce transit migration (mostly to the United Kingdom); to address human smuggling in an efficient manner; and reduce violence against truck drivers and the police.

• **Key elements of the measure:** The campaign is implemented by the Immigration Office in cooperation with the transport Federation (Febetra) and with the Federal Police. A working group gathering these three organisations was set up.

The campaign uses different channels in order to provide truck drivers and transport companies with information on the phenomenon of transit migrants climbing into trucks:

- Multilingual **posters** (in three languages) and **flyers** (in 10 languages) - with concrete and practical tips for the truck drivers - have been produced. These flyers are distributed on various motorway service areas and in port areas. These posters and flyers can also be found on the website of the Belgian Federation of Road Haulage Operators Febetra<sup>36</sup>.

- The **website** of Febetra also contains information on new trends; new methods or places used by people to enter trucks or cargo compartments; motorway service areas that are most frequently used for entering trucks, etc. This information is updated regularly.

- A **specific logo** has been developed for this campaign (see below). This **logo** looks like a traffic sign: it represents people entering the loading space of a truck. Truck drivers who do not speak French, English or Dutch can also understand the logo. Warning signs with this logo are placed near access roads to the port of Zeebrugge.



- Finally, **articles and ads** regarding this campaign are regularly published in the **magazine** of the Belgian Federation of Road Haulage Operators Febetra and in other magazines for the transport industry<sup>37</sup>.

• **Authorities involved in drafting, proposing and adopting the measure:** The Immigration Office, the police, and the Belgian Federation of Road Haulage Operators Febetra (which is not an authority).

• **Authorities implementing the measure:** The Immigration Office and the police.

• **Impact of the measure:** It is very difficult to determine the impact of the campaign. However, it can be noted that since this campaign started, more truck drivers have reported suspicious activities. The police also regularly asks for new flyers and posters. This gives an indication of the impact of the campaign<sup>38</sup>.

• **Evaluation of the measure:** No formal evaluation has been carried out.

### **2.1.2 Reception centres / accommodation arrangements and other housing**

#### **Measure 2.1.2.1. : Pre-reception**

• **Duration of the measure:** It was started in September 2015.

• **Measure following an increase or decrease in numbers:** Increase.

• **New measure or change to an existing measure:** New measure.

• **Structural or ad-hoc measure:** Ad-hoc measure at first, which became structural at a later stage.

• **Type of measure:** National action plan.

• **General aim of the measure:** At the beginning of the important influx of applicants for international protection in Belgium in the summer of 2015, the Immigration Office – who is responsible for registering applications for international protection – did not manage to reg-

34. Belgian National Contact Point of the EMN, 2015 Annual Report on Asylum and Migration Policy in Belgium, p.28 and pp. 74-75.

35. Source: Immigration Office (Iobel Unit)

36. <http://febетra.be/fr/publier/give-smuggling-of-people-no-chance/>

37. Belgian National Contact Point of the EMN, 2016 Annual Report on Asylum and Migration Policy in Belgium, p.93.

38. Source: Immigration Office (Iobel unit).

ister all applicants for international protection on the day they presented themselves. In this context, a system of “**pre-registration**” was developed. Foreign nationals who applied for international protection at the Immigration Office after the maximum registration capacity was met, received an invitation to register their application for international protection one of the following days.

In order to provide housing to those who could not lodge their application for international protection on the day they presented themselves at the Immigration Office, Fedasil set up an emergency “**pre-reception**” structure with low reception standards. With the pre-reception phase, the dispatching service of Fedasil (in charge of the allocation of a reception place to applicants for international protection in the reception network) had more time to organize the allocations. This means that the specific needs of the newcomers during the first observation and orientation period should be better detected, thereby enabling a more accurate allocation in the reception network. As a result, transfers applicants for international protection to other reception places at a later stage – as the first assignment appeared not to be the most suitable one – should also be limited.

- **Key elements of the measure:** Starting in September 2015, **pre-reception** was provided to applicants for international protection. It was first provided in the vacant first floor of the office building World Trade Centre III - nearby the dispatching service of Fedasil and the location where applications for international protection can be submitted. In consultation with the Prime Minister, the offer of pre-reception was rapidly extended to a 24/7 offer.

The use of pre-reception facilities provided **an emergency capacity** to the reception network, which gave Fedasil the necessary **flexibility** to accommodate the rapidly increasing number of applicants for international protection entering the reception network. Even though the emergency pre-reception facility didn't meet the standards of quality, it has proven its usefulness. Fedasil therefore decided to endorse the use of pre-reception facilities by opening a **reception centre** aiming at welcoming future applicants for international protection before they lodged their formal application. In this perspective, Fedasil provided SAMU social (a long-time partner of the reception agency) with a building (with a capacity of 400 places), free of charge, to operate the pre-reception. The SAMU social receives a daily allocation per effective occupant which makes it cheaper than a regular reception centre where all the places (occupied or not) entail a cost to the reception agency.

- **Authorities involved in drafting, proposing and adopting the measure:** State Secretary for Asylum Policy and Migration.

- **Authorities implementing the measure:** The federal reception agency Fedasil.

- **Impact of the measure:** The system of pre-registration and pre-reception provided Fedasil with the necessary flexibility to properly accommodate the rapidly increasing number of applicants for international protection entering the reception network.

- **Collateral/side effects and unforeseen effects:** It appears that pre-registration/pre-reception had a dissuasive effect on potential applicants for international protection. In the first months of 2016, 13 to 15% of all pre-registered foreign nationals did not apply for international protection<sup>39</sup>.

- **Evaluation of the measure:** As the pre-registration/pre-reception system was seen as a useful system, a **single registration centre** opened in 2018 in the centre “le Petit Chateau” (for a “test phase”) before its transfer to Neder-over-Heembeek in 2022 where both reception and registration are fulfilled in a single location.

#### **Measure 2.1.2.2 Increase of the capacity of the reception network**

- A. Increase of the occupation of the existing capacity.
- B. Activating the “buffer places”.
- C. Opening additional reception places in existing centres and opening new centres .
- D. Distribution plan.

- **Duration of the measure:** the increase of the capacity started in June 2015. The measure was intended to last during the time needed to deal with the important influx of applicants for international protection in the reception network. It lasted until mid-2016.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** Change to an existing measure.

- **Structural or ad-hoc measure:** Ad hoc.

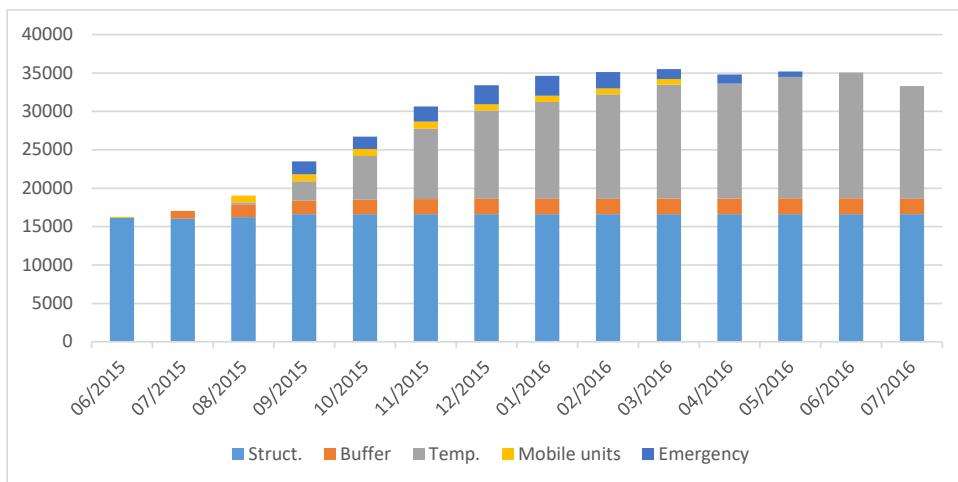
- **Type of measure:** National action plan.

- **General aim of the measure:** Due to the important influx of applicants for international protection in the reception network, the federal reception agency Fedasil decided to **increase its reception capacity** by activating the buffer places, opening new reception places in existing facilities, opening new centres and collaborating with new partners. A distribution plan of applicants for international protection across the different Belgian municipalities was defined, but it was never implemented in practice (due to the decreasing number of applicants for international protection).

- **Key elements of the measure:** One of the important parameters for the federal reception agency Fedasil to forecast the number of reception places that need to be available is the **occupancy rate of the reception network**. The general rule stipulates that the saturation point of the reception network is reached at a 94% occupancy rate. When that level is met, additional reception places must be provided. The aim is to keep the occupancy rate at about 85%, and in any case not to go below 70%<sup>40</sup>.

From 2015, with an inflow of around 5,000 persons per month (and an outflow of 1,300 persons), Fedasil had to open many new reception places, at a pace of 3,000 to 4,000 places each month. From 16,500 places at the beginning of June 2015, Fedasil **increased the reception capacity to over 30,000 places by June 2016** (see figure below).

**Figure 4:**  
Evolution of the reception capacity in Belgium from June 2015 to July 2016



Source: Fedasil.

This rapid expansion of the network was made possible on the basis of the "flexible reception model" (which was set up in 2014).

#### A. INCREASE OF OCCUPATION OF THE EXISTING NETWORK

The **first stage** of the "flexible reception model" consists in **occupying every place made available** in the existing network. Once the occupation threshold has been reached, the buffer places are activated.

#### B. ACTIVATING THE BUFFER PLACES

In 2014, the system of "buffer places" was put in place, which aimed at gradually absorbing a sudden influx of applicants for international protection in the reception network. These buffer places are managed (by the reception agency or by its partners) throughout the year at a reduced price and are held on standby. The activation of the buffer places is the **second stage** in the "flexible reception model".

Before the important influx in 2015, the reception agency had around 2,000 buffer places ready to be activated. This would have been sufficient to cope with the "crisis" of 2007-2010, but proved to be far from sufficient to absorb the important increase in the number of arrivals in the summer of 2015: this emergency reception capacity was exhausted in less than three weeks.

#### C. OPENING ADDITIONAL RECEPTION PLACES IN EXISTING CENTRES AND OPENING NEW CENTRES

The **third stage** in the "flexible reception model" consists of the creation of new reception places (both in Fedasil's network and the network of the reception partners). In order to do so, new places were opened in existing centres and new centres were opened as well. Additional places were also opened in **individual housing** (where residents can be transferred after a certain period of time spent in a collective reception facility). The Public Social Welfare Centres (PSWCs) were responsible for creating extra capacity in existing local reception initiatives or for opening up new local reception initiatives in their municipalities.

In order to increase the reception capacity, contracts were concluded with new partners, that is to say **private operators**. The Council of Ministers decided on 28 July 2015 to hold a market consultation in order to conclude a **framework agreement with a number of private operators**. The framework agreement enabled Fedasil to open the required number of reception places according to the need and determined that a maximum of 10,000 reception places could be opened<sup>41</sup>. In this framework, Fedasil published - for the first time - open calls for tenders to contract private partners. The tenders were released in urgency and the time allocated for the examination of specifications was very short.

**Emergency reception structures** were also set up and mobile units were used. These places do not need to meet the same requirements as regular reception places, which can lead to a lower quality of reception. They are therefore only used as an exception to temporarily accommodate applicants for international protection until suitable regular reception places are available. As soon as sufficient temporary reception places were available, Fedasil stopped the reception in mobile units and emergency reception structures. Mobile units were only operated by Fedasil itself, emergency reception structures were operated both by Fedasil and by partners in collective reception.<sup>42</sup> To create those new reception centres made of containers/mobile units and/or tents, Fedasil received the **support of the Ministry of Defence** who provided logistical support and in-house knowledge to help Fedasil manage those sites. The Ministry of Defence also provide Fedasil with barracks sites usually used by the Defence for its daily operations.

As an overview, a report from the Court of Auditors<sup>43</sup> lists the different decisions taken in 2015 by the Council of Ministers to increase the reception capacity<sup>44</sup>.

## TABLE 2 ?

Table 1:  
Decisions taken in 2015 by the Council of Ministers regarding the reception capacity

Council of Ministers	Number of additional places	Implementing organisation	Type
06/08/2015	2,756	Fedasil & traditional partners	Increase capacity of existing centres + opening new centres
28/08/2015	900	Fedasil	Emergency reception in mobile units
28/08/2015	500	Fedasil	Opening centre Elsenborn
28/08/2015	900	Fedasil & Croix Rouge	Increase of the capacity existing centres
28/08/2015	1,600	PSWCs	Call for additional places in individual reception.
28/08/2015	2,000	Private operators	Public call for tenders for transit places (emergency)
28/08/2015	1,600	Rode Kruis	Emergency reception in mobile units
11/09/2015	5,000	Private operators	Public call for tenders for transit places (emergency)
11/09/2015	1,020	Fedasil & traditional partners	Increase capacity of existing centres + opening new centres
18/09/2015	1,980	Fedasil & traditional partners	Increase capacity of existing centres + opening new centres
18/09/2015	520	Fedasil & traditional partners	Increase capacity of existing centres + opening new centres
18/09/2015	600	Rode Kruis & Croix Rouge	Increase of capacity in barracks
16/10/2015	1,650	Fedasil	Increase capacity of existing centres + opening of new centres
30/10/2015	500	Rode Kruis	Transit places: short stay before allocation in the regular network
30/10/2015	1,179	Fedasil & traditional partners	Increase capacity of existing centres + opening new centre
30/10/2015	1,500	Private operators	Public call for tenders for transit places (emergency)
13/11/2015	970	Fedasil & Defence	Opening centre Aarlen
23/12/2015	1,815	Fedasil & traditional partners	Opening new centre
23/12/2015	752	Fedasil & traditional partners	Increase capacity of existing centres + opening new centre
23/12/2015	2,066	Fedasil & traditional partners	Increase capacity of existing centres + opening new centres (only for UAMs)

Source: Report from the Court of Auditors, 2017.

In total, 29,808 additional reception places were foreseen by these decisions of the Council of Ministers (in addition to the 16,636 structural places). **This does not mean that all these places were effectively created.** The number of places that were created is much lower. The report of the Court of Auditors underlines that this can partly be explained by the lower number of places created in the framework of the calls for tenders (2,682 reception places were opened by private partners – out of the 8,500 places proposed)<sup>45</sup>.

### D. DISTRIBUTION PLAN

Because of the large influx of applicants for international protection, the Belgian government approved a **mandatory distribution plan** on 27 November 2015: an agreement was reached on 5,000 additional reception places (local reception initiatives) for applicants for international protection to be distributed equally across the municipalities. The Royal Decree of 17 May 2016 determining the criteria for a balanced distribution over the municipalities of reception places for applicants for international protection came into force on 10 June 2016<sup>46</sup>. This royal decree defines the criteria, the method of calculation and the sanctions in connection with the mandatory distribution plan. This Decree will serve as a basis for any future distribution plans for Local Reception Initiatives. This Decree further states that the date of entry into force and the number of reception places to be established have to be determined in another Royal Decree deliberated by the Council of Ministers. This means that an 'activation' Decree is needed to enable an effective distribution plan to come into force.

The Council of Ministers decided on 3 June 2016 that the distribution plan would **not be activated** given the decrease of the number of applicants for international protection arriving in Belgium since the beginning of 2016.

- **Authorities involved in drafting, proposing and approving the measure:** State Secretary for Asylum Policy and Migration.
- **Authorities implementing the measure:** Fedasil, Ministry of Defence, Municipalities, Partners (Croix-Rouge, Rode Kruis, CIRE, Vluchtelingenwerk Vlaanderen, Caritas, SAMU Social,...), Private Partners (Refugee Assist, Bridgestock,...).
- **Impact of the measure:** Fedasil gradually increased the number of places available in the reception network, in order to provide all applicants for international protection with housing.
- **Evaluation of the measure:** No evaluation has been carried out yet.

An **internal evaluation** was also carried out by Fedasil regarding the collaboration between Fedasil and the private operators. This **internal evaluation** identified certain good practices and lessons learnt.

Furthermore, the Court of Auditors published a report in October 2017, which presented the main findings of the **audit carried out by the Court** to assess whether the Federal Reception agency Fedasil provided efficient and qualitative reception during the "asylum crisis". The report includes some conclusions regarding the increase of the reception capacity, underlining both positive elements (including the fact that Fedasil managed to provide sufficient reception places during the "asylum crisis" by increasing the reception capacity – which was in part due to the efforts of the reception partners, who could react quickly to changing needs) and some challenges (including the fact that it became increasingly difficult to open new reception places)<sup>47</sup>.

43. Belgian Court of Auditors, Opvang van asielzoekers, October 2017, pp. 32-33 (Translation by the Belgian Contact Point of the EMN).  
44. All decisions on the capacity of the centres are taken in the Council of Ministers. Decisions to open or close centres take place within the core cabinet.

45. Belgian Court of Auditors, Opvang van asielzoekers, October 2017, pp. 33-34.

46. Royal Decree of 17 May 2016 determining the criteria for harmonious repartition of reception places between the municipalities, Belgian Official Gazette, 10 June 2016, [http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=2016051706&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2016051706&table_name=loi)

47. [https://www.crek.be/Docs/2017\\_41\\_DemandeursdAsile\\_Communique.pdf](https://www.crek.be/Docs/2017_41_DemandeursdAsile_Communique.pdf)

### Measure 2.1.2.3 - Phasing out/decrease of the capacity of the reception network

- **Duration of the measure:** The first phase of the decrease of the capacity was started in June 2016. The second phase one has not started in 2018.
- **Measure following an increase or decrease in numbers:** Decrease.
- **New measure or change to an existing measure:** Change to an existing measure.
- **Structural or ad-hoc measure:** Ad-hoc.
- **Type of measure:** National action plan.
- **General aim of the measure:** Since January 2016, the decrease in the number of applicants for international protection led to an important **decrease of the occupation rate of the reception network**. Several measures were thus taken in order to reduce the reception capacity to adapt to the decreasing number of applicants for international protection.
- **Key elements of the measure:** The decrease of the capacity took place in two phases.

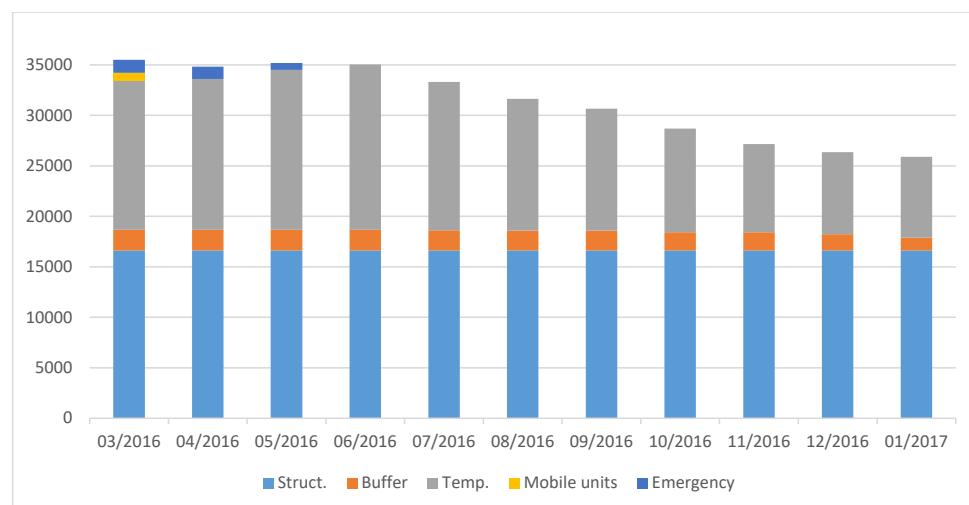
#### FIRST PHASE:

The so-called "phasing out" principles were approved in June 2016 by the federal government (consisting of the Prime Minister and the Vice Prime Ministers). These principles determine the systematic and balanced repartition of the phasing out of the reception capacity on the Belgian territory. They take into account the **quality** and the **cost-efficiency** of the places to be closed, as well as the fair repartition of the closing on the territory:

- **Cost-efficiency:** each reception structure must have a minimum capacity to ensure its cost-efficiency;
- **Repartition:** algorithm takes into account several objectives criteria (population, price, quality,...).

Federal government decided to close around 10,000 reception places by the end of 2016 (see figure below).

Figure 5: Evolution of the reception capacity in Belgium between March 2016 and January 2017



Source: Fedasil.

The measures taken for the decrease of the reception capacity were:

- Emptying all **emergency reception centres**
- The **closure of centres with expiring agreements**. Fedasil cancelled all contracts with private operators. In addition, some of the owners of the centres or reception partners themselves did not wish to renew their contracts, and some sites had to be returned to the Ministry of Defense;
- The **closure of individual reception places** that did not target a specific target group (medical, UAMs, etc.) with the reception partners Vluchtelingenwerk Vlaanderen and Ciré.
- The **reduction of places** created during the crisis that scored poorly on quality and/or cost price.
- **Not opening the centres** whose opening was decided during the "crisis", but which had not yet been opened for various reasons<sup>48</sup>.

At the end of the first phase of the phasing out plan, the pace of the closures went so quickly that Fedasil faced shortages in its reception capacity. In this context, Fedasil resumed the implementation of the **new reception model** in August 2016. This new reception model was defined in the Government Agreement of 2014 and had been partially introduced in July 2015, but was then put on hold in September 2015 due to the "asylum crisis". The main objective of this model is to facilitate the local integration of refugees, in the Belgian municipalities.

It implied the transfer to individual housing of:

- Residents with a residence permit valid for more than 3 months (refugee status, subsidiary protection, resettlement, family reunification...);
- Residents with high recognition rates (> 90% for the refugee status and subsidiary protection), who have stayed more than four months in a collective structure;
- Vulnerable groups with specific needs.

The advantages of the model should be:

- A **better distribution** on the whole territory of Belgium;
- A better **integration** and **autonomy**;
- A **better management of the outflow** with a clear trajectory for the residents;
- Allow residents to **better integrate into the municipality** where they will be staying. It could also foster their possible establishment in the municipality once they obtain their residence permit (and thus avoiding movements to the big cities).
- Allow residents to **enjoy a certain degree of autonomy** before obtaining a residence permit;
- A more adjusted reception for **vulnerable groups**;
- Both transition and the integration are **followed-up at the local level**;
- A more **flexible adjustment** between occupancy rates between collective and individual housing.

#### SECOND PHASE:

The second phase of reduction of the reception capacity was approved by the federal government in November 2016 (but the implementation has not started yet). It aims at going back to the reception capacity before the crisis. Fedasil also proposed to create around 7,500 buffer places (to be activated in case of an important future influx).

- **Authorities involved in drafting and proposing the measure:** State Secretary for Asylum Policy and Migration.
- **Authorities involved in proposing and approving the measure:** State Secretary for Asylum Policy and Migration, Core committee.
- **Authorities implementing the measure:** Fedasil, partners, municipalities.

48. [https://www.crek.be/Docs/2017\\_41\\_DemandeursdAsile\\_Communique.pdf](https://www.crek.be/Docs/2017_41_DemandeursdAsile_Communique.pdf)

- **Impact of the measure:** The quick wins in terms of the “phasing out” of the capacity of the reception network were immediately realised. Reception facilities with a lower quality (such as mobile units and containers) were the first ones to be dismantled. But the consequence of the phasing out was

The number of places available in the reception network gradually decreased. Around 10,000 places were closed between June and December 2016.

- **Evaluation of the measure:** No evaluation has been carried out yet.

Furthermore, the **Court of Auditors** published a report in October 2017<sup>49</sup>, which presented the main findings of the audit carried out by the Court to assess whether the Federal Reception agency Fedasil provided efficient and qualitative reception during the “asylum crisis”. The report includes some conclusions regarding the “phasing out” of the reception network (including the fact that a further decrease of the capacity through the closing of the centres on the basis of the criteria of quality and cost price is not easy, as Fedasil does not always have the necessary data to assess these criteria).

### **2.1.3 Wider reception services (social services, health services) and rights afforded to applicants**

#### **Measure 2.1.3.1 - Specific reception capacities for Unaccompanied Minors & Foster Care**

- **Duration of the measure:** The measure was started in October 2015. The agreements concluded with the Flemish and French Communities were extended in 2017. Negotiations are being held to establish agreements without an end date.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** New measure.

- **Structural or ad-hoc measure:** Although this was initially a temporary measure, the organisations involved are currently investigating whether a structural cooperation is possible in the long term. This is linked to the fact that the results were good, not only quantitatively but also qualitatively.

- **Type of measure:** National and regional action plans and soft measures (conventions concluded between different authorities).

- **General aim of the measure:** In the context of the increase in the number of unaccompanied minors (UAMs), the Flemish and French Communities decided to organize and co-finance the reception of the youngest UAMs, that is to say UAMs under 15 years of age in their Community. In this perspective, Fedasil concluded agreements with the Flemish and the French Communities to directly obtain aid from the Flemish and Walloon Youth Care Services for the reception of these UAMs.

- **Key elements of the measure:** On 2 October 2015, the **Flemish Minister for Welfare** sent a circular<sup>50</sup> containing an **action plan** relating to the increased influx of applicants for international protection, stipulating, among other actions, the opening of reception places for UAMs by the Flemish Youth Care Service. In this perspective, an agreement was signed between the Flemish Community and Fedasil for the co-financing of a maximum of 150 places for UAMs under 15 years of age on 15 July 2016. This agreement allowed for these UAMs to be sent (after having stayed in an Observatory and Orientation Centre) to a more family-scale reception facility (from five up to 25 people) where they receive a more intense and personalised care to meet their specific needs.

The government of the **French Community** (via the Minister for Youth Care of the French Community) also took action in response to the increasing influx. On 28 October 2015, the government decided to develop an “**UAMs action plan**”<sup>51</sup> under the supervision of the “Administration Générale de l'aide à la jeunesse” (AGAJ). This also led to the conclusion of an agreement with Fedasil for the reception of 130 UAMs on 16 February 2016. In this case, the intensity of the supervision provided was also much higher than in regular UAMs centres and the UAMs were also staying in smaller groups.

Furthermore, due to the high recognition rate of UAMs who arrived in 2015-2016, Fedasil not only **increased the capacity in the third reception stage**<sup>52</sup> (i.e. **individual reception facility**), but also started negotiations with the Youth Care Service of the Flemish Community to involve them in the care for vulnerable UAMs who are granted international protection. This cooperation was rolled out in 2017.

Both of the action plans set up by the Flemish and the French Communities also provided for actions regarding **foster care** for UAMs, including extra means.

In 2016, the **Flemish Community** financed a number of facilities to support and guide UAMs to foster care. Foster Care Flanders and the Flemish Community organized campaigns to recruit foster families for this particular target group. Fedasil also provided financing to partners (“Minor Ndako”, “Fonto Nova” and “Joba”) to bridge the gap between Fedasil centres, the UAMs and the Foster Care staff. In the Flemish Community, 187 children were accompanied by one of the Regional Foster Care Services. The largest group of these children (155) were cared for by relatives<sup>53</sup>.

In Wallonia, “Mentor Escalé” received the mandate from the **French Community** (together with the non-profit association “Famille sur mesure”) to develop foster care for UAMs. In contrast with Flanders - where Foster care for UAMs was embedded in traditional foster care - Wallonia deployed another separate pathway. In 2016, about 17 children were placed in a foster family (not with relatives). In the future, additional focus will be placed on recruiting foster families with the same ethnic cultural background and accelerating the matching and placement process.

Fedasil funded the organisations Cirkant and Mentor-Escalé, through AMIF funds (2016-2017), to provide guidance to foster families.

- **Authorities involved in drafting the measure:** Flemish Minister for Welfare, Public Health and Family; Minister for Youth Care of the French Community.

- **Authorities involved in proposing and approving the measure:** Fedasil; Flemish Minister for Welfare, Public Health and Family; Minister for Youth Care of the French Community.

- **Authorities implementing the measure:** Fedasil; Flemish Minister for Welfare, Public Health and Family; Minister for Youth Care of the French Community.

- **Impact of the measure:** In total, **275 places were created** through the French and Flemish Community for UAMs under 15 years of age. These extra places initially reduced the pressure on the regular reception network. In addition, Fedasil and the different Communities have succeeded in offering the young UAMs a more intense and personalised care to meet their specific needs.

Since it took some time to select, inform and match families, the decision to accommodate UAMs with foster families only had an impact after a longer term.

49. [https://www.crek.be/Docs/2017\\_41\\_DemandeursdAsile\\_Communique.pdf](https://www.crek.be/Docs/2017_41_DemandeursdAsile_Communique.pdf)

50. See: [https://jongerenwelzijn.be/professionelen/assets/docs/private-voorzieningen/rzb\\_20151002\\_aanpak-vluchtingencrisis-wvg.pdf](https://jongerenwelzijn.be/professionelen/assets/docs/private-voorzieningen/rzb_20151002_aanpak-vluchtingencrisis-wvg.pdf)

51. See: [http://www.aidealajeunesse.cfwb.be/index.php?eID=tx\\_nawsecuredl&u=0&g=0&hash=f00b54f04a07fce4b00d5eda2668e66073db3f48&file=fileadmin/sites/ajss/upload/ajss\\_super\\_editor/articles/ReperAJ\\_n\\_5\\_nov\\_2016.pdf](http://www.aidealajeunesse.cfwb.be/index.php?eID=tx_nawsecuredl&u=0&g=0&hash=f00b54f04a07fce4b00d5eda2668e66073db3f48&file=fileadmin/sites/ajss/upload/ajss_super_editor/articles/ReperAJ_n_5_nov_2016.pdf)

52. 1<sup>st</sup> stage: Observatory and Orientation centre; 2<sup>nd</sup> stage: Collective centre; 3<sup>rd</sup> stage: Individual housing.

53. Pleegzorg Vlaanderen, Registratierapport 2016, <http://www.pleegzorgvlaanderen.be/voor-journalisten>.

- **Evaluation of the measure:** A **mid-term report** and a **final report** for 2016 on the foster care project 'Give the world a home' was published by the Flemish Foster Care Service. The final report describes the large inflow of unaccompanied minors in foster care in 2016. 187 unaccompanied minors found a place in a foster family. 84% of them were taken care of by family already living in Flanders (mostly but not exclusively relatives), while 16% found shelter with a foster family that they did not know beforehand. 75% of the unaccompanied minors who were put in foster care were (teenage) boys. The report stresses that this group of mainly teenage boys requires a different approach because of the cultural differences and the high number of traumatized children. That is why, in 2016, the Flemish Foster Care Service focused on recruiting foster families with a different cultural background and on working in collaboration with other organisations that have experience with this target group.

#### **Measure 2.1.3.2 - Trauma guidance for refugee children**

- **Duration of the measure:** The measure was started in December 2016, with the first trauma teams in place in February 2016. The initial end date was 30 November 2017, this was later extended until 31 January 2019.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** New measure.

- **Structural or ad-hoc measure:** Ad-hoc.

- **Type of measure:** Legislative measure (Decree of the Flemish Government of 16 December 2016 concerning the granting of project subsidies for a maximum of EUR 504,000 for the support of refugee children with a trauma problem for the period from 1 December 2016 to 30 November 2017).

- **General aim of the measure:** The aim of this measure is to provide better guidance for young refugees with a trauma.

• **Key elements of the measure:** As a result of the increase in refugee children in the **educational system in Flanders**, the need for trauma guidance rose rapidly. Resources were provided to appoint one full-time psychologist for each Flemish province and for Brussels. As more refugee children go to school in the province of Antwerp, two psychologists were provided. Together with interpreters, the seven trauma psychologists act as an outreach mobile trauma team and support welfare organisations, the Centres for Pupil Guidance (CLB) and teachers in the counselling of refugee children with traumas. The psychologists work in cooperation with the specialized non-profit organization Solentra<sup>54</sup> that also provides training for the psychologists. The main task of these trauma psychologists is to support and reinforce the regular CLB employees and teachers in recognizing and dealing with (possible) trauma in refugee children through the transfer of knowledge on trauma, skills to deal with trauma and the translation of the educational needs of refugee children with trauma. Authorities involved in drafting the measure: Flemish Minister for Welfare, Public Health and Family and the Flemish Minister of Education.

- **Authorities involved in proposing and approving the measure:** Flemish Government led by the Flemish Minister of Education.

- **Authorities implementing the measure:** Trauma psychologists and the Centres for Pupil Guidance (CLB). The Mental Health Centres (CGG) and Solentra are responsible for the coordination of the mobile teams.

- **Evaluation of the measure:** An **evaluation** was carried out by the Department of the Flemish Minister of Well-being, Public Health and Family (based on the reports of the organizations involved)<sup>55</sup>. The evaluation underlined that the number of activities carried out in 2016 **far exceeded the expectations** of the government. This shows that there is a great need for specialized mental health care for underage refugees. The offer of consultation / expertise promotion is also clearly used and shows that other partners in care and welfare need specific support in counselling refugee children. The qualitative data show that many referrers find their way to this specific offer. The actors concerned are reached (schools, Centres for Pupil Guidance, Youth Welfare ...). The data on diagnostics and suicidality show that it concerns serious problems that require a specialized treatment as soon as possible. The interim data for 2017 show a continuation of the **important use of this specific offer**. The evaluation concludes that the needs and questions on the ground with regard to specialized mental healthcare for refugees is not yet reduced.

#### **Measure 2.1.3.3 - Health**

- A. Additional medical screening at the Dispatching Service of Fedasil
- B. Vaccination of applicants for international protection on arrival in Belgium
- C. Availability of medical kits for new reception centres

- **Duration of the measure:**

- A. The additional medical screening started in July 2015.
- B. The vaccinations started in February 2016.
- C. The measure was started at the end of 2015.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:**

- A. Change to existing measure.
- B. and C. New measure.

- **Structural or ad-hoc measure:** Structural.

- **Type of measure:**

- A and C. Soft measure.
- B. Protocol agreement.

- **General aim of the measure:**

- A. The aim of the additional medical screenings is to enhance the identification of applicants for international protection with specific reception needs because of medical reasons.
- B. The aim of the vaccination of applicants for international protection upon arrival is to provide a more efficient protection of applicants for international protection and refugees against infectious diseases, but also to limit the possible risk of spreading infectious diseases in the general population.
- C. The aim of the measure is to facilitate the start-up of new reception centres.

- **Key elements of the measure:**

- A. Fedasil agreed with the Flemish association for respiratory health care and tuberculosis control (VRGT) and the Respiratory Disease Fund (FARES) that the **lung photos of applicants for international protection** will be read immediately. Furthermore, a **medical unit** was installed at the Dispatching service of Fedasil consisting of a general practitioner and 2,5 nurses. In cooperation with the dispatching nurses and the Medical Coordination Unit of Fedasil, the doctor is responsible for the first medical screening (medical antecedents) of the applicants for international protection and the allocation to the reception centre best adapted in case of a pathology. The doctor also plays an important role in the detection and investigation of infectious diseases and coordinates the follow-up of suspicious cases of tuberculosis and administers the first polio, MBR and dTPa vaccination.

<sup>54</sup>. Solentra is an abbreviation for "Solidarity & Trauma". The organisation was founded by Paika, the department of psychiatry for infants, children and adolescents of UZ Brussels (University Hospital). Solentra provides diagnostic and therapeutic support to refugee & migrant children and their families. See [www.solentra.be](http://www.solentra.be).

<sup>55</sup>. Flemish Parliament, Written question nr. 775 from Katrien Schryvers, 12 July 2017, <https://www.vlaamsparlement.be/parlementaire-documenten/schriftelijke-vragen/1154074>.

B. At the moment that applicants for international protection are screened for tuberculosis by the Dispatching Service of Fedasil, their **vaccination status** will also be checked and, if necessary, they will be vaccinated on site. The arriving applicants who are eligible will be systematically vaccinated against measles, mumps and rubella and against tetanus, diphtheria and whooping cough. For those from Afghanistan or Pakistan, an additional polio vaccination is provided on the advice of the World Health Organization. In this way, Belgium can optimally contribute to the elimination goal for measles in Europe and the eradication of polio worldwide.

C. To facilitate the start-up of the **medical services** in new reception centres, a new **internal procedure** was put in place by Fedasil. This procedure makes medical kits readily available to new federal reception facilities. These kits consists of disposables (urgency medication, wound care equipment, administrative material, ...) and fixed medical equipment, such as an examination table, blood pressure monitor, etc.

- **Authorities involved in drafting, proposing and approving the measure:**

- A. Fedasil.
- B. Flemish Minister for Welfare, Public Health and Family and the State Secretary for Asylum and Migration Policy.
- C. Fedasil.

- **Authorities implementing the measure:**

- A. The Medical unit at the Dispatching service of Fedasil and VRGT and FARES.
- B. The Medical unit at the Dispatching service of Fedasil.
- C. Fedasil.

- **Impact of the measure:**

- A. A **better medical screening** leads to a better detection of medical needs and results in to the allocation of the applicant to a reception facility best adapted to his/her medical needs. In the long term, the measure could contribute to a better follow-up of infectious diseases.
- B. Due to the large influx of applicants for international protection, it became difficult to **organise the vaccination of all the people**. With the new vaccination measure in place, the distribution of tasks between the reception centres and the medical staff has become clearer.
- C. The measure allows for **medical care to be readily available** at the moment of the start-up of new reception centres.

- **Key elements of the measure:** Since September 2015, the State Security performs the **screening of all applicants for international protection**. In addition, Iraqi and Syrian applicants for international protection are also screened by the Military Intelligence and Security Service. The Immigration Office establishes a list of names (and any aliases) of all applicants for international protection and hands it over to the Intelligence and Security Services who performs a **check on the basis of specialized databases**, including the international list of known Foreign Terrorist Fighters, based on the hit/no hit principle. In the event of a confirmed hit, the State Security transmits the **useful information** to the Immigration Office and the Commissioner General for Refugees and Stateless Persons, with a copy to General Intelligence and Security Service (ADIV) and the Federal Police. It should be noted that the State Security is a defence intelligence service and that most of the applicants for international protection are unknown to the State Security since most of them are newcomers. This screening does not provide a definitive answer. The Immigration Office and the Commissioner General for Refugees and Stateless Persons may at any time during the procedure for international protection contact the State Security to inform this service of a problematic profile. The State Security can then conduct a more **thorough investigation**. In addition to those proceedings and in the context of their competences, the State Security and the Federal Police remain vigilant for all signals in connection with the migrant crisis.

The Immigration Office **identifies applicants** who lodge an application for international protection. The applicants have to identify themselves by giving their names and present, if possible, their identification documents (passport, identity card, military booklet, and so on). All identity documents are checked by the specialized service of the Federal Police to determine the authenticity of the documents. The Immigration Office and the Police will **systematically undertake a search in the Schengen Information System (SIS)** to check whether the person is not the object of an alert for refusal of entry. **A photograph and the fingerprints** of every applicant for international protection are taken during the pre-registration of the asylum seeker. The fingerprints are compared by the Immigration Office in the national database of the Immigration Office (PRINTRAK) and in the European database for asylum seekers (EURODAC). The fingerprints are also checked in the database of the Federal Police. If the fingerprints demonstrate that the person concerned is known under another name (alias), the Immigration Office will check whether a procedure is already ongoing for this person and will try to determine his/her exact identity.

- **Authorities involved in drafting, proposing and approving the measure:** State Secretary for Asylum and Migration, Immigration Office, Security services.

**Authorities implementing the measure:** Immigration Office, Security Services.

- **Impact of the measure:** Regarding the **immediate effect** of the measure, besides the possibility for a security screening preceding the application for international protection, the introduction of a pre-registration stage for applicants for international protection provided the Immigration Office and the reception agency Fedasil with more time to prepare for the foreseen influx and to seek adequate reception places.

The **security screening** preceding the application for international protection is a structural measure and the impact is ongoing. The security screening has no direct impact on the influx of applicants for international protection, but it is considered as a necessary measure for security reasons.

- **Collateral/side effects and unforeseen effects:** The introduction of a pre-registration stage intensified the cooperation between the asylum and migration authorities and the police and security services leading to a better exchange of information and mutual cooperation.
- **Evaluation of the measure:** No formal evaluation has been carried out.

## 2.1.4 Registration process of applicants for international protection

### **Measure 2.1.4.1 - Introduction of a pre-registration stage**

- **Duration of the measure:** This measure is in force since September 2015 for some nationalities. It became **structural** on 7 March 2016, when a **"pre-registration" phase** was formally introduced in the procedure for international protection applications. This means that before an application for international protection is formally lodged, fingerprints and a photo of the foreign national are taken by the Immigration Office and a security screening is carried out (by police and the security services).

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** New measure.

- **Structural or ad-hoc (temporary) measure:** Structural.

- **Type of measure:** National action plan/security plan.

- **General aim of the measure:** The pre-screening of applicants for international protection was implemented in order to **improve the security screening** of applicants for international protection.

## **2.1.5 International protection procedure (at first and second instance)**

### **Measure 2.1.5.1 - Efficiency increasing measures aimed at increasing the number of asylum decisions**

- **Duration of the measure:** 2015 and 2016. These measures will be implemented until the backlog is reduced to about 4,500 applications for international protection (normal workload of the CGRS).

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** New measure.

- **Structural or ad-hoc (temporary) measure :** Both (some are ad hoc while others are more structural).

- **Type of measure:** Soft measures (policy/staff guidance – “quick wins”).

- **General aim of the measure :** The aim of these measures is to further increase the output of the number of decisions (as this objective could not only be achieved through the recruitment of additional staff) and reduce the backlog.

- **Key elements of the measure :** In the context of the increased influx of applicants for international protection - in particular during the second half of 2015 - **the number of interviews** to be performed by a single protection officer of the CGRS increased. For certain nationalities with a clear protection need, the number of interviews increased, to two or sometimes three interviews per half day instead of 1 interview per half day. This implied that the interviews of applicants for international protection from certain countries of origin (typically Syrians) were much shorter and that insofar as there were no indications of exclusion grounds or identity / nationality fraud a status was granted without extensive hearing. During a short period, for applications with a high probability of a protection need, an interview only took place at the Immigration Office and a status could be granted without a hearing by the CGRS. However, this project was dropped after a short time for practical reasons.

Through an **improved screening and profiling of the CGRS caseload**, it became possible to group applicants for international protection with a similar profile or coming from the same region and to handle these cases by **specialized protection officers** for this particular profile within a shorter timeframe. This increased efficiency in terms of preparing the interviews and enabled the hearings to be shorter and a decision on the application could be taken more quickly. Besides, **guidelines and “building blocks”** for the motivation of decisions were also developed to speed up the decision making process and reduce processing time.

Due to the focus on increasing the output and reducing the backlog, there was less time for the CGRS staff to follow certain non-urgent training courses and other projects were temporarily put on hold.

Furthermore, a stricter and closer monitoring of performance indicators (e.g. number and type of asylum decisions, number of decisions reforms/annulments by appeal body, etc.) was applied.

**Authorities involved in drafting and proposing the measure :** Office of the Commissioner General for Refugees and Stateless Persons.

**Authorities involved in proposing and approving the measure:** Commissioner General for Refugees and Stateless Persons.

- **Authorities implementing the measure :** Office of the Commissioner General for Refugees and Stateless Persons (protection officers within the geographical sections).

- **Impact of the measure:** The measures required no legislative changes, nor substantial additional budgetary means and could thus be **implemented rapidly**. For example, the increase of the number of interviews to be performed per half day had an immediate impact on the number of interviews that were performed.

Several of the above mentioned efficiency increasing measures only had an **impact on the medium term**. For example, organising more interviews did not have an immediate impact on the number of first instance decisions, but only after a month or longer, as it takes time to assess the application and take a decision.

- **Collateral/side effects and unforeseen effects:** Focusing on organising a lot of interviews and taking a lot of decisions for nationalities with a high need of international protection led to an **increase of the average protection rate<sup>56</sup>** to almost 60% for the year 2016. Due to the fact that cases from nationalities with a high protection rate were prioritised, the processing time was extended to assess certain other cases.

- **Evaluation of the measure:** No formal evaluation has been carried out.

### **Measure 2.1.5.2 - Training of staff of the Office of the Commissioner General for Refugees and Stateless Persons (CGRS)**

- **Duration of the measure:** Between September 2015 and end 2016.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** Change to an existing measure.

- **Structural or ad-hoc (temporary) measure:** Ad hoc measure and structural measure.

- **Type of measure:** Soft measure (training courses).

- **General aim of the measure:** The objective of the training of newly recruited staff was to get them fully operational as quickly as possible, but capable of providing outputs meeting high qualitative standards.

Furthermore, specific training was also provided to all protection officers to be able to handle applications for international protection more efficiently and apply new techniques.

- **Key elements of the measure:** The CGRS developed a **special training programme** for the new protection officers who needed to be operational within short timeframes. The CGRS relies heavily - but not only - on the EASO Training Curriculum (previously called European Asylum Curriculum – EAC) for the training of national staff. Belgium is one of the first countries that has gradually introduced these EASO Training modules into its training programme for protection officers. Not only newly recruited protection officers follow the basic training modules but also more experienced protection officers are progressively taking up these and other EASO Training modules.

Furthermore, since August 2016, all protection officers and all researchers were trained on the use of social media as a tool for additional verification of the identity, nationality and asylum motives of applicants for international protection. The **social media training** covers the following aspects: Facebook online privacy and anonymous searching, guidelines and privacy, storage of search results, finding relevant information on asylum applicants and the use of advanced search tools.

<sup>56</sup>. The protection rate is the percentage of applications leading to recognition of refugee status or granting of subsidiary protection status compared to the total number of applications in which a decision was taken (excluding intermediary decisions to take the application into consideration).

In addition, due to the increased influx from Syria, Iraq, Afghanistan and Somalia, the COI unit of the CGRS "Cedoca" created **origin check toolkits** for these **countries** and shared this format with EASO. Cedoca created collaborative workspaces on the intranet for the top countries of origin, where researchers and protection officers can share information and train themselves. Furthermore, bimonthly consultations amongst heads of departments, researchers and reference persons to enhance information sharing and to detect information needs in a proactive way for Afghanistan, Iraq and Syria.

- **Authorities involved in drafting, proposing and adopting the measure:** Office of the Commissioner General for Refugees and Stateless Persons.

- **Authorities implementing the measure:** Office of the Commissioner General for Refugees and Stateless Persons.

- **Impact of the measure:** All newly recruited staff members at the Immigration Office and the CGRS received training during the first weeks/months.

At the medium/long term, the newly recruited staff were coached by senior workers/supervisors at the Immigration Office and the CGRS and could **gradually increase their output**.

- **Collateral/side effects and unforeseen effects:** The recruitment of many additional staff members created some **challenges**, in particular for the CGRS, such as the challenge to train all the new staff members but continue to ensure a high output at the same time. Senior staff members needed to ensure a high output of first instance decisions but had to coach and supervise newly recruited staff members at the same time.

- **Evaluation of the measure:** **Reporting was done in the framework of AMIF** by the unit EU funding of the Ministry of Interior.

The report states that all CGRS staff members participated in the training programme for newly hired staff of the CGRS. Staff members were trained in making use of EASO training tools and were incorporated in the geographical units, coached by a supervisor and the new protection officers gradually increased their output.

In addition, the newly recruited staff at the Immigration Office were coached by senior colleagues and attended basic training courses, offering a global overview of the functioning and competences of the Immigration Office.

The reporting in the framework of AMIF states that after 6 months, the newly recruited staff was considered as fully operational and that the objective of the deliverable was met.

#### **Measure 2.1.5.3 - Increase in the number of resettlement and relocation cases**

- **Duration of the measure:** 2015 – 2017.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** Change to existing measure.

- **Structural or ad-hoc (temporary) measure:** Ad hoc measure and structural measure.

- **Type of measure:** Solidarity towards other EU Member States and third countries confronted with a high inflow of applicants for international protection.

- **General aim of the measure:** The general aim of this measure was to **demonstrate solidarity** with other EU Member States and third countries as regards the influx of applicants for international protection and refugees, in accordance with the Council Conclusions of July 2015.

- **Key elements of the measure:** In 2015, Belgium started with **relocation**. In December 2015, six people arrived in the framework of the first pledge. Belgium made a first pledge of 30 persons in 2015, open to both Italy and Greece. In the course of 2016, a pledge of 530 pledges was made (130 to Italy and 400 to Greece) of which 200 persons were relocated to Belgium (177 from Greece and 23 from Italy) in 2016. As of 28 November 2017, no less than 698 persons (mainly Syrians) were relocated from Greece and 387 persons were relocated from Italy (mainly Eritreans). For Belgium, a quota of 3,812 persons to be relocated was initially foreseen. However, due to the fact that there were not enough persons eligible in Italy and Greece for relocation, the quota could not be met<sup>57</sup>.

As regards **resettlement**, by the end of 2015, 276 refugees were resettled to Belgium: 88 Congolese refugees from Burundi and 188 Syrians coming from Lebanon (141), Turkey (43) and Jordan (4). In January 2016, an additional 63 Syrian resettled refugees from Lebanon arrived in Belgium. In 2016, 452 refugees were resettled to Belgium, it concerns 448 Syrian refugees and 4 Congolese refugees from Burundi. The Syrian refugees were resettled from Lebanon (298), Turkey (102), Jordan (24) and Egypt (24). The 448 Syrian refugees concern arrivals in 2016 within the 20 July 2015 JHA Council Decision resettlement scheme. The 102 refugees resettled from Turkey in 2016 were resettled under the 1:1 mechanism with Turkey.<sup>58</sup> In 2017, 1309 refugees were resettled to Belgium, it concerns 1191 Syrian refugees resettled from Turkey, Lebanon and Jordan and 118 Congolese refugees from Burundi. The resettlement cases were selected within the framework of the 20 July 2015 Justice and Home Affairs Council Decision that had led to a Belgian pledge to resettle 1100 refugees over a period of 2 years (2016-2017) and the 1:1 mechanism with Turkey where Belgium committed to resettle an additional 600 Syrian refugees from Turkey in 2017. Belgium respected its commitments and managed to resettle more than 1100 refugees under the EU Resettlement Scheme during the past two years and 572 refugees were resettled under the 1:1 mechanism.<sup>59</sup>

- **Authorities involved in drafting the measure:** Belgian State Secretary for Asylum Policy and Migration.

- **Authorities involved in proposing and approving of each measure:**

**Relocation:** Belgian State Secretary for Asylum Policy and Migration, Immigration Office, Office of the Commissioner General for Refugees and Stateless Persons.

**Resettlement:** Belgian State Secretary for Asylum Policy and Migration, UNHCR, Office of the Commissioner General for Refugees and Stateless Persons and the federal reception agency Fedasil.

- **Authorities implementing the measure:** Office of the Commissioner General for Refugees and Stateless Persons, Immigration Office and the federal reception agency Fedasil.

- **Impact of the measure:** Shortly after the Council Decisions of 20 July 2015 on the relocation and resettlement schemes, action was taken in Belgium to **set up a relocation programme** and to further elaborate the resettlement scheme with the objective to respect the EU relocation and resettlement schemes and provide solidarity towards other EU Member States and third countries hosting many applicants for international protection and refugees.

The number of persons who were relocated and resettled **gradually increased** and resulted in a substantial increase of the efforts regarding resettlement and relocation in 2016 compared to previous years (see exact numbers above). In 2017, the number of transfers in the framework of relocation and resettlement continued to **increase substantially**.

57. European Commission, *Relocation and Resettlement: Commission calls on all Member States to deliver and meet obligations*, 16 May 2017.

58. In the EU-Turkey Statement from 18 March 2016, it was agreed that for every Syrian national returned from the Greek islands another will be resettled to the EU directly from Turkey. This 1:1 mechanism aims to replace irregular flows of migrants travelling in dangerous conditions across the Aegean Sea by an orderly and legal resettlement process.

59. Source: CGRS, international relations unit.

- **Collateral/side effects and unforeseen effects:** The staff required to participate in relocation missions and involved in assessing cases of persons who were transferred in the framework of relocation gained interesting experience but could not work on the regular asylum influx at the same time.

**Evaluation of the measure:** At EU level, the European Commission presents implementation reports on a regular basis<sup>60</sup>.

**For what concerns Belgium:** As regards **relocation**, one could argue that Belgium did not respect the attributed quota as agreed within the framework of the Council Decisions of July 2015 (3,812 persons), however it is important to emphasize that the number of persons present in Greece and Italy eligible for relocation appeared to be much lower (about 35,000 persons)<sup>61</sup> compared to the number of places originally foreseen for relocation (98,255 persons) and who served as a base to calculate the quota for each Member State. Therefore it is fair to say that Belgium did respect its engagements regarding relocation taking into account the number of persons transferred to Belgium in relation to the total number of persons eligible for relocation<sup>62 63</sup>.

As regards **resettlement** in 2016, 452 of the planned 550 persons arrived in Belgium, the others arrived in the course of 2017. Belgium respected the commitments regarding resettlement made at EU level and resettled over 1,300 persons in 2017; of whom over 1,150 within the framework of the Council Agreement of July 20, 2015 (pledge of 1,100 persons). A substantial number of the persons resettled could be counted within the framework of the EU-Turkey 1:1 Agreement (43 refugees from Turkey in 2015, 102 in 2016 and 728 in 2017 were resettled to Belgium).

#### Measure 2.1.5.4 - Temporary residence permit for persons with refugee status

- **Duration of the measure:** **The law of 1 June 2016**, which modifies the law of 15 December 1980 regarding the entry, residence, settlement, and removal of foreign nationals, was published in the Belgian Official Gazette on 28 June 2016, and came into force on 8 July 2016.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** New measure.

- **Structural or ad-hoc (temporary) measure:** Structural.

- **Type of measure:** Legislative instrument.

- **General aim of the measure:** The general aim of this measure is related to the idea that a refugee status is in principle temporary - in the sense that it should in principle only be granted if international protection is still required.

- **Key elements of the measure:** As of 8 July 2016 (date of entry into force of the Law of 1 June 2016), applicants for international protection who were granted a refugee status by the Office of the Commissioner General for Refugees and Stateless Persons **no longer receive a residence permit of unlimited duration** (residence card type B). Instead, they obtain a **temporary residence permit** (residence card type A) with a validity of **five years**. This period of five years starts from the moment the application for international protection is lodged. After five years, the refugee will receive a residence permit of unlimited duration, unless the refugee status has been withdrawn.

- **Authorities involved in drafting, proposing and approving the measure:** State Secretary for Asylum Policy and Migration.

- **Authorities implementing the measure:** Immigration Office and Office of the Commissioner General for Refugees and Stateless Persons.

**Impact of the measure:** It is not unlikely that the protection status for a number of persons to whom refugee status was granted might be re-evaluated in case of substantial and durable changes in the country of origin and this would imply a well-founded fear for persecution in the country of origin would no longer be present.

- **Collateral/side effects and unforeseen effects:** Some argue that this measure will hamper the efforts of recognised refugees to **integrate** and that it might be more difficult to find a job with a temporary residence permit<sup>64</sup>. There is however no clear evidence that this would indeed be the case. Moreover, it is currently not clear to what extent this measure will be applied in practice.

- **Evaluation of the measure:** No formal evaluation has been carried out.

#### Measure 2.1.5.5 - Update of the list of safe countries of origin

- **Duration of the measure:** The concept of "safe countries of origin" was introduced in national legislation on 24 November 2011. The list is in principle reviewed at least once a year. The list of safe countries of origin was last updated by the Royal Decree of 3 August 2016, which came into force on 29 August 2016.

On 24 November 2011, Belgium introduced the possibility to designate safe countries of origin, and the Royal Decree implementing this concept came into force on 1 June 2012.

Belgium has updated the **list on safe countries of origin** on December 17, 2017 and the list was published in the Belgian Official Gazette on December 27, 2017. At present, the following countries are considered as safe countries of origin: **Albania, Bosnia-Herzegovina, FYROM, Kosovo, Montenegro, Serbia, India and Georgia**. In 2016, Georgia was added to the list of safe countries of origin, the other 7 countries are on the list of safe countries of origin since the concept was introduced in Belgian legislation in 2011.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** Change to an existing measure.

- **Structural or ad-hoc (temporary) measure:** Structural.

- **Type of measure:** Legislative instrument.

- **General aim of the measure:** Applicants for international protection from safe countries of origin are treated in an accelerated procedure (procedure to take the application for international protection into consideration). However, if an applicant for international protection originates from a safe country of origin this does not automatically imply that his/her application will not be taken into consideration. The applicant will have to put forward substantial arguments to demonstrate that his/her country of origin cannot be considered as safe due to specific personal circumstances.

The general aim of the measure is thus to reduce the processing time for applications for international protection lodged by applicants coming from safe countries of origin.

60. For example: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170906\\_fifteenth\\_report\\_on\\_relocation\\_and\\_resettlement\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170906_fifteenth_report_on_relocation_and_resettlement_en.pdf)

61. [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170516\\_twelfth\\_report\\_on\\_relocation\\_and\\_resettlement\\_annex\\_3\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170516_twelfth_report_on_relocation_and_resettlement_annex_3_en.pdf)

62. <http://www.dekamer.be/doc/CCRI/pdf/54/ics534.pdf>

63. For an up-to-date state of play on the number of relocations, see: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_relocation\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf)

64. See for example: <http://deredactie.be/cm/vrtnieuws/politiek/1.2451660>

- **Key elements of the measure:** In addition to the seven countries that were already included on the list (i.e. Albania, Bosnia-Herzegovina, FYROM, Kosovo, Montenegro, Serbia, India), **Georgia** was also added to the list of safe countries of origin in 2016.

• **Authorities involved in drafting the measure:** The Office of the Commissioner General for Refugees and Stateless Persons (CGRS) is asked by the government (in particular the State Secretary for Asylum Policy and Migration) to give advice on a number of countries of origin. The advice of the CGRS for safe countries is required by law, but it is the government who decides. The COI unit of the CGRS writes reports on the situation for the countries concerned. The situation is assessed in line of the requirements of article 36 and 37 of the Asylum Procedures Directive and the according Belgian law. In making this assessment, the extent to which protection is provided against persecution or mistreatment is taken into account by: (a) the relevant laws and regulations of the country and the manner in which they are applied; (b) observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and/or the International Covenant for Civil and Political Rights and/or the Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention; (c) respect of the non-refoulement principle according to the Geneva Convention; (d) provision for a system of effective remedies against violations of these rights and freedoms.

• **Authorities involved in proposing and approving of the measure:** The CGRS is asked by the government to give advice on every country that could potentially be put on the list of safe countries. The advice of the CGRS for safe countries of origin is required by law, but it is the government who decides what countries to include on the list.

• **Authorities implementing the measure:** The Office of the Commissioner General for Refugees and Stateless Persons.

• **Impact of the measure:** The number of applications for international protection lodged by applicants for international protection coming from safe countries of origin remained relatively low during the period 2014 - 2016<sup>65</sup>, however it is not clear to what extent this is the consequence of the fact that these countries of origin were put on the list of safe countries of origin.

The fact that Georgia was added to the list of safe countries of origin, was an anticipation on the visa-liberalisation<sup>66</sup>.

- **Evaluation of the measure:** No formal evaluation has been carried out.

## **2.1.6 Infrastructure, personnel and competencies of the responsible authorities**

### **Measure 2.1.6.1 - Recruitment of additional staff members (Immigration Office, CGRS, and Fedasil).**

• **Duration of the measure:** The measure started in August/September 2015, and it lasted until June 2016. However, the extra staff recruited will remain in service after this date to guarantee the high level of output until the backlog of asylum cases has been reduced.

• **Measure following an increase or decrease in numbers:** Increase.

• **New measure or change to an existing measure:** New measure.

- **Structural or ad-hoc (temporary) measure:** Ad hoc.

- **Type of measure:** Resources (staff).

• **General aim of the measure:** The aim of the measure was to strengthen the capacity of the Belgian asylum and reception instances in order to guarantee fast and qualitative processing of applications for international protection and reduce the backlog, and provide accommodation to all applicants.

- **Key elements of the measure:**

Additional staff members were recruited for the migration, asylum and reception authorities:

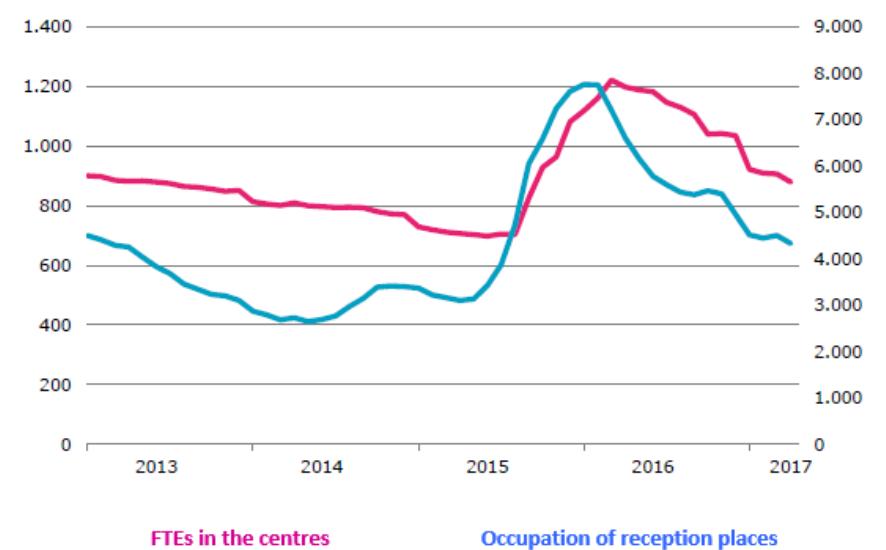
- In order to avoid a bottleneck at the **registration stage** – which is carried out by the **Immigration Office** - 52 FTEs were hired at the Immigration Office. 42 people were appointed to perform the intake interviews of applicants for international protection or to supervise those interviews, four collaborators for the registration procedure, two for fingerprinting, two for administrative purposes and two persons to guarantee the security in the waiting rooms. Furthermore, the Asylum Unit of the Immigration Office was (temporary) reinforced with staff members from other units of the Immigration Office and even with staff members from other Federal Public Services.

- The staff of the **Office of the Commissioner General for Refugees and Stateless Persons (CGRS)** was reinforced through the recruitment of 117 additional staff members responsible for **assessing the applications for international protection**. The objective was to substantially increase the number of asylum decisions and reduce the backlog and processing time. The Council of Ministers that took place on 25 May 2016 provided for an additional reinforcement of 92 FTEs for the CGRS, but due to the decreasing influx this number was reduced to 35 FTE who were contracted.

- In order to reinforcing the **return capacity** of the **Immigration Office** (increase the return of rejected asylum applicants), 103 FTE were hired (return procedures and staff to increase the number of places in closed reception centres).

- To cope with the swift increase of its **reception capacity**, the reception agency **Fedasil** hired 598 new FTEs between August 2015 and March 2016 (see figure below).

**Figure 6:**  
Evolution of the staff working in the reception centres, and occupation of the reception places between 2013 and 2017



Source: Fedasil.

65. [http://www.cgrs.be/sites/default/files/asylumstat\\_2016\\_en.pdf](http://www.cgrs.be/sites/default/files/asylumstat_2016_en.pdf), p.7

66. The Royal Decree of 3 August 2016 adds Georgia to the list of safe countries of origin and in the royal decree there is referred to the visa liberalisation process

• Authorities involved in drafting, proposing and approving the measure: State Secretary for Asylum Policy and Migration and the Council of Ministers.

• Authorities implementing the measure: Immigration Office, the Office of the Commissioner for Refugees and Stateless Persons (CGRS) and the federal reception agency Fedasil.

• Impact of the measure: Some of the newly recruited staff members of the **Immigration Office/CGRS** already started in the second half of 2015, but most of them were only fully operational in 2016. The reinforcement of the asylum/migration instances did not immediately lead to an increased input due to the fact that the newly recruited staff members had to be trained first (this was the case in particular for the newly recruited staff of the CGRS).

At the medium term, the **registration capacity increased insignificantly** and after a few months, the backlog at the registration stage could be absorbed. From mid-2016 onwards, the first instance backlog at the CGRS decreased month after month due to the increased input - partly as a consequence of the recruitment of additional staff. Furthermore, the number of places at the closed reception centres could be increased and more rejected applicants for international protection (and other persons in irregular stay) could be returned.

• Collateral/side effects and unforeseen effects: The recruitment of many additional staff members created some challenges, in particular for the CGRS, such as the challenge of training all the new staff members while at the same time continuing to ensure a high output (see also above on measure 5.2). Besides, every organisation has a certain absorption capacity to contract additional staff.

• Evaluation of the measure: Reporting was done **in the framework of AMIF** by the Immigration Office and CGRS.

The reporting in the framework of AMIF states that the number of files handled at the registration stage at the Immigration Office increased with 2,100 additional files per month and that by the end of the AMIF project the whole backlog was absorbed.

The CGRS could gradually raise the number of first instance asylum decisions with about 800 additional decisions per month. The objective of 850 additional decisions per month was thus almost met. From mid-2016 onwards, the first instance backlog at the CGRS started to decrease rapidly<sup>67</sup>.

Due to the increase of staff for return, identification units and the closed centres, the Immigration Office could create 131 additional places in the closed return centres and more return files could be organised in the second half of 2016.

According to the AMIF reporting, the deliverables have been met.

## 2.1.7 Law enforcement

### Measure 2.1.7.1 - RefuReturn project

- Duration of the measure: The measure started in 2016.
- Measure following an increase or decrease in numbers: Increase.
- New measure or change to an existing measure: New measure (although before the RefuReturn project<sup>68</sup> started, beneficiaries of international protection could already lose their protection status in case of return to the country of origin or because of contacting the authorities of their country of origin, e.g. applying for a new passport at the embassy or consulate).
- Structural or ad-hoc (temporary) measure: Structural.
- Type of measure: Interinstitutional / multi-agency working group: working group composed of the Immigration Office, the federal police, the Federal Public Service Foreign Affairs and the CGRS.
- General aim of the measure: The goal of the measure is to reinforce the exchange of information between different institutions/agencies within Belgium and with other Member in order to better monitor and detect beneficiaries of international protection travelling to their country of origin.
- Key elements of the measure: Some people who have been granted an international protection status temporarily return to their country of even though this is not allowed. On the basis of Belgian and EU law (articles 14 and 19 of the Qualification Directive), this can lead to a withdrawal of the international protection.

Within the framework of the so-called "**RefuReturn**" project, the Belgian authorities are focusing on awareness-raising, an advanced level of information sharing, and on the streamlining of information channels regarding this phenomenon.

An **interinstitutional working group** - composed of the Immigration Office, the federal police (including the airport police), the Federal Public Service Foreign Affairs and the CGRS - has been set up to facilitate the exchange of information on this topic.

Within the Immigration Office, a **new unit** (the follow-up international protection unit) was created in the second half of 2017. This unit has to coordinate within the Immigration Office all the cases of beneficiaries of international protection that (might) have travelled to their country of origin. The unit is also the single point of contact for external partners like the police and the CGRS.

Furthermore, in April 2017 an **instruction** was send to all Belgian consulates and embassies to pay more attention to this phenomenon<sup>69</sup>.

People who have been granted an international protection status in Belgium and are willing to temporarily return to temporarily their country of origin also make use of airports in neighbouring or other Member States to exit the European Union or enter it. As a consequence, Belgium has signed a **letter of intent** with the Netherlands (December 2016), Germany (May 2017) and with Italy (6 December 2018) in order to enhance control regarding the return of beneficiaries of international protection to their respective countries.<sup>70</sup> Belgium is pursuing the possibility of signing letters of intent with other interested Member States and other EU entities.

68. The EMN is conducting a study on 'beneficiaries of international protection travelling to their country of origin'. The EU synthesis report and the Belgian report will probably be published in the first half of 2019 on the website of the Belgian Contact Point of the EMN ([www.emnbelgium.be](http://www.emnbelgium.be)).

69. Belgian airport police, Asielfraude. Een resultaatgerichte aanpak vanuit een Europees netwerkend perspectief, October 2017.

70. Letter from the Belgian State Secretary for Asylum and Migration to the Minister of Interior of the Republic of Estonia (president of the JHA Council) regarding reinforced information exchange in the fight against fraud and criminality, 26 September 2017.

The Belgian authorities believe that it is important to aim for a more thorough European cooperation between the Member States in this regard, and is willing to play a pioneering role in this. This is the reason why the former Belgian State Secretary for Asylum Policy and Migration presented this project at the JHA Council of 12 and 13 October 2017.

- **Authorities involved in drafting and proposing the measure:** Belgian authorities (Immigration Office, the airport police, the Federal Public Service Foreign Affairs and the CGRS). But also Dutch and German authorities<sup>71</sup>.

- **Authorities involved in proposing and approving the measure:** Former State Secretary for Asylum Policy and Migration.

- **Authorities implementing the measure:** Belgian authorities (Immigration Office, the airport police, the Federal Public Service Foreign Affairs and the CGRS). But also Dutch and German authorities<sup>72</sup> and local authorities (e.g. municipalities and local police)<sup>73</sup>.

- **Impact of the measure:**

Between 1 January 2016 and 30 June 2018 305 cases were considered for cessation or withdrawal of international protection statuses based on travels to the country of origin.

The Belgian authorities have informed other Member States about multiple cases of beneficiaries of international protection who use Belgian airports to travel to their country of origin.

• **Evaluation of the measure:** The measure was evaluated by the Belgian authorities (quantitative follow-up). Every year there is also a trilateral (Belgium, the Netherlands and Germany) consultation. At this consultation general feedback is given, and statistics, state of play, positive points, and working points are being discussed.

## **2.1.8 Integration measures for applicants for international protection**

### **Measure 2.1.8.1 - Reinforcement of the specific schooling system in primary and secondary education for newly arrived pupils – French Community**

- **Duration of the measure:** The Government of the French Community (or Federation Wallonia-Brussels) took different measures between 2015 and 2018. The measures concerning the DASPA are valid for the school year<sup>74</sup>.

- **Measure following an increase or decrease in numbers:** Increase.
- **New measure or change to an existing measure:** Change to an existing measure.
- **Structural or ad-hoc (temporary) measure:** Ad-hoc.
- **Type of measure:** Legislative instrument; and resources (Reinforcement of the specific schooling system led schools to hire additional teachers).

- **General aim of the measure:** In the framework of the important inflow of applicants for international protection in Belgium, the Government of the French Community set up an **inter-ministerial working group** to define the different measures to be taken. This included measures to reinforce the specific schooling system in primary and secondary education for newly arrived pupils (the so-called "Dispositif de scolarisation et d'accueil spécifique à destination des élèves primo-arrivants" or "DASPAs") in order to respond to the needs following the important inflow of applicants for international protection in Belgium. Children usually attend these classes between one week and a year (maximum 18 months), before eventually joining a "regular" class. Applicants for international protection and refugees can attend these classes.

The overall aim of these DASPA is to ensure the integration of the newly arrived pupils in the schooling system of the French Community; to offer them educational and pedagogical support adapted to their learning profiles (such as the difficulties associated with a new language); and to offer them an intermediary schooling phase (of limited duration) before joining a "regular" class<sup>75</sup>.

- **Key elements of the measure:** The following measures were taken for the reinforcement of the DASPA:

- **Continuation of the existing DASPA:** In September 2015, the Government decided to keep the bridging classes in secondary education open during the following school year. This is an exemption to the general rule on the closure of the bridging classes, which can be granted by the Government.

- **Opening of new DASPA:** The Government also launched several calls for tenders to create additional bridging classes in primary and secondary education: the number of "DASPAs" evolved from a total of 64 DASPA (28 in primary education and 36 in secondary education) in September 2015 to a total of 80 DASPA (34 in primary education and 46 in secondary education) in December 2017<sup>76</sup>.

- **Additional "teaching periods"** for certain schools: The Government also decided to grant certain schools in primary and secondary education with additional "teaching periods".

- **Authorities involved in drafting and proposing the measure:** Proposal of the Minister of Further Education and the Minister for Education, Culture and Children of the French Community.

- **Authorities involved in proposing and approving the measure:** Proposal of the Minister of Further Education and the Minister for Education, Culture and Children of the French Community. Approval of the Government of the French Community.

- **Authorities implementing the measure:** Schools offering bridging classes.

• **Impact of the measure:** The reinforcement of the specific schooling system for newly arrived pupils meant that an important number of newly arrived children (applicants for international protection and beneficiaries of international protection) could follow classes provided by the schools of the French Community, thereby contributing to their **integration**.

• **Collateral/side effects and unforeseen effects:** A **constant fluctuation of the number of newcomers** in the DASPA over the months was noted. This meant that the means provided were not always adapted to the actual needs (as the means are calculated on the basis of the average number of pupils registered for a DASPA during the last 2 years).

Furthermore, it was also noted that the period of time a child can spend in a DASPA is limited to a year (with a possible extension of 6 months). This period of time appeared to be insufficient for certain children<sup>77</sup>.

- **Evaluation of the measure:** An evaluation form was sent to the **schools providing a DASPA** in January 2017. The evaluation showed<sup>78</sup> – inter alia – the number of arrivals of newcomers slightly decreased in 2016. There was an important number of Syrian newcomers. What's more, a relatively small number of the total number of registered pupils (a little less than 25%) seems to have been integrated in the "regular" education system following the bridging class<sup>79</sup>.

71. Report meeting RefuReturn on 19 October 2017 (participants: Immigration Office, federal police, Federal Public Service Foreign Affairs, CGRA, cabinet of the State Secretary for asylum policy and migration, and cabinet of the Minister of security and the interior).

72. Report meeting RefuReturn on 19 October 2017 (participants: Immigration Office, federal police, Federal Public Service Foreign Affairs, CGRA, cabinet of the State Secretary for asylum policy and migration, and cabinet of the Minister of security and the interior).

73. Belgian airport police, Asielfraude. Een resultaatgerichte aanpak vanuit een Europees netwerkend perspectief, October 2017.

74. As indicated in the Order of 18 May 2012, a "DASPA" can be continued from one school year to the next: a school can continue to provide these bridging classes on 1 September of a school year provided that at least 8 pupils have been registered – on average – during the two previous school years. If this is not the case, the "DASPA" has to close – unless an exemption is granted by the Government. If a reception centre for applicants for international protection (located near a school offering a "DASPA") is closed during the school year, the "DASPA" will not be organized or financed anymore starting on the following 1 September.

75. [http://www.gallilex.cfwb.be/document/pdf/37785\\_001.pdf](http://www.gallilex.cfwb.be/document/pdf/37785_001.pdf)

76. <http://www.enseignement.be/index.php?page=26430&navi=894>

77. Source : French Community.

78. When considering the results of the evaluation, it is worth keeping in mind that the responses obtained were sometimes lacking in detail or incomplete. The results are therefore to be taken with caution.

79. Source : French Community.

### **Measure 2.1.8.2 - Reinforcement of the courses of "French as a Foreign Language" and literacy (further education) for applicants for international protection and refugees – French Community**

- **Duration of the measure:** The Government of the French Community took different decisions in 2015 and 2016.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:** Change to an existing measure.

- **Structural or ad-hoc (temporary) measure:** Ad-hoc.

- **Type of measure:** Legislative instrument; and resources (the reinforcement of the courses of "French as a Foreign Language" and literacy led to additional staff being hired).

• **General aim of the measure:** In the framework of the important inflow of applicants for international protection in Belgium, the Government of the French Community set up an **inter-ministerial working group** to define the different measures to be taken. This included the **reinforcement of the French as a Foreign Language and literacy courses** - provided by the institutions for further education - for applicants/beneficiaries of international protection. The overall aim of these classes is to facilitate the integration of these migrants in society, in the local communities and in the labour market.

• **Key elements of the measure:** A total of around 24,000 additional annual « teaching periods » were granted by the Government (10,000 in October 2015 and 14,033 in March 2016) for courses in "French as a Foreign Language" and literacy. This meant that during the school year 2015/2016, around 2,500 applicants for international protection or refugees could benefit from these classes<sup>80</sup>.

These specific courses for applicants for international protection and refugees are now provided by 28 institutions (three in Brussels-Capital and 25 in Wallonia).

Furthermore, it is also worth mentioning that applicants for/ beneficiaries of international protection do not need to pay the registration fees for these courses.

• **Authorities involved in drafting the measure:** Proposal of the Minister for Further Education of the French Community<sup>81</sup>.

• **Authorities involved in proposing and approving the measure:** Proposal of the Minister for Further Education of the French Community. Approved by the Government of the French Community<sup>82</sup>.

• **Authorities implementing measures:** The institutions of Further Education providing « French as a Foreign Language » and literacy courses.

• **Impact of the measure:** Following the reinforcement of the courses of French as a Foreign Language and literacy, around 2,500 applicants for international protection or beneficiaries of international protection could benefit from these courses during the school year 2015/2016<sup>83</sup>.

- **Evaluation of the measure:** **No official evaluation** has been carried out. However, on the basis of the information available, the administration of the French Community concluded that the additional "teaching periods" granted by the Government of the French Community to the institutions of further education to remunerate the teachers of the courses of French as a Foreign Language and literacy courses seem to have been used by said institutions.

### **Measure 2.1.8.3 - Reinforcement of the specific schooling system in primary and secondary education for newly arrived pupils – Flemish Community**

- A. Additional resources for nursery education

- B. Increased flexibility regarding the programming regulation for full-time reception education for non-Dutch speaking newcomers in secondary education (OKAN)

- C. Change in the financing mechanism for the follow-up school coaches

- D. Rent subsidies for the installation of temporary modular units

- **Duration of the measure:**

- A. The measure started on 1 November 2015 for the school year 2015-2016. It was extended for the school year 2016-2017<sup>84</sup> and for the school year 2017-2018.

- B. The measure started on 1 November 2015 for the school year 2015-2016 and became structural.

- C. The measure started on 1 September 2016, and was extended for the school year 2017-2018.

- D. The measure started on 1 January 2016 and lasted until 31 December 2017.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:**

- A. New measure.

- B/C/D. Change to an existing measure.

- **Structural or ad-hoc (temporary) measure:** A/ B/C/D. Ad hoc.

- **Type of measure:**

- A / B. Legislative instrument (The Decree of 13 November 2015 of the Flemish Government containing urgent temporary measures in the context of an increasing number of non-native-speaking pre-schoolers and in terms of increasing the flexibility of the programming possibilities of reception education for non-Dutch speaking newcomers in secondary education was published in the Belgian Official Gazette on 23 November 2015).

- C. Legislative instrument (Decree of 30 August 2016 of the Flemish Government concerning primary and secondary education and the Centres for Pupil Guidance).

- D. Legislative instrument (Decree of 18 December 2015 of the Flemish Government concerning provisions to accompany the 2016 budget).

- **General aim of the measure:** All the above mentioned measures aim to **integrate the under-age newcomers who speak a foreign language into the regular educational system in Flanders** and a normal school career.

80. See : Question de Mme Laetitia Brogniez à Mme Isabelle Simonis, ministre de l'enseignement de promotion sociale, de la Jeunesse, des Droits des femmes et de l'Egalité des chances, intitulée « Accès à l'enseignement de promotion sociale pour réfugiés », 23 mai 2016.

81. <http://simonis.cfwb.be/le-gouvernement-de-la-f-d-ration-wallonie-bruxelles-prend-des-mesures-concr-tes-pour-r-pondre-aux-besoins-de-scolarisa-0> et <http://gouvernement.cfwb.be/initiatives-en-mati-re-d'accueil-des-r-fugi-s-la-f-d-ration-wal-lonie-bruxelles-anticipe-les-besoins-futurs>

82. <http://simonis.cfwb.be/le-gouvernement-de-la-f-d-ration-wallonie-bruxelles-prend-des-mesures-concr-tes-pour-r-pondre-aux-besoins-de-scolarisa-0>

83. See : Question de Mme Laetitia Brogniez à Mme Isabelle Simonis, ministre de l'enseignement de promotion sociale, de la Jeunesse, des Droits des femmes et de l'Egalité des chances, intitulée « Accès à l'enseignement de promotion sociale pour réfugiés », 23 mai 2016.

84. <http://simonis.cfwb.be/le-gouvernement-de-la-f-d-ration-wallonie-bruxelles-prend-des-mesures-concr-tes-pour-r-pondre-aux-besoins-de-scolarisa-0> et <http://gouvernement.cfwb.be/initiatives-en-mati-re-d'accueil-des-r-fugi-s-la-f-d-ration-wal-lonie-bruxelles-anticipe-les-besoins-futurs>

- Key elements of the measure:
  - A. As a result of the increased influx of refugee children, Flemish schools pointed out that they could not sufficiently absorb the influx of foreign language pre-schoolers with the regular means at their disposal. This specifically concerns children whose home language is not Dutch or newcomers. The Decision of the Flemish Government aimed to **make reception education for pre-school children possible**, just as in primary and secondary education. An additional EUR 950 was awarded per additional non-Dutch speaking child under the age of 5.
  - B. The **increased flexibility of the programming regulation** allowed secondary schools to apply - at any time during the school year (instead of no later than 1 April of the previous school year) - for the organisation of reception classes for non-Dutch speaking newcomers (OKAN) instead of no later than 1 April of the previous school year.
  - C. Flanders offers **reception classes in secondary education** to non-Dutch speaking newcomers who are subject to compulsory education. In the reception classes, the pupils receive Dutch language lessons for one year, after which they join the regular secondary education system. Schools can rely on follow-up school coaches to provide proper guidance during this transition. The coaches guide the pupils, their teachers and the school. Every school community that organized reception classes received **one full-time follow-up school coach** in the next school year, regardless of the number of pupils that needed follow-up. The financing mechanism for the follow-up school coaches was changed for the school year 2016-2017: every school that organizes reception classes will receive 0.9 hours of tutoring per regular non-Dutch speaking newcomer in the reception classes. With the new system, the number of follow-up school coaches will grow along with the number of non-Dutch speaking newcomers.
  - D. School boards indicated that they do not always have **sufficient physical capacity to accommodate the extra influx of refugee pupils**. Therefore, the Flemish Government decided to provide subsidies. If a school wants to temporarily expand its capacity in the context of the emergency reception for children of applicants for international protection and refugees, the school board can submit an **application for the subsidization and financing of the rent of temporary modular units**, in the first place in those municipalities where collective reception centres or local reception initiatives are present. The units are subsidized and funded for a minimum period of three and a maximum of 24 months with an expiration date of 31 December 2017. It is possible to include an extension clause in the contracts. This extension is also within the 24-month period with the end date of 31 December 2017.
- Authorities involved in drafting the measure:  
A/B/C/D. Flemish Government and the Flemish Minister for Education.
- Authorities involved in proposing and approving the measure:  
A/B. Commission Education in the Flemish Parliament, Flemish Government and Flemish Minister for Education.
- Authorities implementing the measure:
  - A/B. Nursery and secondary schools.
  - C. Secondary schools with reception classes.
  - D. Schools.

- Evaluation of the measure:
  - B. An **education-based policy and practice-oriented scientific research** "Cartography and analysis of reception education for non-Dutch speaking newcomers"<sup>85</sup> was published in January 2017 by the Universities of Ghent, Antwerp and Louvain.

Although the data relate mostly to the school years prior to the increased influx of refugees (school year 2008-2009 up to and including the school year 2013-2014), an **online survey** of all 42 secondary schools with reception classes and some primary schools in the school year 2014-2015 and an expert seminar with Flemish and international experts in the field of reception education and stakeholders from the educational field in May 2016 was also organized. The research shows that, despite the great efforts of committed and motivated teachers, reception education does not sufficiently succeed in achieving its objectives (focusing on Dutch language acquisition and social integration), and guiding students towards the path towards a successful educational career. The research comes to the following central recommendation: reception education for non-Dutch speaking newcomers in Flemish primary and secondary education is best organized from an integrated, inclusive perspective and no longer - organizational and pedagogical-didactic - as an additional (primary schools) or completely separate (secondary schools) educational programme of limited duration (one year) aimed at full participation in mainstream education, but as a reception programme that starts with the inflow in the regular education and continues during the further school career. The Flemish Minister of Education will start a consultation process with all stakeholders to make targeted adjustments in order to strengthen the organisation of the reception education taking in account the areas of concern highlighted by the research of the Universities of Ghent, Antwerp and Louvain<sup>86</sup>, information and recommendations from other sources<sup>87</sup> and feedback from the terrain<sup>88</sup>.

- C. The measure was evaluated by the **Flemish Education Inspectorate**. The evaluation showed that because of the expansion of the hours package, the follow-up school coaches can handle more tasks, but they can also carry out these tasks more efficiently and with more care and more tailored to the individual pupil. The survey also shows that there is a positive impact on the learning performance of non-Dutch speaking newcomers and on their well-being. As a result, their chances of success increase and there is less dropout. The transition to another school is easier than before. Also because these schools, due to the more intensive contacts with the coaches, show a growing willingness to receive former reception class pupils<sup>89</sup>.

#### Measure 2.1.8.4 - Reinforcement of the courses of "Dutch as a Second Language" and literacy (further education) for applicants for international protection – Flemish Community

- Duration of the measure: The measure was started for the school year 2015 – 2016, and was extended for the school year 2016-2017, and for the school year 2017-2018.
- Measure following an increase or decrease in numbers: Increase.
- New measure or change to an existing measure: Change to an existing measure.
- Structural or ad-hoc (temporary) measure: Ad-hoc.

85. <http://simonis.cfwb.be/le-gouvernement-de-la-f-d-ration-wallonie-bruxelles-prend-des-mesures-concr-tes-pour-r-pondre-aux-besoins-de-scolarisa-0>

86. Question de Mme Laetitia Brogniez à Mme Isabelle Simonis, ministre de l'Enseignement de promotion sociale, de la Jeunesse, des Droits des femmes et de l'Égalité des chances, 23 May 2017. The Flemish Minister notes that the context surrounding reception education has very much changed in terms of intake, organization and policy compared to the time of the research question and the data collection of the research (2008-2014) by the Universities of Ghent, Antwerp and Louvain.

87. Sources such as the Annual Report of the Education Inspectorate, 2016, 194p. available in Dutch on <https://www.vlaanderen.be/nl/publicaties/detail/onderwijsspiegel-2016-jaarlijks-rapport-van-de-onderwijsinspectie>.

88. More information in Dutch available on <https://www.vlaamsparlement.be/commissies/commissievergaderingen/1145745/verslag/1153843>.

89. Flemish Education Inspectorate, Monitoring report of the renewed regulation on the follow-up school coaches, August 2017, <http://www.onderwijsinspectie.be/andere-opdrachten/andere/okan-rapport>.

• **Type of measure:** Legislative instrument (Decree of the Flemish Government of 15 June 2007 concerning adult education - Decree of the Flemish Government 18 December 2015 containing provisions to accompany the 2016 budget - Decree of the Flemish Government of 8 July 2016 containing provisions to accompany and adapt the 2016 budget - Decree of the Flemish Government containing provisions to accompany the 2017 budget).

• **General aim of the measure:** The measure aims at providing a sufficient offer of Dutch as a Second language programmes.

• **Key elements of the measure:** The offer of **courses of Dutch as a second language** (NT2) provided by the Centres for Adult Basic Education (CBE), the Centres for Adult Education (CVO), and the University Language Centres (UTC) as part of the civic integration trajectory in Flanders, was increased. The financial resources made available in 2016 and 2017 were used for extra teacher hours (CVO), full-time equivalents (CBE), operational resources and administrative support (25.5 (CVO) and 47.7 (CBE) teachers were deployed and 929 extra NT2 modules were set up).

Furthermore, the budget for the organization of NT2 trajectories during the summer months was doubled in 2016 and 2017 - as were the resources to provide NT2 trajectories at the four University Language Centres (UTC) in 2016 and 2017.

Furthermore, in order to guarantee that an NT2 offer could also be set up in the new, temporary reception centres, it was made possible by decree that the CVO could be given a temporary (school year 2016 - 2017) teaching authority via an accelerated procedure. In 5 places, an extra, temporary teaching authorization was granted in this way<sup>90</sup>.

• **Authorities involved in drafting the measure:** Minister of Education, Minister of Integration

• **Authorities involved in proposing and approving the measure:** Minister of Education, Minister of Integration, the Flemish Government

• **Authorities implementing the measure:** Centres for Adult Basic Education (CBE), the Centres for Adult Education (CVO), and the University Language Centres (UTC).

• **Evaluation of the measure:** A **survey** was carried out by the Association of Flemish Cities and Municipalities on the integration of refugees<sup>91</sup>.

Despite the efforts of the Flemish government to increase the NT2 offer, the survey shows that **42% of the respondents find the offer in the municipality and / or region insufficient**. The local authorities are also little involved in the organisation of the formal offer. The waiting time for participants is considered especially problematic by the local authorities. In practice, there is a big gap in this area between Flemish policy and the needs that exist locally. For the Flemish government "a person is on the waiting list when he has completed the full intake in the House of Dutch and cannot start an appropriate course within a six-month period." However, the survey shows that four out of five respondents find a waiting list of between five and six months very problematic. According to 65% of the respondents, the waiting time for a formal NT2 course lasts two to three months. The problematic waiting times have led the local authorities to massively deploy their own initiatives to offer opportunities to learn Dutch. For all these initiatives, the local authorities call upon volunteers.

#### Measure 2.1.8.5 - Recognition and equivalence of a foreign diploma or certificate

A. Flanders: new trajectory towards a broader recognition of the qualifications of refugees  
B. French Community: specific provisions for beneficiaries of international protection

• **Duration of the measure:**

- A. The project was started in September 2016. It was intended for two academic years. The pilot project was extended to the academic year 2018-2019.
- B. The Decree entered into force in September 2016.

• **Measure following an increase or decrease in numbers:** Increase.

For the French Community, only Chapter 3 of the Decree of 29 June 2016, which introduces specific provisions for refugees and beneficiaries of international protection, was affected by the increase. As a whole, the Decree is not directly linked to the increase in the number of applicants for international protection. A modification of the legislation of the French Community regarding academic recognition/equivalence was already foreseen. However, the increase in the number of applicants for international protection led to a broadening of the discussion and to a mobilization on the political level on defining a specific procedure for beneficiaries of international protection).

• **New measure or change to an existing measure:**

- A. New measure (pilot project).
- B. Change to an existing measure.

• **Structural or ad-hoc (temporary) measure:**

- A. Ad-hoc.
- B. Structural.

• **Type of measure:**

- A. Other: Pilot project based on a signed agreement between the Flemish Interuniversity Council (VLIR) and the National Academic Recognition Information Centre (NARIC) Flanders.
- B. Legislative instrument (The Decree of the Government of the French Community of 29 June 2016 regarding the equivalence of titles, diplomas and certificates of higher education issued abroad was published in the Official Belgian Gazette on 16 September 2016 and entered into force on 15 September 2016<sup>92</sup>).

• **General aim of the measure:**

- A. The aim of this measure was to achieve **broader recognition of refugee qualifications** (since the recognition of foreign diplomas is an important lever for integration and employment).
- B. Chapter 3 of the Decree, which focuses on beneficiaries of international protection, aims at **adapting the procedure of equivalence of titles/diplomas/certificates of higher education** to the specific situation of this category of migrants. The overall aim is to facilitate the integration of beneficiaries of international protection in society (including on the labour market) through the recognition of their diplomas of higher education<sup>93</sup>.

• **Key elements of the measure:**

- A. The **pilot project**, introduced by the Flemish Interuniversity Council (VLIR) and NARIC, allows refugee students who have **incomplete documentation** to take an **alternative route** towards the specific recognition of a diploma (instead of only a recognition on the level of the foreign study certificate). The trajectory comprises **(1)** attending a limited number of courses in an English taught master discipline related to their field of study and **(2)** following a seminar, practical training sessions, or writing a paper. On the basis of this,

90. Source: Aron De Hondt, Adjunct of the director, Agency for higher education, adult education, qualifications and study grants (AHOVOKS), 11 December 2017.

91. Association of Flemish Cities and Municipalities, Survey on the Integration of refugees, May 2017, 34p.

92. [http://www.gallilex.cfwb.be/document/pdf/42864\\_000.pdf](http://www.gallilex.cfwb.be/document/pdf/42864_000.pdf)

93. Question de M. Fabian Culot à M. Jean-Claude Marcourt, sur les équivalences en Fédération Wallonie-Bruxelles pour les candidates réfugiés, 3 October 2017, <http://archive.pfwb.be/100000002076006>

academic staff involved in the programmes are expected to produce **advice** concerning recognition to NARIC, which may also include advice on how to pursue a Flemish degree. At present, this alternative route is available for refugee students who apply for recognition of their master degrees in natural sciences, engineering, economy and business studies. This is, on the one hand, a reflection of demand – it appears that the majority of recognition applications from refugee students concern these areas, but on the other hand it reflects the supply of English-language study programmes, which, in the Flemish case, are so far available almost only on the Master level, and in a limited number of fields.

- B. Chapter 3 of the Decree of the Government of the French Community introduces **specific provisions for refugees and beneficiaries of international protection**:

- When refugees and beneficiaries of subsidiary protection are **not able to provide the documents requested** in the framework of a procedure to request a specific equivalence or an **equivalence of the level of the studies**, they can still request an equivalence of the level of studies. They can obtain an equivalence of the level of their studies – following an advice from the Equivalence Committee – by submitting a minimum of documents (ID, CV, any document proving that they have a diploma of higher education, a document proving that they have the status of refugee or beneficiary of international protection). The Equivalence Committee can also decide to hear the applicant.
- Refugees and beneficiaries of subsidiary protection are **exempted from paying the fees** associated with the equivalence procedure.

- **Authorities involved in drafting the measure:**

- A. Flemish Interuniversity Council (VLIR) and the National Academic Recognition Information Centre (NARIC) Flanders (Agency for higher education, adult education, qualifications and study grants (AHOVOKS) of the Ministry of Education and Training).
- B. Administration of the French Community.

- **Authorities involved in proposing and approving the measure**

- A. Flemish Interuniversity Council (VLIR) and the National Academic Recognition Information Centre (NARIC) Flanders (Agency for higher education, adult education, qualifications and study grants (AHOVOKS) of the Ministry of Education and Training).
- B. Proposal of the Minister for Higher Education, Research and the Media and the Minister for Further Education of the French Community. Adopted by the Government of the French Community.

- **Authorities implementing the measure:**

- A. Flemish Interuniversity Council (VLIR), the Flemish Universities (University of Leuven, University of Antwerp, Ghent University, Hasselt University and Vrije Universiteit Brussel) and the National Academic Recognition Information Centre (NARIC) Flanders.
- B. The Minister competent for Higher Education and the Minister competent for Further Education are in charge – each as regards the matters that concern them – of the implementation of this Decree. In practice, Chapter 3 of the Decree is implemented by the administration of the French Community in charge of the equivalence of titles/diplomas and certificates obtained abroad.

- **Impact of the measure:**

- B. The number of requests for an equivalence of diploma from beneficiaries of international protection increased since the coming into force of the Decree of the Government of the French Community: from 11 in 2016 to 55 from 1 January until 31 August 2017<sup>94</sup>.

- **Evaluation of the measure:**

- A. A **short internal evaluation of the project** was held in February 2017 by the Flemish NARIC and the association of Flemish universities (VLIR), after which the project was prolonged for the academic year 20018-2019. **Another evaluation** on the recognition of qualifications held by refugees and their access to higher education in Europe was done by the European Students' Union (ESU)<sup>95</sup>.

The evaluation of ESU on the situation in Flanders demonstrated that experts **did not find the problem of incomplete documentation that acute** (i.e. most refugee students take extra precautions in reaching Flanders and are able to provide at least degree certificates, or copies thereof). Moreover, some of the universities in the countries with the highest numbers of refugees (Iraq and Syria) remain operational, so it is not impossible to obtain relevant documentation from them. The language challenge for foreign-language students in Flanders however remains<sup>96</sup>

- B. Even though this measure has **not officially been evaluated yet**, the efficiency of the provisions for beneficiaries of international protection already led to **discussions in the Parliament of the French Community** (for example, several parliamentary questions focused on this topic). One of the points that stands out from these discussions is the fact that additional efforts still need to be made in order to **increase awareness** of beneficiaries of international protection on this measure. Certain measures have already been taken to this effect<sup>97</sup>.

#### **Measure 2.1.8.6 - Employment of applicants for/beneficiaries of international protection**

- A. Earlier access to the labour market
- B. Taskforce Refugee Crisis of the Federation of Enterprises in Belgium (FEB)<sup>98</sup>
- C. Public Employment Services.

- **Duration of the measure:**

- A. The measure started in October 2015. There is no end foreseen.
- B. The taskforce was set up in September 2015, and lasted until September 2017.
- C. Since 2015, various initiatives have been implemented by the Regional Public Employment Services.

- **Measure following an increase or decrease in numbers:** Increase.

- **New measure or change to an existing measure:**
- A. Change existing measure.
- B. New measure.
- C. Change to an existing measure and new measure.

- **Structural or ad-hoc (temporary) measure:**

- A and C. Structural.
- C. Ad hoc.
- **Type of measure:**
- A. Legislative instrument (Royal Decree of 29 October 2015 amending Article 17 of the Royal Decree of 9 June 1999 concerning the implementation of the law of 30 April 1999 on the employment of foreign employees<sup>99</sup>).
- B. Specific interinstitutional / multi-agency working group on the situation.
- C. Soft measures, protocol agreements and resources.

- **General aim of the measure:**

- A. Reducing the **waiting period** of six months between the application for international protection and access to the labour market should contribute to a **successful integration**. By giving applicants for international protection quicker access to regular employment, they could also provide their own means of subsistence faster and contribute to the Belgian society.

94. European Students' Union (ESU), Refugees welcome? Recognition of qualifications held by refugees and their access to higher education in Europe – country analyses, Brussels, April 2017.

95. See for example: <http://archive.pfwb.be/1000000020650d7>.

96. The Federation of Enterprises in Belgium (FEB) is the only multisector employer organisation representing companies in Belgium's three regions: Brussels, Flanders and Wallonia. FEB represents more than 50,000 companies, accounting for 75% of employment in the private sector.

97. Royal Decree of 29 October 2015 amending Article 17 of the Royal Decree of 9 June 1999 concerning the implementation of the law of 30 April 1999 on the employment of foreign employees, Belgian Official Gazette, 9 November 2015, [http://www.ejustice.just.fgov.be/cgi\\_loi/loi\\_a.pl](http://www.ejustice.just.fgov.be/cgi_loi/loi_a.pl)

- B. In response to the requests of numerous companies and sectors, the Federation of Belgian Enterprises (FEB) established a “**Taskforce Refugees**”, bringing together members of sectoral federations, employers and experts from organizations or associations, and public institutions, in order to define a set of measures. These measures are oriented according to the **direct needs** of public organizations (e.g. Public Employment Services), associations and NGOs active in the field (e.g. UNHCR, Red Cross, Caritas), and are deployed on multiple axes. The Task Force opted for a contribution from the business world that is ‘doable’, ‘useful’ and ‘legal’ to address the important inflow. The Task Force defined **three essential objectives**: facilitate the integration of people arriving on our territory in our society and in the economic world (focus); contribute to solutions for challenges such as education and training, employment, the need for housing and equipment, funding, support; and coordination and coordinated efforts on a long-term perspective. The aims of the programme are reached in collaboration with public authorities and non-governmental organizations, in order to examine what assistance Belgian companies can provide.

- C. Since work is considered one of the most important factors to ensure a rapid and sustainable integration of applicants for international protection and refugees, the Public Employment Services elaborated different initiatives and cooperation agreements in order to **facilitate a faster access to the labour market** of these migrants.

- **Key elements of the measure:**

- A. The waiting period for applicants for international protection was shortened. They can now be granted access to the labour market **after having spent four months (instead of a six months) in the international protection procedure** without having received a first instance decision from the Office of the Commissioner General for Refugees and Stateless Persons (CGRS). A work permit (type C) will be issued. For applicants for international protection who want to be self-employed workers, a professional card is required.

- B. **The Task Force** has chosen a clustered approach, with a focus on financial and material support on the one hand, and education and employment on the other, with specific and tangible projects:

- Specific projects / realizations with regard to **financial and material support** include a specific plan for the targeted collection of specific goods by the staff of enterprises, organized in collaboration with the non-for profit association “Goods to Give”<sup>100</sup> and the establishment of a procedure and a uniform information sheet for banking agencies with regard to the legal framework and obligations of basic banking services.
- Specific projects / realizations with regard to **education and employment** include the publishing of a practical guide for employers, with answers to the questions from employers who want to train and / or recruit applicants for international protection and refugees and a description of the accompanying measures provided by the Public Employment Services<sup>101</sup>, contributing to temporary and permanent employment opportunities for newcomers, through the facilitation of targeted interaction with employment agencies and business sectors and motivating business leaders and employees to participate in civic and integration programs for asylum seekers and refugees (providing explanations on work culture, business, recruitment policy, the workplace, etc.).

- C. **The Public Employment Services** of Flanders (VDAB), the Walloon Region (Le Forem), the Brussels-Capital Region (Actiris) and the German speaking Community (Arbeitsamt der Deutschsprachigen Gemeinschaft) took part in the Taskforce Refugee Crisis of the Federation of Enterprises in Belgium (see above). The VDAB and Le Forem took further actions regarding the **integration of applicants for/beneficiaries of international protection into the labour market** (see below). Actiris and the Arbeitsamt der Deutschsprachigen Gemeinschaft offer the same services to applicants for /beneficiaries of international protection as to any other job seeker.

Mid-2015, the **Flemish Public Employment Service (VDAB)**, in partnership with the Flemish Agency for Integration and Civic Integration, decided to offer more specific civic integration programmes focussing on employment. This approach led (in April 2016) to the **action plan “Integration through Work”**<sup>102</sup>. This action plan aims to effectively and efficiently guide jobseekers with a migration background to available vacancies, while providing the right professional-oriented language skills, technical and soft skills that they need in order to access the labour market and to integrate them faster into the labour market, and at the level that best corresponds to their skills and educational qualifications. Where possible, this involves an integrated career pathway approach that is based on on-the-job training. The VDAB has taken a number of actions as part of the initiative, including additional recruitment and training of mediators, increased use of language training and expanding existing mechanisms for workplace training.

**Wallonia** reinforced its policy for the socio-professional integration of newcomers into the labour market through the decision of the Walloon Government of 3 March 2016 on **“newcomers: implementation of the scheme for socio-professional insertion”**. The target group is limited to certain “newcomers” residing in Wallonia, more precisely third-country nationals who have been residing in Belgium for less than three years and who meet certain conditions regarding their residence<sup>103</sup> and work<sup>104</sup> permits<sup>105</sup>. The overall aim of the Walloon scheme is to **facilitate the integration of newcomers into the Walloon labour market**. The Walloon government tasked the Walloon Public Employment Service (Forem) with coordinating the pathway of newcomers towards the labour market. Following a socio-professional evaluation and an identification of competences, relevant job offers or services are proposed to the newcomer - either by the Forem or by its partners. This may include professional training, job coaching, assistance with the validation of competences, etc. The rationale behind the programme is that the specific needs of newcomers are difficult to anticipate. It is therefore important to identify the newcomer’s skills and competences at an early stage and to adapt the offer of services on the basis of the needs identified. This means that specific measures focused on migrants were not created, but rather that existing ones were strengthened (to be adapted or complemented by other measures if necessary).

In this framework, so-called **“migrants’ platforms”** of the Forem were created at the local level. Those single contact points are tasked with the organization of the socio-professional integration pathway of newcomers at a local level. They are multi-disciplinary platforms organized around counsellors and trainers; and are led by project leaders. The Forem is also responsible for concluding cooperation agreements between the relevant external stakeholders (i.e. dealing with newcomers), in order to formalize the relations between them.

Furthermore, both the VDAB and Le Forem created **websites for employers** who want to employ people with a migrant background<sup>106</sup>.

Finally, cooperation agreements were concluded between **Fedasil and the Flemish and Walloon Public Employment Services**:

- On 14 July 2016, the Flemish Minister for Work and the State Secretary for Asylum and Migration Policy signed a letter of intent to establish a structural cooperation between the **Flemish Public Employment Service (VDAB) and Fedasil** with regard to the integration of applicants for international protection through employment. The purpose of this partnership is to inform all residents in the reception structures about access to the labour market, and to provide the staff of the reception structures with the necessary resources and information to assist them. The convention sets the roles and tasks of the reception structures, the Public Employment Service and the residents themselves. An instruction from Fedasil of 6 February 2017 operationalizes this agreement. The instruction came into force on 20 February 2017 for the collective reception structures and on 27 March 2017 for the individual

102. Programme Integration through Work – Action plan 2017, VDAB, 33 pp.

103. See: [https://dofi.ibz.be/sites/dvzoe/FR/Guidedesprocedures/Pages/Le\\_droit\\_de\\_sejourner.aspx](https://dofi.ibz.be/sites/dvzoe/FR/Guidedesprocedures/Pages/Le_droit_de_sejourner.aspx)

104. <http://emploi.wallonie.be/home/travailleurs-etrangers/permis-de-travail.html>

105. These conditions are: have a valid registration document (“attestation d’immatriculation”) and a work permit type C; have a valid residence permit type A and a work permit type C; have a valid residence permit type A or B and be exempted from a work permit; have a valid Annex 35 and a work permit type C (or be exempted from it). See: <https://www.leforem.be/accompagnement-primo-arrivants.html>.

106. See: [www.werkgevers.vdab.be/werkgevers/integratie-door-werk](http://www.werkgevers.vdab.be/werkgevers/integratie-door-werk) and [www.leforem.be/entreprises/recruter-ressortissant-etranger-infos.html](http://www.leforem.be/entreprises/recruter-ressortissant-etranger-infos.html).

100. The non-profit organisation “Goods to Give” collects new non-food products from companies and redistributes them to the less fortunate through a network of social organizations that fight against poverty in Belgium (see [www.goodstogive.org/fr/](http://www.goodstogive.org/fr/)).

101. Available in Dutch and French: <http://www.vbo-feb.be/publicaties/gids-voor-werkgevers--opleiden-en-tewerkstellen-van-asielzoekers-en-vluchtelingen/>

reception structures and aims to inform all residents in Dutch-language reception centres about access to the labour market, and to provide the reception structures with the necessary means and information to support their residents and to direct them to the VDAB.

On the 29 of August 2017, a similar agreement was signed between the **Walloon Minister for Work and the State Secretary for Asylum and Migration Policy** to establish a structural cooperation between the Walloon Public Employment Service (Ie Forem) and Fedasil. Negotiations are currently underway for a similar agreement with the Brussels Capital Region and Actiris, the Brussels Public Employment Service. These agreements ensure that the Public Employment Services can make their services known directly to applicants for international protection.

• **Authorities involved in drafting the measure:**

- A. Federal Minister of Economy and Employment.
- B. Federation of Enterprises in Belgium.
- C. Federal Minister of Economy and Employment, Public Employment Services, Federal Agency for the Reception of Asylum Seekers.

• **Authorities involved in proposing and approving the measure:**

- A. The Federal Minister for Economy and Employment after constructive consultation with the employers and employees of the entire Group of Ten (the most important consultative body of trade unions and employers), to exchange ideas about the option to introduce asylum seekers faster to the labour market.
- B. This task force is composed of the Federation of Enterprises in Belgium (FEB), the sector federations (including Febelfin, Federgon, Agoria, ...), employers' organizations (including Voka, Unizo), companies (including Accenture, KBC, bpost), public institutions, (e.g. Fedasil, Myria, UNHCR), public employment services (including VDAB, Actiris), and NGOs (including King Baudouin Foundation, Red Cross, Caritas, ...).
- C. Federal Minister of Economy and Employment, Public Employment Services, Flemish and Walloon Minister for Work and the State Secretary for Asylum and Migration Policy.

• **Authorities implementing the measure:**

- A. The Regional Authorities competent for issuing professional cards and work permits.
- B. This task force is composed of the Federation of Enterprises in Belgium (FEB), the sector federations (including Febelfin, Federgon, Agoria, ...), employers' organizations (including Voka, Unizo), companies (including Accenture, KBC, bpost), public institutions, (e.g. Fedasil, Myria, UNHCR), public employment services (including VDAB, Actiris), and NGOs (including King Baudouin Foundation, Red Cross, Caritas, ...).
- C. The Public Employment Services, the Public Social Welfare Centres, the Flemish Agency for Integration and Civic Integration, the reception network (reception centres, local reception initiatives) of Fedasil, the Association of Flemish Cities and Municipalities (VVSG) and educational facilities.

• **Evaluation of the measure:**

- B. **An evaluation was carried out by the Federation of Enterprises in Belgium.** The evaluation showed that the Task Force has become a connecting platform for all kinds of initiatives and contacts between a multitude of stakeholders. This role proved essential in the fragmented Belgian landscape. This network function of the Task Force should not be underestimated. It was one of the most appreciated contributions by civil society. The Task Force was also recognized by various governments as a unique channel and forum on refugees and employment<sup>107</sup>.

**Measure 2.1.8.7 - Additional funding for local authorities**

- A. Additional integration funding for Flemish and Brussels municipalities
- B. Additional reimbursement of the (equivalent) integration income to the Public Social Welfare Centres (PSWCs)

• **Duration of the measure:**

- A. **Flanders:** The amount of EUR 20 million is allocated in two instalments of EUR 10 million each. For the calculation of the first instalment, the period from 1 November 2015 to 31 May 2016 is taken into account and for the second instalment, the period from 1 April 2016 to 31 October 2016 is taken. On 23 December 2016, the Government of Flanders made an additional EUR 2,554 million available for the support of the municipalities. This amount is added to the second instalment of EUR 10 million, which means that an amount of EUR 12 554 000 is distributed for the second instalment. These additional funds were granted on the basis of the reference period from 1 April 2016 to 31 October 2016. The municipalities can use these funds from 1 January 2016 until 31 December 2018. **Brussels-Capital Region:** 2015–2016 and a new decision of the Brussels-Capital Government of 15 December 2016 to grant a special subsidy of EUR 912,015 to the nineteen municipalities<sup>108</sup>.

- B. The measure is implemented in 2016 and 2017.

• **Measure following an increase or decrease in numbers:** Increase.

• **New measure or change to an existing measure:**

- A. New measure.
- B. Change to an existing measure.

• **Structural or ad-hoc (temporary) measure:** Ad-hoc (temporary) measure.

• **Type of measure:**

- A. **Flanders:** Legislative instrument (The Decision of the Flemish Government of 13 May 2016<sup>109</sup> concerning the determination of the conditions for granting subsidies to municipalities in connection with the refugee problem, was published in the Belgian Official Gazette in June 2016).

**Brussels Capital Region:** Legislative instrument (Decision of the Brussels-Capital Government of 10 December 2015 to grant a special subsidy of EUR 850,000 to the nineteen municipalities of the Brussels Region in application of the ordinance of 13 February 2003.<sup>110</sup> A second Decision was adopted in 2016: Decision of the Brussels Capital Region of 15 December 2016 to grant a special subsidy of EUR 912,015 to the nineteen municipalities of the Brussels Region in application of the ordinance of 13 February 2003.

- B. Legislative instrument (The law of 21 November 2016<sup>111</sup> to promote the integration of recognized refugees and subsidiary protected persons in the context of follow-up after the asylum procedure was published in the Belgian Official Gazette on 13 December 2016. This law enters into force on 1 January 2016<sup>112</sup>).

• **General aim of the measure:**

- A. The aim of the measure is to **enhance the integration** of applicants for international protection and beneficiaries of international protection<sup>113</sup>: Local authorities - as **first-line authorities** - are facing a number of challenges regarding refugees' integration. They are also the ones well placed to provide answers to these challenges which requires an integrated approach with regard to, among other things, counselling of unaccompanied foreign minors, guidance to housing, medical or psychosocial support, family support, etc. Because

108. [http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=2016121528&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2016121528&table_name=loi)  
109. [http://www.ejustice.just.fgov.be/cgi/article\\_body.pl?language=nl&caller=summary&pub\\_date=16-06-17&num=2016035890](http://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&caller=summary&pub_date=16-06-17&num=2016035890)

110. [http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&cn=2015121014&table\\_name=loi](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2015121014&table_name=loi)

111. [https://www.mi-is.be/sites/default/files/documents/wet\\_21\\_november\\_2016.pdf](https://www.mi-is.be/sites/default/files/documents/wet_21_november_2016.pdf)

112. The act to promote the integration of recognized refugees and subsidiary protected persons in the context of follow-up after the asylum procedure of 21 November 2016 amends both the Act of 26 May 2002 on the Right to Social Integration for the subsidization of the integration income and the Act of 2 April 1965 for the subsidization of the equivalent integration income. Beneficiaries of subsidiary protection were, until 31 November 2016, entitled to an equivalent integration income. From 1 December 2016 beneficiaries of subsidiary protection are eligible for social integration under the Act on the Right to Social Integration just as recognized refugees.

113. Please note that the target group for the Brussels Capital Region is broader than just migrants.

107. FEB, 2015 – 2017, 2 Years FEB Task Force Refugees, September 2018. Available in Dutch and French (with English Summary on [http://www.vbo-feb.be/globalassets/actiedomeinen/ethiek--maatschappelijke-verantwoordelijkheid/glijke-kansen/task-force-vluchtelingscrisis-blaast-twee-kaarsjes-uit/rapport-2-jaar-vbo-taskforce-vluchtelingen\\_versie-nl.pdf](http://www.vbo-feb.be/globalassets/actiedomeinen/ethiek--maatschappelijke-verantwoordelijkheid/gelijke-kansen/task-force-vluchtelingscrisis-blaast-twee-kaarsjes-uit/rapport-2-jaar-vbo-taskforce-vluchtelingen_versie-nl.pdf)).

of the pressure generated by the important influx of applicants for international protection and refugees, the Flemish and Brussels-Capital Government supports the municipalities where the biggest challenges occur.

- B. The aim is to enhance the **integration** of beneficiaries of international protection, by providing extra resources in order to guarantee the social integration of beneficiaries of international protection and support the search for housing, schools for children, training, etc.

- **Key elements of the measure:**

- A. **The Flemish Government** provided a provision of EUR 22,554 million to support the Flemish municipalities with the integration of refugees. The subsidy is allocated on the basis of objective criteria to the municipalities "where the problem is most serious". The funds must be used to meet the needs of the increased influx of beneficiaries of international protection. The following criteria and the following weighting coefficients are used for the distribution of the two instalments: 70% for the inflow into the municipality of recognized refugees and beneficiaries of subsidiary protection, 20% for the number of persons of foreign origin in 2014 on the territory of the city or municipality and 10% for the social standards as included in the Flemish Municipal Fund. The lower limit for eligibility for the subsidy is that there are at least ten people in the influx of applicants for international protection, recognized refugees and subsidiary protected persons who become part of the target group of the civic integration trajectory in the relevant period. The selected municipalities can use the funds allocated to take up the local control over the "asylum crisis" and to strengthen the existing offer. 165 Flemish municipalities made use of this additional funding (of both the first and second instalment or one of the instalments). 143 Municipalities received neither resources from instalment 1 nor from instalment 2.

**The Brussels-Capital Government** granted a special subsidy of EUR 850,000 in 2016 and EUR 912,015 in 2017 to help the **Brussels Public Social Welfare Centres** (PSWCs) support migrants, Roma, homeless people and caravan dwellers. All the municipalities of the Brussels-Capital Region received a letter from the Minister-President concerning the granting of the subsidy and the obligation to immediately pay the amount to the PSWCs. In that context, an agreement had to be signed between the municipality and the Region.

- B. The existing budget was insufficient within the context of the refugee crisis. In order to guarantee the social integration of beneficiaries of international protection and to offer each of them appropriate support in the search for housing, schools for children, training, etc., extra support was necessary. Therefore, the **PSWCs received extra funding from the federal government aimed at the integration of beneficiaries of international protection**. For 2016 and 2017, an additional allowance of 10% of the subsidy amount of the (equivalent) integration income was payable to the PSWC for every person who receives an (equivalent) integration income for the first time in 2016 or 2017 in the capacity of recognized refugee or beneficiary of subsidiary protection. In other words, 110% of the amount granted as (equivalent) integration income is reimbursed to the PSWCs by the Federal Government. The temporary measure only applies for the duration that the benefit runs in 2016 and in 2017.

- **Authorities involved in drafting the measure:**

- A. Flanders: Flemish Government and the Flemish Minister for Local and Provincial Government, Civic Integration, Housing, Equal Opportunities and Poverty Reduction.  
Brussels-Capital Region: The Brussels-Capital Government ("De Minister-President van de Brusselse Hoofdstedelijke Regering bevoegd voor Plaatselijke besturen").
- B. The Federal Public Planning Service (PPS) Social Integration.

- **Authorities involved in proposing and approving of each measure:**

- A.Flanders: The Association of Flemish Cities and Municipalities (in the autumn of 2015, the Association asked the Flemish government to support the local authorities for the integration of the incoming refugees) the Flemish Government and the Flemish Minister for Local and Provincial Government, Civic Integration, Housing, Equal Opportunities and Poverty Reduction.

Brussels-Capital Region: The Association of the City and Municipalities of the Brussels-Capital-Region (in October 2015 the Association asked the Minister-President of the Brussels-Capital-Region to support the local authorities for the integration of the incoming refugees. On 1 December 2015, the Association once again wrote a request for a formal consultation between the Brussels-Capital Region and the Brussels PSWCs regarding the impact of the asylum crisis on the Region and the available resources<sup>114</sup>) and the Brussels-Capital Government.

- B. The Federal Public Planning Service (PPS) Social Integration.

- **Authorities implementing the measure:**

- A. Municipalities and Public Social Welfare Centres.
- B. The Federal Public Planning Service (PPS) Social Integration and the PSWCs.

- **Evaluation of the measure:**

- A. A survey was carried out by the Association of Flemish Cities and municipalities in the Spring of 2017<sup>115</sup>. The survey showed that it was a good policy choice to grant subsidies to the municipalities in the context of the increased refugee influx. The service provision was brought close to the beneficiaries and the steering role of the municipalities was strengthened. The survey shows that local authorities have used the policy space to allocate resources for a wide range of services adapted to the local context: work, language initiatives, reception policy, housing initiatives, trainers and the search and support of volunteers.

## **2.1.9 Other**

### **Measure 2.1.9.1 - Plan R (Radicalism)**

- Duration of the measure : The measure was started in November 2015.
- Measure following an increase or decrease in numbers: Increase.
- New measure or change to an existing measure: New measure.
- Structural or ad-hoc (temporary) measure: Structural.
- Type of measure: National action plan; Specific interinstitutional / multi-agency working group on the situation; and resources (staff).

• General aim of the measure: In order to take into account the possible presence of radicalized individuals within the flow of migrants<sup>116</sup>, a **working group on radicalism** was established at the end of 2015. The working group Radicalism of the asylum and migration services gathers the Immigration Office, the Office of the Commissioner General for Refugees and Stateless Persons, the Federal Agency for the Reception of Asylum Seekers (Fedasil) and liaison officers of the State Security, the Military Intelligence Service (ADIV) and the Federal Police. This working group deals with the problem of radicalized foreign nationals, not only applicants for international protection but also other migrants. The main objective of this working group is to **strengthen the exchange of relevant information** between the asylum and migration authorities and the security and intelligence services and to identify well-functioning channels to exchange information.

A new **procedure** was put in place in order to enhance the **security screening** of applicants for international protection (see Measure 2.1.4.1 of this report). Furthermore, a procedure was developed in order to efficiently **report signs/elements of radicalism detected among residents of the reception network** to the relevant authorities.

**Training sessions** were also organized for the migration and asylum authorities involved in the international protection procedure, in order to provide them with information on the phenomenon of radicalism and its detection.

#### **• Key elements of the measure:**

The creation of the **working group on radicalism** fits into the framework of the **National Action Plan on Radicalism** (the so-called 'Plan R', a renewed action plan on Radicalism aiming at better integrating all the competent services confronted with the phenomenon of radicalism<sup>117</sup>). The working group - approved by the National Security Council in December 2015 and led by the Immigration Office - consists of the Immigration Office, the Office of the Commissioner General for Refugees and Stateless Persons, the Federal Agency for the Reception of Asylum Seekers (Fedasil) and liaison officers of the State Security, the Military Intelligence Service (ADIV) and the Federal Police. The working group analyses the "incidents" related "to radicalism and migration". The group is also in charge of optimizing the screening of applicants for international protection, training sessions and vigilance counselling/awareness training for asylum authorities in cooperation with the intelligence and security services. The group monitors the problem of radical imams and preachers of hate. The administrative approach of individual records by the asylum and migration services is discussed within this group. The group aims to strengthen the exchange of relevant information between asylum and migration authorities and the security and intelligence services and the police. To optimize the flow of information between the various services, a chain approach was elaborated and a contact point was appointed in each service.

Furthermore, a new procedure was put in place in order to **enhance the security screening** of applicants for international protection (see Measure 2.1.4.1 of this report).

**A procedure** was also defined in case of signs/elements of radicalism are detected in the **reception network**. First of all, it is worth noting that it is not up to the migration and asylum authorities to determine that a person is radicalized. If staff of the reception facilities detect compelling signs or elements, they are obliged to **report it to the relevant authorities** according to a communication of information protocol. An excel sheet (Reporting Sheet - Radicalism) has to be filled out and send to Fedasil headquarters and to the contact point of the local police by the manager of the reception centre (this procedure is applicable since 15 March 2016). The goal is to determine whether those elements can be confirmed or not and whether the asylum seeker concerned may or may not be considered to be a threat to public order and / or national security.

In order to do so, the staff of the reception facilities received a **training focusing on the detection of signs of radicalization** (see below). Once the detection has been reported, the police and the management of Fedasil immediately monitor and take measures adapted to the individual situation. Moreover, the reporting is reported within the Working Group Asylum and Migration on Radicalism, where it is examined and discussed on how the exchange of information could be further strengthened and / or improved and what to do in terms of the right to residence of the individual. Concerning residence, each situation is considered on a case by case basis depending on the elements available to the instances of migration and asylum. Depending on the progress of the proceedings and the applicant's individual situation, it is evaluated whether or not administrative measures can be taken.

As mentioned above, Fedasil is part of the working group Asylum and Migration on Radicalism. In case of suspicion of radicalism of one of the residents in a reception facility, Fedasil, **transfers all the necessary information** to the Immigration Office who will sent this information to the competent services: the Threat Assessment Coordination Body (OCAD), the General Service Intelligence and Security (ADIV), State Security, the Office of the Commissioner for Refugees and Stateless persons and the Federal Police.

**Trainings on radicalism** were also organized for the **asylum and migration authorities**. In 2015, the State Security organized training sessions for the staff of the Immigration Office and the Office of the Commissioner General for Refugees and Stateless Persons (the institution competent for processing the asylum applications in Belgium) on radicalism. Six staff members of the Cell Radicalism have been trained (with the State Security, the Threat Assessment Coordination Body (OCAD), the Military Intelligence (ADIV), the Directorate General of Prevention and Safety and the Police).

In the beginning of 2016, Fedasil has set up a training for the staff of the **reception centres** regarding the phenomenon of radicalism in collaboration with the State Security. During this training, staff members and the supporting services learned how to identify signs of radicalism, how to prevent radicalism and how to react adequately to (signs of) radicalism in reception centres.

The training sessions organized by Fedasil consist of:

- **E-learning:** Online tool on the phenomenon of radicalization.
- **Face-to-face** with members of the State Intelligence Service and experts on radicalism: the topics that were discussed are:
  - Geo-political context of Iraq, Afghanistan and Syria and the influence on migration flows in Europe;
  - Role and functioning of State Intelligence Services and its collaboration with Fedasil
  - Islamic radicalisation;
  - Recognizing and reporting signs of radicalism in reception centres (from radicalization to recruitment).
- **Authorities involved in drafting the measure:** The Immigration Office, the Office of the Commissioner General for Refugees and Stateless Persons, the Federal Agency for the Reception of Asylum Seekers (Fedasil) and liaison officers of the State Security, the Military Intelligence Service (ADIV) and the Federal Police.
- **Authorities involved in proposing and approving the measure:** OCAM (Coordination Unit for Threat Analysis (CUTA)), National Security Council.

<sup>116</sup> <https://www.dekamer.be/doc/CCRA/pdf/54/ac278.pdf>

<sup>117</sup> [https://www.besafe.be/sites/besafe.localhost/files/u18/brochure\\_radicalisme\\_fr.pdf](https://www.besafe.be/sites/besafe.localhost/files/u18/brochure_radicalisme_fr.pdf)

- **Authorities implementing the measure:** Immigration Office, Fedasil, CGVS.
- **Other:** In the summer of 2017, an expert on radicalism was hired by Fedasil to follow-up on the reporting mechanism. New training sessions are foreseen in the course of 2018 in order to train the whole staff of Fedasil.

#### **Measure 2.1.9.2 - Information campaigns targeting (potential) applicants for international protection present in Belgium**

- **Duration of the measure :** The measure started at the beginning of 2016.
- **Measure following an increase or decrease in numbers:** Increase.
- **New measure or change to an existing measure:** New measure (although other information campaigns and tools for migrants/applicants for international protection already existed).
- **Structural or ad-hoc (temporary) measure:** Structural.
- **Type of measure:** Soft measure.
- **General aim of the measure:** The main aim of this measure was to give (potential) applicants for international protection a realistic view on the procedure, accommodation, and family reunification after the asylum procedure, and to inform them about the option of voluntary return (and, if applicable, the possibility of reintegration support).

It also aims at dissuading third-country nationals who have limited chances of being granted international protection to apply for international protection (for example third-country nationals from safe countries, Dublin cases, and multiple asylum applications)<sup>118</sup>.

• **Key elements of the measure:** During the **pre-registration process** (that is to say before the application for international protection is formally lodged, see measure 2.1.4.1 of this report), potential applicants for international protection receive **a letter** in a language they understand. In this letter, they are **informed about various topics** such as the delays in the international protection procedure, the temporary duration of residence permits in case of positive decisions, collective accommodation (only material help during the asylum procedure, no financial help), the Dublin procedure, the duration of family reunification procedure, obligation to return if the application for international protection is rejected, and the possibility of voluntary return<sup>119</sup>.

- **There are specific letters for:**
  - Multiple applicants for international protection (limited chances of being granted international protection, risk of entry ban, right to accommodation not automatically prolonged);
  - Applicants for international protection from safe countries (no prospect of individual housing, accelerated procedure);
  - Dublin cases (possibility of detention and forced removal, no individual but collective accommodation, possibility to return voluntarily to responsible Member State);

**Certain nationalities** (in the past, Afghan and Iraqi nationals were informed that for them the asylum procedure can take a long time, that the percentage of negative decisions is high, that certain parts of their country do not qualify for subsidiary protection, and that in case of voluntary return the in-cash reintegration support is temporarily increased).

- **Authorities involved in drafting the measure:** The cabinet of the State Secretary for Asylum Policy and Migration.
- **Authorities involved in proposing and approving the measure:** The cabinet of the State Secretary for Asylum Policy and Migration.
- **Authorities implementing the measure:** Immigration Office and Fedasil

EMN Common Template Q.10 and Q.17a.

<sup>118</sup>. Belgian National Contact Point of the EMN, 2016 Annual Report on Asylum and Migration Policy in Belgium, p.91.  
<sup>119</sup>. Source: Immigration Office (Asylum Department, Coordination and Control unit).

## **2.2 IMPACT ON LOCAL AUTHORITIES**

Local authorities were impacted by some of the measures taken at the national level. A few examples are provided below.

In the area of **border control**, local authorities – such as the **local police** (especially the local police in areas near the border between France and the Province of West Flanders) – were impacted by the Medusa operation.

In the area of **reception**, local authorities were impacted by the requests for the creation of additional reception places. In September 2015, Fedasil asked the Public Social Welfare Centres (PSWC) to **create extra capacity in existing local reception initiatives or to open up new local reception initiatives in their municipalities** to accommodate the increasing number of applicants for international protection<sup>120</sup>. Furthermore, because of the constant large influx of applicants for international protection, the Belgian government approved a **mandatory distribution plan** on 27 November 2015. An agreement was reached on 5,000 additional reception places (local reception initiatives) to be distributed equally across the municipalities. The opening of new structures across the country required to conclude collaboration agreements with the local police in order to mainstream the communication.

However, in the spring of 2016, the number of applications for international protection **sharply dropped**. On 3 June 2016, the Council of Ministers decided that the mandatory distribution plan would not be activated. But many municipalities had already invested (infrastructure/ human resources) in anticipation of the activation of this distribution plan and had created, in a short period of time, nearly 2,000 additional reception places in local reception initiatives (LOI). Many of these LOI-places were empty for months (37% in June 2016, 35% in October 2016). In May 2017, 55.6% of the PSWCs had free LOI places. **Vacancy has financial consequences for the PSWCs.** For an empty LOI place, the PSWC receives only 40% of the subsidy to pay the fixed costs. Concretely, that is EUR 15.11 instead of EUR 37.77 for a place for an adult. With long-term and/or excessively high vacancies, this amount does not cover the cost and the PSWCs have to use their own money. This is also a reason why more than 1 in 3 (36%) of the respondents of the survey of the Association of Flemish Cities and Municipalities stated that they are not prepared to provide additional reception places in the future. Extending the LOI-places always has consequences for staff and the renting or buying of houses in an already scarce housing market<sup>121</sup>.

Although the Government, in its announcement not to activate the distribution plan, confirmed that **all the commitments and financial efforts already made by the PSWCs within the framework of the distribution plan would be honoured**. On 23 June 2016, Fedasil sent an official letter to all PSWCs to respond to their concerns regarding the costs incurred and occupation rate and to confirm the remuneration of the commitments made<sup>122</sup>.

The survey carried out by the Association of Flemish Cities and Municipalities **also identified some challenges regarding the new reception model** (implemented in August 2016)<sup>123</sup>:

- Beneficiaries of international protection are **accommodated in a Local Reception Initiative (LOI) during a transition period**: according to the Associations of Cities and Municipalities, the creation of transition reception places the difficult task of arranging the outflow of beneficiaries of international protection entirely with the LOI. An assignment whose success is not only determined by the efforts of the LOI and the resident but also by a lot of external factors (availability of affordable and good homes, willingness of landlords, etc.). The Associations of Cities and Municipalities have insisted from the outset that the 2-month outflow period must be renewable. The support of the associations for this new reception model was bound to the fulfilment of this condition. A great deal of consultation was held with the State Secretary for Asylum Policy and Migration and the federal Minister of the Public Planning Service Social Integration. The Associations are cautiously satisfied that the 2-month outflow period is renewable (2 times for 1 month and in exceptional cases even longer). But a period of a maximum of 4 months is often not sufficient to find sustainable accommodation.

<sup>120</sup>. Letter of Fedasil to the chairmen and secretaries of the PSWCs, 1 September 2015. Available on: <https://www.mi-is.be/fr/reglementations/decision-du-conseil-des-ministres-du-28-aout-2015-places-la-complementaires-0>

<sup>121</sup>. Association of Flemish Cities and Municipalities, Survey on the Integration of refugees, May 2017.

<sup>122</sup>. Belgian House of Representatives, Bulletin nr : B091 – Oral Question nr. 0794, Jean-Marc Nollet, Ecolo-Groen.

<sup>123</sup>. Association of Flemish Cities and Municipalities, Survey on the Integration of refugees, May 2017.

- Applicants for international protection with a **high recognition rate** will be **transferred to local reception initiatives after an initial stay of 4 months in a collective reception centre to enhance their integration in society**: According to the Associations of Cities and Municipalities, the condition that applicants for international protection with a high level of protection can only go to a LOI if they have been in a collective reception centre for at least 4 months, is at odds with the objective of accelerating the integration of this group of applicants for international protection. Another concern is that there is almost no difference between the transition reception and the reception of persons with a high protection rate (both arrive at the end of their stay in the reception network). However, it is important for the PSWCs that they can assist applicants for international protection for a longer period of time and not only have to take care of the outflow of residents with a positive decision, which means mostly **searching for housing** on the private rental market or social housing. After all, these are two different assignments. According to the Associations, the allocation of applicants with a high protection rate must be made after a maximum of 4 weeks - unless there are clear contra-indications.

It is also worth mentioning that after the announcement of the "phasing out" of the collective reception network on 3 June 2016 by the State Secretary for Asylum Policy and Migration, the Flemish Minister of Education and Training instructed the Agency for Education Services (AgODi) to **map out the impact on schools and underage applicants for international protection of the closure of 15 collective reception centres** between 31 August 2016 and 1 February 2017. It appeared that **the schools in the vicinity of the temporary reception centres had many questions about the reasons why pupils had to move and the moment of the transfer**. Better communication to schools and pupils as to how and why can remedy this. The findings of the analysis were discussed at a coordinating meeting at the end of February 2017 with the education cabinet with AgODi, Fedasil and the cabinet of Secretary of State Asylum and Migration Policy. On the basis of this report, it was agreed upon that, with the closure of collective reception centres, there would be a **structured periodic consultation between AgODi and Fedasil**. Schools, parents and reception centre managers are further sensitized to inform each other in a timely manner when closing or relocating so that schools can draw up qualitative transfer files in the interest of the school career of the underage applicant for international protection. Finally, in cooperation with Fedasil, AgODi will also organize a study day for experts concerning the exchange of good practices between the educational system and collective reception centres in order to better coordinate education and reception logic, but especially in the interest of every school-going youngster<sup>124</sup>.

Regarding the **influence of the local authorities on the measures**, consultations were carried out with the Flemish, Brussels and Walloon Associations of Cities and Municipalities (VVSG, AVCB, UVCW) and with PSWCs; letters were sent from the Flemish, Brussels and Walloon Associations of Cities and Municipalities to the State Secretary for Asylum and Migration Policy; and request for the evaluation of the new reception model were issued.

In the area of **integration**, several measures taken to facilitate the integration of applicants for international protection or beneficiaries of international protection directly concerned or had an impact on local authorities. This was – inter alia – the case for the additional funding provided to the municipalities by the Flemish Government and the Brussels Capital Government. Furthermore, Public Social Welfare Centres (PSWCs) received extra funding from the federal government.

Local authorities had an **influence on the process**. The Association of Flemish Cities and Municipalities asked the Flemish government (in the autumn of 2015) to support the local authorities for the integration of the incoming refugees. Furthermore, the Association of the City and Municipalities of the Brussels-Capital-Region asked the Minister-President of the Brussels-Capital-Region (in October 2015) to support the local authorities for the integration of the incoming refugees. On 1 December 2015, the Association once again wrote a request for a formal consultation between the Brussels-Capital Region and the Brussels PSWCs regarding the impact of the "asylum crisis" on the Region and the available resources.

*EMN Common Template Q.11 and Q.12.*

124. Source: Press release cabinet Flemish Minister for Education, 16 March 2017,  
<https://onderwijs.vlaanderen.be/nl/impact-sluiting-collectieve-opvangcentra-voor-onderwijs-in-kaart-gebracht>

## 2.3 CHANGES IN NATIONAL APPROACHES FOR OTHER TYPES OF MIGRATION

The changing influx of applicants for international protection prompted changes in the national approach for family reunification. The link between the increased influx and the changes related to family reunification was established at the political level, as explained by the State Secretary for Asylum Policy and Migration in his General Policy Note of 19 October 2017: "**The number of applications for family reunification with non-EU citizens is increasing as a result of the asylum crisis** that Europe faced in 2015. As the number of recognized refugees increases, more persons can be taken into account in a family reunification procedure. With a view to allow the responsible units to thoroughly examine and assess the applications which are increasing in numbers, the **maximum processing time has risen from six to nine months**. An in-depth examination of each application is essential. Furthermore, **monitoring compliance with the requirements** (for family reunification) will be ensured for the extension of these residence permits. In particular, when switching from temporary residence permit to permanent residence permit, it should be reviewed whether the family unit is unchanged, whether housing and income related requirements are still satisfied, or whether the sponsor does not prejudice public order or public security. If it is not the case, the residence right can be ended...The Immigration Office is able to **enforce these controls even more widely and strictly**"<sup>125</sup>.

The above mentioned changes required the following legislative modifications:

- **The Law of 4 May 2016**<sup>126</sup>, which modified the Immigration Act and entered into force on 7 July 2016, provides that a family member of a third-country national can obtain a residence right of unlimited duration after 5 years (instead of 3 years previously). During these 5 years, the Immigration Office may check whether the family member still meets the requirements for family reunification and, if this is not the case, withdraw the residence permit.
- **The Law of 17 May 2016**<sup>127</sup>, which modified the Immigration Act and entered into force on 8 July 2016, provides that the Immigration Office has 9 months (instead of 6 previously) to take a decision regarding an application for family reunification.

The changing influx of applicants for international protection might have prompted **changes in national approaches for other types of migration**, although a direct or exclusive correlation between them has not been explicitly established or demonstrated. For example, it might be argued that the increased influx has highlighted the need for increased integration efforts, promoting changes regarding integration requirements. In this regard, the law of 18 December 2016<sup>128</sup> resulted in two important changes in the Immigration Act. On the one hand the law inserted a **general residence condition** according to which certain<sup>129</sup> foreign nationals applying for a residence permit have to provide evidence of their willingness to integrate into society. If the foreign nationals do not make a "reasonable effort"<sup>130</sup> to integrate, the Immigration Office may take this into account when taking a decision on ending the residence permit. This general residence condition entered into force on 25 January 2017. On the other hand, the law of 18 December 2016 introduced the so called "**newcomers declaration**" according to which a person applying for a residence permit in Belgium will have to sign a declaration indicating that he/she understands the fundamental values and norms of the society and that he/she will accordingly. This measure has not entered into force yet, as it is subject to a cooperation agreement between the competent authorities.

*EMN Common Template Q.17.b.*

125. House of Representatives, General Policy Note Asylum and Migration, 19 October 2017, DOC 54 2708/017, p. 5.

126. Law of 4 May 2016 containing various provisions on asylum and immigration, Belgian Official Gazette, 27 June 2016.

127. Law of 17 May 2016 which modifies articles 10ter and 12bis of the law of 15 December 1980 regarding the entry, residence, settlement, and removal of foreign nationals, Belgian Official Gazette, 28 June 2016.

128. Law of 18 December 2016 inserting a general residence in the Immigration Act, Belgian Official Gazette, 8 February 2017.

129. nCertain categories of foreigners do not have to provide evidence of their integration efforts into the Belgian society, including *inter alia* minors or seriously ill persons, applicants for international protection, refugees, stateless persons, family members of beneficiaries of international protection and of stateless persons.

130. The Immigration Office assesses the integration efforts based on certain criteria, including *inter alia* participating in an integration pathway, pursuing an activity as salaried worker or self-employed, following vocational training courses, etc.

## **2.4 IMPACT OF THE DECREASE IN THE NUMBER OF APPLICATIONS FOR INTERNATIONAL PROTECTION**

### **2.4.1 The scaling-down or dismantling of measures taken**

Following the decrease in the number of applicants for international protection, **changes were made to some measures taken**. However, other measures are **more or less structural in nature**, and the decreasing influx did not have an important impact on their scope.

Regarding the **reception of applicants for international protection**, the decrease in the number of applicants for international protection in 2016 led to an important decrease of the occupation rate of the reception network. Several measures were thus taken in order to reduce the reception capacity to adapt to this new reality (see measure 2.1.2.3. of this report). As a consequence, the staff of the reception agency Fedasil (which was gradually increased during the "asylum crisis") also started to be reduced.

Regarding the **international protection procedure**, some of the temporary efficiency increasing measures came to an end. In the course of 2017, applicants for international protection were interviewed more extensively, also those profiles coming from Syria. The other temporary measures as described under Section 2.1. of this report were partly or temporarily abolished.

However, other measures taken were structural in nature and were not immediately abolished or dismantled. The newly recruited staff of the CGRS was not discharged following a decrease in the number of applicants for international protection starting at the end of 2016, as the backlog could not be reduced instantly and as other staff members left the CGRS in the meantime. In fact, the first instance backlog at the CGRS increased until mid-April 2016 and then gradually decreased from May 2016 (more than 18,000 first instance pending cases – accompanied children not included - at the level of the CGRS to about 8,000 first instance pending cases end October 2017). However, during 2016 and 2017, staff members who resigned were not replaced and the objective to have the backlog reduced to about 4,500 cases at the level of the CGRS by mid-2018 was reached. As for the temporary contracts for newly recruited staff to reinforce the asylum unit of the Immigration Office, most of them came to an end by the end of 2016.

Regarding **integration**, many measures are still ongoing, as there is still an influx of beneficiaries of international protection in the education system, the integration pathways, the labour market, etc. The decreasing influx of applicants for international protection/beneficiaries of international protection did lead to some measures previously taken being adapted. For example, the staff of the Flemish Agency for Integration and Civic Integration – which increased during the "crisis" on the basis of additional resources granted – started to be reduced in the framework of the decrease of the influx of beneficiaries of international protection<sup>131</sup>.

EMN Common Template Q.13 and Q.14.

### **2.4.2 Changing political priorities**

The State Secretary for Asylum Policy and Migration underlined a shift in the political priorities in his General Policy Notes of 2016 and 2017<sup>132</sup>. He underlined that during the migratory crisis that Europe faced in 2015 and 2016, the Belgian Government's priority was to provide each applicant for international protection with reception and to reinforce the asylum and migration services, whereas in the political year 2016-2017, the focus was on the **expansion of the return services** in order to increase the number of returns (of rejected applicants for international protection).

Furthermore, changes in staff allocation at the Immigration Office also show changing priorities. In practice, **staff is regularly shifted from one unit to another** within the Immigration Office. During the second half of 2015, personnel was transferred from other units of the Immigration Office towards the asylum unit, which is responsible for registering the applications for international protection. These staff members went back to their original units once the registration backlog at the Immigration Office was reduced. Furthermore, the staff members from other Federal Public Services who reinforced the Immigration Office also returned to their original units. Most of the contracts of the temporarily hired staff (to reinforce the asylum unit) ended at the end of 2016. Once the influx of applicants for international protection decreased, the **return units** of the Immigration Office were reinforced (although the return of rejected applicants for international protection and other people in irregular stay has always been a priority for the current government).

EMN Common Template Q.15.

131. See for example: "Minder middelen voor Agentschap Integratie en Inburgering door dalend aantal vluchtelingen", De Morgen, 9 August 2017, <https://www.demorgen.be/buitenland/minder-middelen-voor-agentschap-integratie-en-inburgering-door-dalend-aantal-vluchtelingen-b24f0d04/>

132. House of Representatives, General Policy Note on Asylum and Migration, 19 October 2017, DOC 54 2708/017, and House of Representatives, General Policy Note on Asylum and Migration, 27 October 2016, DOC 54 2111/017.

### 3 FINANCIAL AND ADMINISTRATIVE ASPECTS OF THE IMPLEMENTED MEASURES

#### 3.1 FINANCING OF THE IMPLEMENTED MEASURES

The national measures (federal level) implemented in the framework of the "asylum crisis" were financed on the basis of the **credits included in the budget of the Ministry of the Interior**, as well as on the basis of **additional credits allocated** by the Government through a specific provision granted to the asylum and migration authorities (including the CGRS and the Immigration Office). These additional credits were approved by the Belgian Council of Ministers (on 28 August 2015 and 20 May 2016). They were more substantial in 2016 than in 2015. Furthermore, the Belgian authorities received 5 million EUR via the **European Union's Asylum, Migration and Integration Fund (AMIF)**. The recruitment of the new staff for the CGRS and the Immigration Office was partly funded through emergency funding in the framework of AMIF<sup>133</sup> to cope with the severe pressure on the asylum system.

Regarding the national accounts and in the framework of the Stability Pact, the European Commission approved Belgium's request to not take into account the expenses made in the framework of the "asylum crisis" for the objective of reducing public spending.

EMN Common Template Q.18.a and Q.18.b.

#### 3.2 CHANGES REGARDING THE ADMINISTRATIVE BURDEN FOR NATIONAL AUTHORITIES

The fluctuation of the influx of applicants for international protection in 2015/2016 led to an **increase in the administrative burden** for the authorities concerned.

As detailed in Section 2.1. of this report, **additional staff members** were hired by the **authorities involved in the international protection procedure and reception** (CGRS, Immigration Office, Fedasil). The recruitment of new staff members at such a scale created a considerable administrative burden for the authorities involved. For example, for the Office of the Commissioner General for Refugees and Stateless Persons (CGRS), the approval needed to be obtained from the Council of Ministers and the application needed to be justified, vacancies needed to be launched, a selection procedure needed to be organised through the recruitment office of the Federal Public Administration (Selor), and training needed to be organised. What's more, from an operational point of view, the organisation needed to be reorganised and senior case workers of the CGRS needed to invest in providing training sessions, coaching and supervising.

Furthermore, it was **challenging for the authorities to train so many additional staff members**. This was the case in particular for the CGRS, as the work of a protection officer assessing applications for international protection requires a substantial amount of training and the newly recruited caseworkers needed to be coached for a while before they could become fully operational and provide an output similar to that of a senior caseworker.

Besides the authorities involved with the international protection procedure and reception, **other authorities** also experienced an increase in the administrative burden (see Section 2.1. of this report). This was – inter alia – the case for the authorities implementing **measures taken to facilitate the integration of applicants for international protection** and beneficiaries of international protection. For example, the Flemish Public Employment Service (VDAB) recruited 35 new mediators for refugees.

EMN Common Template Q.19 and Q.20.

### 4 THE WAY FORWARD - FUTURE PREPAREDNESS

#### 4.1 MECHANISMS TO ADAPT TO A FUTURE CHANGING INFUX OF APPLICANTS FOR INTERNATIONAL PROTECTION

Following the fluctuations of the number of applicants for international protection between 2014 and 2016, some **mechanisms were planned to adapt to possible future important influxes**.

The reception agency Fedasil had worked on the elaboration of several **contingency planning**s (see above) in case of an important influx of applicants for international protection. However – due to the events being recent – nothing has been published for the moment. This contingency planning should focus on a better collaboration between the different Belgian authorities involved in the asylum procedure (Fedasil, Office of the Commissioner General for Refugees and Stateless Persons, and the Immigration Office). It should also define at what moment a situation can be declared as being a "crisis" by the government and the appropriate mechanisms that can be used in that case.

Furthermore, the experience of 2015-2016 showed the need for a **flexible reception system** that could quickly adapt to fluctuations in the influx of applicants for international protection. The number of "**buffer reception places**" – which were created in 2014 – proved insufficient to cope with the high number of arrivals in the reception network in 2015. In order to be prepared for future rapid increases in the number of applicants for international protection, the reception agency Fedasil proposed to increase the number of "**buffer places**" to a total of 7,500. The system of buffer places is not a new mechanism (as it was set up in 2014), but the important influx in 2015 and 2016 led to proposed changes to this mechanism.

In June 2016, the federal government formulated a commitment to provide a large buffer capacity, which offers the possibility for the reception agency Fedasil to "absorb" an inflow of applicants for international protection in the reception network for a sufficiently long time while at the same time providing the agency with some time to make new centres operational. This capacity of 7,500 places should provide Fedasil with 2 to 3 months in case of a new "crisis". This has been estimated as the time needed to open new reception centres properly.

Fedasil highlights three major challenges regarding the future management of buffer sites:

- **Triple the number of buffer places** in the short term (from approximately 2,000 to 7,500 places). The reception crisis has fundamentally changed the reception network by rearranging structural sites. This means that the current pool of buffer sites must be updated and identified. The current reduction of "structural places" needs to be taken advantage of in order to transfer as many suitable places to buffer places.
- **Reduce the average cost of buffer places** in the short term (5€/day/person). In order to be able to finance the higher number of buffer sites, cheaper alternatives must be sought. In the event of a long disuse of buffer sites, the pressure will be large to lower the budget for buffer places. In order to prevent the closure of buffer sites, Fedasil will therefore have to continuously focus on reducing the average cost price. The ultimate objective of increasing the buffer places is to avoid having to open and close new reception centres following any change in the influx of applicants for international protection, as this would prove more costly in the end than managing a pool of buffer places.

- **Move from a static management of buffer sites to a dynamic and professional management.** The search for additional capacity may not only be an ad hoc activity during crisis periods but must become a recurrent activity for Fedasil with a permanent team that continuously builds expertise both during and in-between reception crises. For example, dynamic and professional management implies multi-year planning and risk management in order to guarantee the quota of buffer sites at all times. It has as a continuous objective to improve the quality and lower the average price. It assumes that Fedasil is constantly maintaining a network with potential candidates for buffer sites instead of reactivating this network over and over again, as during the previous reception crisis. It assumes that Fedasil does not only have 7,500 "active" buffer places, but also a large number of "passive/latent" buffer places, which can be addressed in the event of a new crisis.

At this day, two buffer centres have already been fully implemented. Finally, Fedasil strives to ensure that all buffer sites meet the same technical, material and safety requirements that are applied at a regular location.

Finally, regarding the phenomenon of **transmigration**, the taskforce transmigration (which was set up in 2015) reports on a regular basis (monthly and bimonthly) on recent evolutions in transmigration to - for example - the cabinet of the Belgian State Secretary for Asylum Policy and Migration. One of the tasks of this task force is to monitor the phenomenon of transmigration. This means that - if in the future - there is a substantial increase in the number of "transmigrants", the government will be informed about this sooner, and as a result will be able to react faster.

*EMN Common Template Q.16, Q.21 and 22.a.*

## 4.2 OTHER PLANNED MEASURES

Other measures have already been planned in different areas.

Regarding the **registration of applicants for international protection and reception**, the Government decided on 7 July 2017 to open a **separate asylum application centre in Neder-Over-Heembeek** in 2022 in order to make the registration of applicants for international protection and the allocation to reception structures more efficient. This innovative reception centre will be the only registration point for people who want to apply for international protection in Belgium. With a capacity of 750 places, this centre should be able to rapidly respond to fluctuations in the influx of applicants for international protection. The application centre will thus fulfil both a reception and registration function and will meet three objectives:

- the **determination of the identity of the applicant for international protection**;
- a **security screening** of the applicants for international protection in order to assess the public security risks;
- an **initial reception with observation** of the situation of the applicant for international protection.

Finally, the applicant for international protection will be provided with an allocation to an adapted reception structure according to the rules of the new reception model. In this new registration centre, all necessary services will be gathered at the same place: the security screening, the registration of the application for international protection and the dispatching. Working this way will enable a better identification and screening of all candidate applicants for international protection and their potential vulnerabilities and will therefore help Fedasil allocating a more tailored accommodation to the applicants. The opening of this new centre is planned for spring 2019. As a consequence, the oldest and largest centre of the reception network, the "Petit Chateau" in Brussels, will be shut down.

*EMN Common Template Q.21 and 22.b.*

# 5 GOOD PRACTICES AND LESSONS LEARNT

## 5.1 MAIN CHALLENGES AND OBSTACLES TO ADAPT TO THE CHANGING INFLUX OF APPLICANTS FOR INTERNATIONAL PROTECTION

The high inflow of applicants for international protection in Belgium in 2015 and 2016 led to **significant challenges** for the concerned Belgian authorities, including regarding the reception of the increasing number of applicants and the registration and processing of all the applications, the integration of applicants and beneficiaries of international protection, irregular migration, transit migration and smuggling, or security (radicalism).

Because of the highly increased influx of asylum applicants in the autumn of 2015, the Immigration Office had to limit the number of asylum applications to be lodged per day. This was necessary due to practical limitations regarding the registration capacity and to reduce the pressure on the reception system. During this period, not all the applicants could be registered immediately, priority was given to families and vulnerable asylum applicants. Regarding the **international protection procedure**, the most important challenge for the Office of the Commissioner General for Refugees and Stateless Persons (CGRS) was to respond quickly to the sudden and unexpected strong increase of applications for international protection and to keep the backlog under control. This was not evident due to the fact that recruitment procedures and training sessions required time: The coaching and training of new staff required time from senior staff members who could not spend the time they invest in training or coaching new staff members on processing applications for international protection.

Another challenge was that while the decision making on applications for international protection - for example by organising shorter interviews – was sped up, the **quality** also had to be assured at the same time. It was important that the applications for international protection were properly assessed, the identity and country of origin properly verified and a well-motivated decision taken.

Regarding the **reception of applicants for international protection**, a challenge that can be mentioned is the difficulties associated with properly forecasting the need for reception places and adapt the reception network accordingly when not all the needed data is available. The report published by the Court of Auditors in 2017 stipulates that an important part of the management of the reception network by the federal Reception Agency Fedasil is done on the basis of forecasts of the number of reception places that Fedasil needs. Several times per year, Fedasil estimates how the reception network needs to evolve on the basis of historical figures (such as the average recognition rate in the last three months). This means that an important pre-requisite to make good estimations is to have **sufficient and recent information** on the processing of asylum claims, but this can prove challenging. For example, Fedasil does not systematically receive information on the applications for international protection from the CGRS and the Council for Alien Law Litigation (mostly ad-hoc information). The duration of the processing of applications, which is an important factor, is difficult to estimate for Fedasil, thereby also rendering the forecasts more difficult to achieve<sup>134</sup>.

*EMN Common Template Q. 23.*

## 5.2 EVALUATIONS OF THE MEASURES TAKEN

No overall national public evaluation of all the measures and policies implemented in the framework of the important inflow of applicants for international protection in 2015/2016 has been carried out.

However, a formal evaluation was planned regarding **the reception of applicants for international protection** even if on hold at the moment due to other priorities.

Besides this exercise, an internal **evaluation was carried out by Fedasil regarding the collaboration between Fedasil and the private operators** (see measure 2.1.2.2 of this report). The evaluation underlined – inter alia – that the main advantages of contracting private operators were the fact that the opening of a new centre by a private operator did not require for Fedasil as many resources as the opening of a federal centre; and the fact that a large part of the responsibilities were delegated to the private operator.

The evaluation also identified a **series of good practices**, including:

- the use of small dormitories compared to the (bigger) ones in the federal reception centres;
- the strict application of quality standards led – in some occasions – to the quality of the reception provided by the private operators to be higher than in the pre-existing centres;
- investments made by the private operators to tailor the infrastructures to the target audience;
- visits by the prevention and infrastructure services of Fedasil prior to the opening of the centre;
- audit visits carried out by Fedasil to assess the quality of the services provided;
- joint press releases (Fedasil and private partner) for the residents of the neighbourhoods where new centres are opened;
- open days organized before the opening of the new reception structure;
- strong participation of the staff of the private operators in training courses (quality, basic introduction, radicalism, incidents, medical support...).

Finally, the evaluation also underlined **some measures to be taken in the future**: ensure a thorough analysis of the tenders by Fedasil and allowing sufficient time for on-site visits before commissioning.

Overall, Fedasil evaluated the outsourcing of material aid and the collaboration with private partners in times of crisis positively, even if the recent report published by the Court of Auditors on the reception of applicants for international protection during the "asylum crisis" pointed out some difficulties encountered by Fedasil in opening the necessary number of places through private operators.

Furthermore, the **Court of Auditors** published a report in October 2017, which presented the main findings of the **audit carried out by the Court to assess whether the Federal Reception agency Fedasil provided efficient and qualitative reception** during the "asylum crisis". The conclusions of the report include the following: Fedasil did manage to provide sufficient reception places during the asylum crisis by increasing the reception capacity – which was in large part due to the efforts of the reception partners, who could react quickly to changing needs. However, certain challenges could be noted. During the increase of the reception capacity, it became increasingly difficult to open new reception places. This was partly due to the fact that the procedure of contracting private operators presented difficulties and turned out to be less successful than anticipated. Regarding the decrease of the reception capacity, the report stresses that a certain number of reception places have already been closed. However, the further decrease of the capacity through the closing of the centres on the basis of the criteria of quality and cost price is not easy, as Fedasil does not always have the necessary data to assess these criteria. Furthermore, the closure of the centres was decided at a political level (and not by the partners themselves), which led to some frustration for the partners.

Finally, **other evaluations/ surveys/ mapping exercises** have also been carried out by other organisations (although these are not formal national evaluations).

For example, in the field of **integration**, the Association of Flemish Cities and Municipalities (VVSG) carried out a survey in 2017 among the **local authorities of Flanders** (e.g. municipalities and Public Social Welfare Centres) to obtain information on their experiences regarding the "asylum crisis"<sup>135</sup>. According to the survey, it appears that the Flemish municipalities and Public Social Welfare Centres have provided additional reception places in a quick and professional

manner, but that more than one in three administrations are not inclined to do so – on their own initiative – in the future. The ever-changing federal policy put too much (financial) risk on the local authorities. Furthermore, the results of the survey underline that integration remains the most important challenge, and knowledge of Dutch is crucial. Not speaking the language is not only a barrier to work, it also makes it difficult to find a home or arrange a visit to the doctor. Many refugees also suffer from psycho-social problems, but they find it difficult to find their way to mental health care or the supply in Flanders falls short. The survey shows that local authorities find themselves at the ideal policy level to work on integration and three quarters of the local authorities call on volunteers, especially to informally learn Dutch and to show people around in the municipality. About half of the municipalities received an integration subsidy from the Flemish government that they could use depending on local needs. This was highly appreciated. The Association of Flemish Cities and Municipalities asks that the Flemish Government continues to supports the local authorities in all kinds of areas and makes priority of a broader and faster supply of Dutch as a second language courses and of the improvement of the supply and accessibility of mental health. Finally, the survey shows that many creative, positive and innovative practices have arisen in the Flemish municipalities and that it is important to map out the multitude of these initiatives and to spread them across all (Flemish) policy domains<sup>136</sup>.

EMN Common Template Q. 24.

## 5.3 KEY LESSONS LEARNT

Certain **lessons learnt** could be identified regarding the responses provided to the high influx of applicants for international protection in Belgium.

First of all, awareness of the "asylum crisis" at a political level is important, and **quick political decision making** regarding measures to be taken – such as the allocation of additional resources – is crucial.

Furthermore, the experience of 2015/2016 showed the importance of a **coordinated and integrated approach of the authorities** that transcends the various policy areas and policy levels. The "asylum crisis" underlined the need for **consultation and connecting platforms for the multitude** of stakeholders implementing all kinds of initiatives, especially because of the fragmented Belgian landscape (for example, this is one of the conclusions of the report of the "Refugee Task Force" set up by the Federation of Belgian Enterprises<sup>137</sup>).

Regarding the reception of applicants for international protection, the experience of 2015/2016 showed that the **reception network needs to be sufficiently flexible** to respond to possible fluctuations in the influx of applicants for international protection. In this perspective, the State Secretary for Asylum Policy and Migration notes in his General Policy Note of 2017 that a new plan for the decrease of the capacity of the reception network needs to be implemented in 2018, with an appropriate balance between collective and individual reception (in line with the new reception model)<sup>138</sup>. Sufficient and cost-efficient buffer places also need to be foreseen. In 2015/2016, the existing reception places (over 2,000) rapidly proved insufficient to cope with the important influx. Fedasil thus proposed to increase the number of buffer places.

Regarding the **recruitment of new staff by the concerned authorities**, the experience of 2015/2016 showed that it **takes time** to recruit and train these new staff members. For example, this was the case for the Office of the Commissioner General for Refugees and Stateless Persons, in particular for what concerned new staff for more complex jobs (e.g. protection officers who assess the applications for international protection). It is thus important to have realistic expectations as regards when the envisaged results can be obtained.

136. Association of Flemish Cities and Municipalities, Survey on the Integration of refugees, May 2017, available in Dutch on [http://www.vvsg.be/nieuws/Documents/Analyse\\_Bevraging%20Integratie%20van%20vluchtelingen\\_DEF\\_zp\\_29mei2017.pdf](http://www.vvsg.be/nieuws/Documents/Analyse_Bevraging%20Integratie%20van%20vluchtelingen_DEF_zp_29mei2017.pdf)

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138. House of Representatives, General Policy Note on Asylum and Migration, 19 October 2017, DOC 54 2708/017.

What's more, **focusing on output in the international protection procedure** (i.e. more decisions on applications for international protection) seems necessary in times of crisis. However, the experience of 2015/2016 showed that it is important for the asylum authorities to guarantee the **quality** (of the interviews and the decisions) and to not only focus on increasing the output. In addition, certain crisis measures should be **temporary in nature** and cannot be permanent. This is the case - for example – regarding the shift from certain supporting units (legal service, HR, COI,...) towards case working. It can also be tricky for an organisation to put long term (but necessary) projects on hold. Finally, it is important to take into account the **wellbeing of the staff** of the authorities involved in the procedure for international protection. Putting too much pressure on the staff to speed up the decision making during a longer period of time can potentially lead to demotivation or burn outs.

Regarding integration on the labour market, a report by the Itinera Institute concludes that the regular steps to be taken by newcomers to access the labour market (i.e. obtaining a work permit, civic integration, language training and diploma recognition) are delaying their entry to the labour market<sup>139</sup>. The report underlines that there is a need to break through the linear trajectory and allow for different processes to work in parallel (e.g. recognition as a refugee, language and civic integration, recognition of diplomas and competences already acquired). There is also a need for an integrated career pathway approach that is based on on-the-job training.

*EMN Common Template Q. 26.*

## 5.4 GOOD PRACTICES

Furthermore, while Belgian authorities faced significant challenges in 2015/2016 to respond to the high influx of applicants for international protection, **certain good practices** could nonetheless be identified.

First of all, the rapid and adequate decisions taken by the Federal Government to **allocate additional resources to the asylum instances** (Immigration Office and CGRS) and to increase the reception capacity can be considered as a good practice.

Furthermore, the focus on **efficiency increasing measures** in the international protection procedure can also be considered as a good practice. These measures required no legislative changes nor substantial additional budgetary means and could thus be implemented rapidly, contributing to an increase in the number of decisions taken and a reduction of the backlog.

Taking into account **the bigger picture** – such as pull factors, developments in other EU Member States and EU policy developments and priorities – can also be seen as a good practice.

Furthermore, the report of the Court of Auditors on the reception of applicants for international protection – published in 2017 – points out a positive element regarding the **flexibility and adaptability of the reception network**. The report concludes that Fedasil managed to provide a reception place to all applicants for international protection during the “asylum crisis” of 2015/2016. This was in large part due to the **reception partners** (Rode Kruis, Croix-Rouge, LOIs...) who could respond in a flexible way to the sudden and swift increase in the need for reception places.

*EMN Common Template Q. 25.*

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**INFORMATION OBTAINED (VIA A MEETING, EMAIL OR TELEPHONE)****FROM:**

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- French Community
- Immigration Office
- Myria
- CGVS (Office of the commissioner general for refugees and stateless person)



European Migration Network

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