



RESETTLEMENT AND HUMANITARIAN ADMISSION IN BELGIUM

STUDY OF THE BELGIAN CONTACT POINT
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The European Migration Network (EMN) is coordinated by the European Commission with National Contact Points (EMN NCPs) established in each EU Member State plus Norway.

Belgian study and EU comparative study

Belgian report: This is the Belgian contribution to the EMN focused study on resettlement and humanitarian admission programmes in Europe – what works? Other EMN National Contact Points (NCPs) produced a similar report on this 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.⁽¹⁾

Aim: The overall aim of the study is to offer the target audience, e.g. national and EU officials in Government ministries and State authorities concerned with policy-making regarding resettlement and humanitarian admission programmes, practitioners working with the implementation of such programmes, international organisations such as UNHCR and IOM, as well as the general public, a comprehensive overview of challenges and current solutions regarding the functioning of resettlement schemes and humanitarian admission programmes for refugees. And to allow the target audience to learn about and identify difficulties and success factors for resettlement and humanitarian admission. In this way, the study aims to assist the elaboration and further development of both national programmes and joint European initiatives, also with a view to contribute to the handling of possible future refugee crises and humanitarian emergencies.

Scope of the study: This study looks into policies and practices developed by the State regarding resettlement of third-country nationals. The study briefly presents the national political context for contemporary policies on resettlement, including relevant debates and views of key stakeholders. There is also an analysis and evaluation of the implementation of resettlement programmes by the different national and international actors involved. The study presents methods and criteria used for selecting persons to be resettled, as well as the use of cultural orientation programmes and other measures in advance of resettlement. Post-arrival integration efforts for resettled persons are also studied when they differ from integration measures for other migrants or persons granted protection following an application on the country's territory. Finally, the study presents and discusses the findings of any evaluations of resettlement programmes and identifies challenges and best practices.

Available on the website: The Belgian report, the Synthesis Report and the links to the reports of the other (Member) States and the Common Template are available on the website: www.emnbelgium.be

¹ Available on the website of EMN Europe: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/studies/results/asylum/index_en.htm

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FACTSHEET - BELGIUM

This national EMN-study focuses on the approaches to the resettlement of refugees in Belgium at different stages of the resettlement process (pre-departure and departure, post-arrival and integration), examining existing policies and procedures and identifying challenges and good practices. This report is largely based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources and reports and information from national authorities, NGOs and international organisations. An expert review was conducted by Professor Dr. Frank Caestecker, Department of General Economics of the University Of Ghent.

Resettlement Policy

Since 2013 Belgium has a structural resettlement programme. The objective was set in the Government Declaration of December 2011, and the decision was based on pilot experiences through different ad hoc resettlement operations (47 Iraqis from Syria and Jordan in 2009, and 25 Eritreans and Congolese who had fled the Libyan conflict in 2011) and the development of the Joint European Resettlement Scheme⁽²⁾.

Annual resettlement quota

In 2013, Belgium agreed to resettle 100 refugees. The focus was on the African Great Lakes region and particularly vulnerable individuals. The 2014 quota was set at 100 refugees, 75 Syrians (from Turkey) and 25 Congolese (out of Burundi). The intention was to gradually increase the number to 250 refugees in 2020. However, due to the Syrian refugee crisis, the Government announced in November 2014 its decision to double the resettlement quota for 2015 from 150 to 300, of which 225 Syrians (this time from Lebanon) and 75 Congolese refugees (from Burundi). In the framework of the Council Conclusions of 20 July 2015 and the EU Resettlement Scheme, Belgium pledged to resettle 550 refugees in 2016 and 550 refugees in 2017, mainly Syrian refugees.⁽³⁾ The size of the quota is decided by the Government (State Secretary for Asylum Policy and Migration). The Office of the Commissioner General for Refugees and Stateless Persons (CGRS), the asylum authority in Belgium, and the Federal Agency for the Reception of Asylum Seekers (Fedasil) make a proposal on the allocation of the quota based on the UNHCR projected global resettlement needs, the EU priorities in the Joint European Resettlement Scheme and national considerations. The final decision belongs to the State Secretary for Asylum Policy and Migration. To optimize the national strategic use of resettlement, coherence with the Belgian Foreign Affairs and Development Cooperation policy is sought. The timing of the decision process follows

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- 2 The EU adopted, in March 2012, a Joint Resettlement Programme. This EU-wide resettlement scheme, proposed by the Commission in 2009, will help EU States, on a voluntary basis, in finding sustainable solutions for refugees. The central element of the EU Resettlement Programme is a mechanism allowing for the setting of common annual priorities on resettlement, as well as more effective use of financial assistance designed for resettlement activities. It also provides for strengthened practical cooperation and enhancing the effectiveness of external asylum policies. The resettlement framework set up by the Commission would allow, on an annual basis, the identification of arising or new and priority resettlement needs.
 - 3 As shown in Annex 1 Statistics, the quotas are usually higher than the actual number of persons resettled due to a variety of reasons such as: administrative, operational and technical obstacles (in the countries of refuge); lack of eligible persons; refusals or negative decisions; or lack of housing or necessary facilities (in Belgium).

the publication of UNHCR Projected Global Resettlement Needs document, European thematic and geographic priorities and ERF/AMIF pledging exercises, and Belgian budget cycles.

Framework for Recognition of Refugee Status Eligibility and Asylum

There is no specific legal framework for resettlement in Belgium and there are no specific provisions on resettlement in Belgian legislation on immigration, reception, social integration, etc. As a consequence resettlement has to be handled within the existing legislation.

Since the international protection status cannot be granted outside the Belgian territory, resettled refugees are granted refugee status immediately after arrival in Belgium. There is no difference between refugee status criteria for asylum seekers, and that for resettled refugees. Refugee status is granted on the basis of the 1951 Convention Relating to the Status of Refugees. The asylum procedure and the competencies of asylum institutions are governed by the Immigration Act of 15 December 1980 (Law on the entry, residence, settlement and removal of foreign nationals).

Criteria for Resettlement

Belgium only accepts UNHCR submissions, meaning that the persons concerned need to have been recognised as a refugee by UNHCR⁽⁴⁾.

In order to be eligible for resettlement to Belgium, a person must meet the refugee criteria as defined in Belgian Immigration Act of 1980. Cases for resettlement are assessed in exactly the same way as regular asylum-seekers in Belgium. The candidate must be able to articulate an individual need for protection in relation to his/her country of origin. There are no supplementary criteria for the selection. In accordance with the principle of family unity, resettlement is, as a rule, offered to all core family members (spouses and children under 18) in a case.

Belgium has not set its own criteria, nor does it prioritise certain cases over others on the basis of specific profiles such as age, religion, health condition, integration potential, or others. However, Belgium does focus on protracted refugee situations and absorption capacities (including integration facilities, housing for large families, specific services e.g. for unaccompanied children, etc.) are taken into account when setting the allocation of the quota.

All cases submitted for resettlement are screened and cleared by the Security of the State. Public order and security threats are also taken into account when deciding on the eligibility for resettlement.

Submissions and Processing via In-Country and Dossier Selection

During in-country selection missions, interviews are carried out on an individual basis by Protection Officers of the Office of the Commissioner General for Refugees and Stateless

4 To identify the refugees in need of resettlement, UNHCR uses a number of resettlement criteria: legal and physical protection needs; survivors of violence and torture; medical needs; women-at-risk; family reunification; children, adolescents and elderly refugees (more a set of considerations) and lack of local integration prospects. All refugees identified as being in need of resettlement consideration must pass through verification of the refugee status by UNHCR before a resettlement submission may be prepared. <http://www.unhcr.org/3d464ee37.pdf>

Persons with the aim to verify and supplement the information provided in the Resettlement Registration Form of the UNHCR⁵.

Belgium has no set quota for dossier selection, although dossier selection on ad-hoc basis and for a limited number of cases is possible. If there is no possibility for a personal interview, the Resettlement Registration Form is used for the dossier based selection. A full examination of the applicant's refugee claim, including a thorough assessment of the present fear needs to be done in each case. The possible application of article 1F of the Geneva Convention is to be examined by UNHCR. The form should include and indicate activities e.g. involvement in armed struggle, previous convictions and military background.

Medical Requirements

Health assessments are carried out by IOM on most of the pre-selected candidates for resettlement to ensure that the refugees are physically capable of being transferred to Belgium without any risk to themselves or to public health. Shortly before departure (max. 48 hours), a "fit-to-travel" examination is performed so as to confirm the capacity of each selected refugee to travel. If a refugee is declared not being fit to travel, he/she will receive the necessary treatment and will be transferred as soon as there is no more risk to him/herself or to public health.

Pre-departure Cultural Orientation Mission

A three day pre-departure cultural orientation training is provided to the refugees whose selection for resettlement in Belgium is confirmed by the State Secretary for Asylum Policy and Migration. Fedasil organises this training in close cooperation with UNHCR and IOM which assist with all logistical issues. Fedasil staff is in charge of providing the cultural orientation programme, which is based on a curriculum developed by Fedasil and covers different themes: housing, employment, education and vocational training, healthcare, family reunification, cost of life, etc. An IOM trainer provides some parts of the training (pre-embarkation which focuses on travel-related aspects, cultural shock and cultural adaptation, norms and values). If the cultural orientation training cannot be provided, the selected refugees receive an information brochure through IOM.

Travel

Following a written agreement concluded with Fedasil, IOM is in charge to organise the travel to Belgium (booking flight tickets, travel documents, immigration and customs procedures at the airport, embarkation). Assistance is also provided during transit and in some cases, IOM

5 The Resettlement Registration Form (RRF) was introduced in 1997 in order to harmonise resettlement submissions and create a standard form which could be consistently used by all UNHCR offices in the field and that would provide resettlement countries with the same quality and quantity of information regarding individual cases. The RRF is completed by UNHCR resettlement staff and submitted to governments or NGOs operating on behalf of governments as the basic UNHCR document containing information regarding the personal data including full data on family composition, the refugee story and reasons why the applicant left his or her country of origin, the situation in the country of asylum and the protection and resettlement needs on which the application is based. More information on the RRF is available on: <http://www.unhcr.org/protection/resettlement/425e2d782/workshop-resettlement-registration-form.html>.

provides an escort to the most vulnerable refugees (i.e.: single mother with several children). If necessary, IOM can organise a medical escort in agreement with or at the request of Fedasil.

The required travel documents are issued by the Belgian diplomatic missions and consular posts on the instructions of the State Secretariat for Asylum and Migration. They consist of a laissez-passer and a visa. Sometimes, a transit visa waiver is needed to go through a transit country.

Status on Arrival and the Path to Citizenship and Family Reunification

Within days after arrival the refugee status will be granted, and within weeks, resettled refugees will receive a refugee certificate. If the refugee possesses a passport from his/her country of origin, he/she will have to turn it over to the Office of the Commissioner General for Refugees and Stateless Persons. In addition, the refugee will also receive a birth and identity certificate. The resettled refugee has the same rights as a regular asylum seeker that has been granted refugee status. If a resettled refugee wants to travel abroad, he/she needs to apply for a travel document (a “blue” passport).

Belgian citizenship can be obtained by a person above 18 years of age who has resided legally in Belgium for five years and who knows one of the three national languages and can prove his/her social integration and economic participation. And resettled refugees have the same right to family reunification as persons who were granted refugee status after applying for asylum in Belgium.

Post-arrival Measures and Integration

Fedasil is in charge of the initial reception in a federal reception center for a duration of three to seven weeks. During this period, resettled refugees benefit from an orientation programme delivered in the center, specialised social and medical services and, if necessary, language courses can be delivered by volunteers (if available). After the initial reception phase, Fedasil coordinates the transfer to private housing in the Local Reception Initiatives managed by the Public Social Welfare Centers (PSWC) for a period of 6 months. Two NGOs selected by Fedasil (Caritas and Convivial) assist these centers by bringing additional support to the refugees’ integration process for a period of up to 24 months depending on the specific needs of each refugee. The support aims at fostering the empowerment and the autonomy of the resettled refugees. All of these resettlement operational partners also refer the resettled refugees to existing specific services such as the civic integration programme in Flanders, the literacy and language training structures in Wallonia, the regional employment agencies, vocational training organisations, psychological counselling services, etc. The resettled refugees also receive support from the Public Social Welfare Centers and the NGOs to find durable housing.

Health

At the moment of the registration process at the Immigration Office, a tuberculosis test and vaccinations are administered by Fedasil’s medical staff at the Dispatching service. Within three days after arrival, all refugees undergo a first medical examination in the reception center. The medical team ensures the medical follow-up of the refugees and the drafting of a first medical report that will then be forwarded to the general practitioner in the future municipality. As soon as the resettled refugees are granted the refugee status, they should subscribe to a mutual

insurance so they can access healthcare under the same conditions as Belgian citizens. The Public Social Welfare Center can still intervene if it judges that the medical costs are too high for the people to cope with (despite the health insurance intervention).

Other Humanitarian Admission Programmes

Belgium does not have any other humanitarian admission programmes as such and there is no explicit reference to humanitarian visa in the legislation. However, on an ad hoc and discretionary basis, the State Secretary for Asylum Policy and Migration and the Immigration Office grant visas on the basis of "humanitarian grounds", so-called humanitarian visas. These are either short term (C-type) or long term (D-type) visas.

Rationale, background and the European context⁽⁶⁾

1.1 Rationale for the study

According to the United Nations High Commissioner for Refugees (UNHCR), in 2015, **the number of refugees, asylum-seekers and internally displaced people worldwide, for the first time in the post-World War II era, exceeded 65 million people.** This development was driven mainly by the war in Syria, which at the end of 2015 had displaced millions of people. Major new displacements were also taking place in Africa – due to continued wars and failure to resolve or prevent conflict.

While **most refugees have fled to neighbouring or other countries in their regions of origin, migration and refugee flows to Europe have also increased significantly,** with hundreds of thousands of refugees arriving in the EU Member States and Norway to apply for international protection, especially since the summer of 2015. Most of them entered the EU without registering, often via Greece or Italy, and then transited through a number of countries, both EU-Member States and non-members, hoping to reach Western and Central Europe or the Nordic countries. Under these exceptional migratory pressures, the border and mobility rules of the Schengen area and the Dublin regulation came under significant pressure, and for many refugees, the journey to Europe meant extreme uncertainty, risks and dangers. It also became obvious that many EU Member States were reluctant to accept significant numbers.

While EU Member States and Norway are **searching for adequate responses to the challenges created by strongly increasing migratory pressures,** several ideas and concepts to resolve, or at least alleviate, the resulting problems have been discussed, such as **better controls at the external borders of the Schengen area, a tougher approach against traffickers and smugglers of human beings, the implementation of a relocation scheme to distribute asylum applicants within the EU, assisting neighbouring states of conflict countries, as well as addressing the root causes of irregular migration by contributing to development and peace in affected countries** in Africa, the Middle East, and Asia. Last but not least, the need for **opening up, or expanding existing legal avenues or pathways to protection in the EU** has also been discussed. **Resettlement is one of the key elements of such legal avenues** and one (of three) main long-

6 Excerpt from Resettlement and Humanitarian Admission Programmes in Europe – what works?, EU Synthesis Report, November 2016.

term solutions for refugees alongside return (the preferred solution) and local integration in the country of first refuge.

Resettlement refers to the transfer of refugees from the country of first refuge to a country willing to admit them. The goal of resettlement is to offer a **long-term solution** for those fleeing conflict and to support first countries of refuge in their efforts to deal with displacement and the pressure this places on their country's infrastructure, resources and citizens.

With momentum growing in favour of resettlement programmes, there is a **growing need for knowledge-sharing and support between "old", "new" and "emerging" resettlement countries.** Some (Member) States have had resettlement schemes for decades, others have recently started them, and some are considering setting them up. While there are already comprehensive projects for developing practical cooperation between (Member) States⁽⁷⁾, new initiatives⁽⁸⁾, and a certain amount of information on national resettlement or humanitarian admission programmes available, there remains a need for improving knowledge and awareness of practical problems and key success factors for creating resettlement and/or humanitarian admission programmes and schemes that are well designed, successfully implemented and able to produce positive results for the affected communities.

1.2 Background and European context

1.2.1 EU Policy

Following the 1999 Tampere Summit that led to agreement on the **Common European Asylum System (CEAS)**, in 2003 a Commission communication highlighted **resettlement as a way for ensuring 'orderly and managed arrival'**, culminating in the Council asking the Commission in January 2005 to **put in place a resettlement programme.** The ensuing action plan for regional protection programmes highlighted voluntary resettlement commitments. The proposal for an EU-wide Resettlement programme tabled in September 2009 set out more specific aims, and after long negotiations the Commission proposal was adopted in March 2013 by **establishing common resettlement priorities for 2013 and allocating funding** by amending the Decision on the European Refugee Fund. This provided the basis for future financial envelopes and designating specific priorities under the current Asylum, Migration and Integration Fund (AMIF) Regulation for the 2014-2020 period. Member States mostly set their priorities for resettlement at national level and **EU action aims at maximising the strategic impact of resettlement through a better targeting of those persons in greatest need of resettlement,** through formulating common priorities, and providing EU financial support for persons who have been resettled, as well as for Member States resettling for the first time.

7 See www.resettlement.eu and SHARE publications, including toolkits and studies on the role of volunteers, a good practice guide for housing, and coordination and networks at local and regional level.

8 Such as EU-FRANK, Facilitating Resettlement and Refugee Admission through New Knowledge. A project funded by the EU and run by the Swedish Migration Agency between 2016-2020, which aims The project run by the Swedish Migration Agency between 2016-2020 aims at offering operational support to Member States to increase or start resettlement programs and facilitate their increased capacity for resettlement and humanitarian admission.

The **European Agenda on Migration from May 2015** reiterated the European Commission's **commitment to contribute to helping displaced persons in clear need of international protection by providing safe and legal avenues of immigration**. The Commission Recommendation for a **European Resettlement Scheme** in June 2015⁽⁹⁾ established a target of resettling 20,000⁽¹⁰⁾ people in need of protection, over a period of two years. An amendment to the AMIF fund in May 2015 ensured the earmarking of an additional EUR 25 million for the implementation of the European Resettlement Scheme. This was followed by the Conclusions of Member States meeting within the Council of 20 July 2015⁽¹¹⁾, reaching an agreement on a scheme to resettle, **through multilateral and national schemes, 22,504 people in need of protection** (European Resettlement scheme). A **key role of the UNHCR and substantial contributions by IOM** were recognised in the Conclusions as well as the importance of the **supporting role to be played by EASO** in the implementation of the scheme.

Later, at the **EU-Africa summit on Migration in November 2015** in Malta⁽¹²⁾, participating states declared that **“access to regular mechanisms for protection, such as resettlement, should be reinforced”**.

In December 2015, the European Commission presented a recommendation for a voluntary humanitarian admission scheme with Turkey for persons displaced by the conflict in Syria⁽¹³⁾. As of April 2016, following the **EU-Turkey statement of 18 March, a ‘one-to-one’ mechanism has been in place**, whereby for each Syrian national returned to Turkey from Greece, another Syrian national would be resettled to the EU.⁽¹⁴⁾

Building on the experience with ongoing resettlement initiatives the Commission in **July 2016 presented a legislative proposal to frame the EU’s policy on resettlement**⁽¹⁵⁾ and allow for a collective and more coordinated approach to safe and legal arrival in the EU for persons in need of protection.

1.2.2 Relevant statistics on resettlement and humanitarian admission

Statistics on resettlement and humanitarian admission are available. However, **disaggregated statistics on persons resettled or admitted through humanitarian admission programmes by sex, age and nationality are not systematically available**. A breakdown by sex is available in Austria, Belgium and Finland, a breakdown by age (Austria), and a breakdown by transit country by some Member States (Austria, Belgium, Finland, Ireland, Sweden). To the extent possible, comparative information is provided below.

9 Commission Recommendation of 8.6.2015 on a European resettlement scheme.

10 The commitment was in the end to resettle 22,504 persons.

11 Conclusions of the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20 000 persons in clear need of international protection.

12 EU-Africa summit on Migration, Malta, November 2015

13 Specifically those in need of international protection and who were registered by the Turkish authorities before 29 November 2015

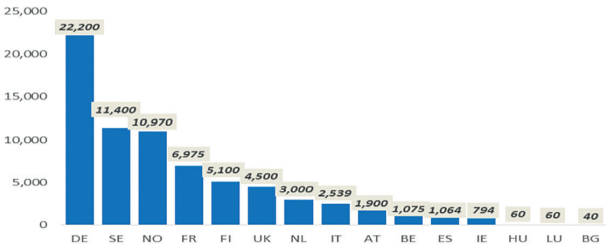
14 EU-Turkey Statement, 18 March 2016, available at: <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/>

15 Proposal for a Regulation establishing a Union Resettlement framework COM(2016) 468 final.

Figure 1 provides an **overview of Member State quotas for the period 2011-2016**. Not necessarily all Member States have resettled in all years in this period and figures below are a cumulative total of the period 2011-2016.

The total was over 5,400 persons in 2011 and 2012, over 16,100 in 2013, nearly 18,000 in 2014, 10,300 in 2015⁽¹⁶⁾ and nearly 18,000 for 2016. It must be noted, however, that **figures cannot generally be compared across years** because quota⁽¹⁷⁾ in some Member States do not strictly stick to calendar years, but rather programme or scheme periods that span over two years.

Figure 1. Member State quotas for resettlement and/or humanitarian admission for the period 2011-2016. ⁽¹⁸⁾



Source: Member States’ National reports

When looking at the actual number of persons resettled according to Eurostat figures, between 2008 and 2015 56,680 persons were resettled, or over 36,000 since 2011. **Between 2011 and 2015, Sweden and Norway accounted for nearly 45% of all persons resettled, and six countries (Sweden, Norway, United Kingdom, Finland, Netherlands, Denmark⁽¹⁹⁾) for 83%**, as is shown in Figure 2. It should be noted, however, that countries carrying out significant humanitarian admission activities (such as Germany) are therefore underrepresented in Eurostat figures, as they are not counted as resettlement.

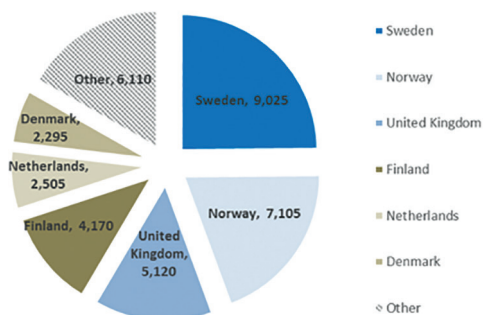
16 The total quota for 2015 is only lower than 2014 due to the fact that Germany’s quota of 10,000 for the HAP Syria for 2014, was not repeated in 2015.

17 France uses the term “pledge” and not “quota” to indicate the estimate of persons expected to be admitted under the different programmes.

18 Figure 1 does not contain 2016 data for Spain and Hungary. Statistics for Sweden and Finland includes emergency quota. The figure for Luxembourg is the upper estimate, with the lower estimate being 45. Figure for France is an estimate. The pledge for its permanent programme refers to the number of applications to be processed. One application can concern several persons and/or can be rejected. On the contrary, the pledges for the two ad hoc programmes’ indicate the number of persons to be resettled. Statistics for United Kingdom only includes Gateway Protection Programme (GPP) quota, not Syrian Resettlement Programme as there is not an annual quota for this scheme.

19 Denmark is not part of the study but for providing a comprehensive background it has been included in the statistics.

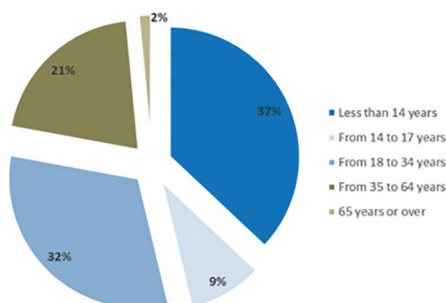
Figure 2. Persons resettled by top six Member States in resettlement, for the period 2011-2015.⁽²⁰⁾



Source: Eurostat, elaboration EMN Service Provider.

At the same time, the **share of women among resettled persons was 51%**. In regards to age categories, over **three quarters of persons resettled were under the age of 35 at the time of resettlement, with nearly half minors** (under 18). Age-wise differences between Member States were, however, surprisingly small.

Figure 3. Persons resettled by age group, for the period 2011-2015.⁽²¹⁾



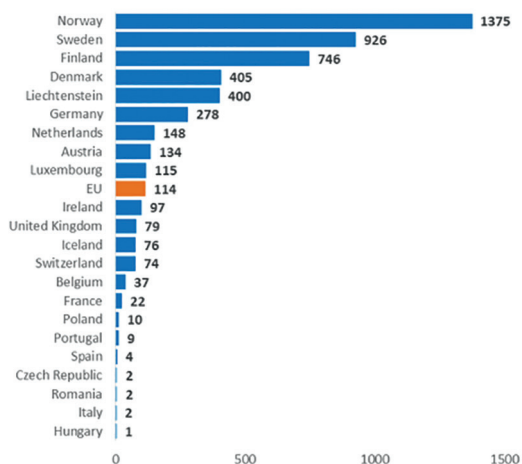
Source: Eurostat, elaboration EMN Service Provider.

When compared to the Member State's population, very large differences arise. When considering all persons resettled or admitted under humanitarian admission as a share per 1 million inhabitants, the **largest share of persons are resettled by Norway, followed by Sweden and Finland**. Interestingly, **four out of twelve countries carrying out most resettlement as a share of their population are the three EEA countries** (Iceland, Liechtenstein and Norway) **and Switzerland**.

20 Statistics under 'Other' include EU Member States, as well as Iceland, Switzerland and Liechtenstein.

21 Statistics are given for EU Member States, as well as Iceland, Norway, Switzerland and Liechtenstein.

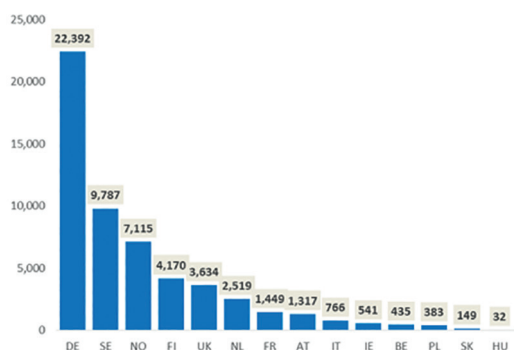
Figure 4. Persons resettled or admitted under humanitarian admission by per 1 million inhabitants, for the period 2011-2015.⁽²²⁾



Source: Eurostat and Member State reports, elaboration EMN Service Provider.

The total number of persons resettled or admitted through (humanitarian) admission programmes and schemes is slightly different to that based on Eurostat figures. Furthermore, for some programmes and schemes in Member States no quotas are set, with the result that the actual number of admitted persons also varies from the total number of all quotas combined (see figure 5). Figure 5 provides an overview of the actual number of persons resettled based on the quotas for the years 2011-2015.

Figure 5. Actual number of persons resettled or admitted under humanitarian admission for the period corresponding to the quotas for the years 2011-2015.⁽²³⁾



In almost all countries, **the quota was higher than the actual number of persons resettled/ admitted** due to a **variety of reasons** such as: administrative, operational and technical

22 Statistics includes EU Member States, as well as Iceland, Norway, Switzerland and Liechtenstein.

23 Statistics included all programmes and schemes, both resettlement, humanitarian admission and other. Decisions made in 2015 can lead to effective arrivals in 2016. Figure 5 does not contain data for Spain and United Kingdom figures only include Gateway Protection Programme.

obstacles; lack of eligible persons; refusals or negative decisions in the countries of refuge; or lack of housing or necessary facilities in the resettlement countries.

Box 1. Examples of differences between quotas and actual number of persons resettled

In 2014, Belgium decided to resettle 75 Syrian refugees from Turkey and 25 Congolese refugees from Burundi. Although the Syrian refugees were selected as planned, the majority of the departures of Syrian refugees had to be postponed until 2015 due to problems with the issuing of exit permits by the Turkish authorities (only 28 of 75 were resettled in 2014). Similarly, Czech Republic identified 15 families eligible for resettlement in 2015, but only 4 families were actually resettled, while the rest refused to be resettled. Hungary had a slightly lower number of resettlement places compared to the set quota because of few appropriate candidates and technical obstacles. In Sweden, the quota and actual number of persons resettled matched in all years except 2012, when 1,728 people were resettled out of 1,900 expected, due to difficulties in finding housing in the municipalities.

To put resettlement into a **wider context**, in 2015 alone, EU Member States and Norway released over 10.6 million residence permits valid for over 12 months for the purpose of education, family and remuneration, and EU Member States had over 7.7 million third-country national long-term residents. Moreover, in the period 2011-2015 EU Member States and Norway made 759,000 positive first instance decisions on asylum applications.⁽²⁴⁾ By comparison, nearly 36,000 persons were resettled between 2011 and 2015, or nearly 68,000 persons if humanitarian admission over that period is included.

Despite the difficulty of comparing them, these different figures highlight that **resettlement is still relatively small in magnitude and that a few Member States are responsible for most of the persons resettled or admitted on humanitarian grounds**, in spite of the growth in recent years of pledges and quotas.

In March 2016 the Commission started publishing **monthly Relocation and Resettlement reports**⁽²⁵⁾, summarising the **challenges identified and lessons learned** in the implementation of the European resettlement and relocation schemes, proposing further action to improve implementation rate. As part of the reporting, the Commission also publishes **monthly updates on the implementation of the European resettlement scheme** of July 2015, including the resettlement efforts under the 1:1 mechanism, implementing the EU-Turkey Statement of March 2016.⁽²⁶⁾

1.2.3 Resettlement and humanitarian admission in EU Member states

As of June 2016, **18 Member States and Norway had in place resettlement or humanitarian admission programmes or schemes, or have had them in the past** (Austria⁽²⁷⁾, Belgium,

24 Based on Eurostat sources migr_reslong, migr_resvalid and migr_asydcfsta.

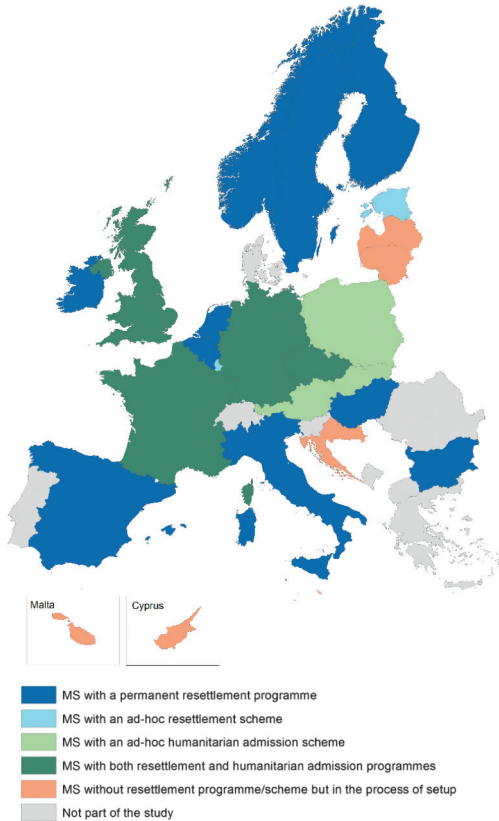
25 Available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/index_en.htm

26 See: http://europa.eu/rapid/press-release_MEMO-16-1664_en.htm

27 Refers to three ad-hoc humanitarian admission programmes: HAP I, HAP II (both finished) and HAP III (current).

Bulgaria, Czech Republic, Germany⁽²⁸⁾, Estonia, Spain⁽²⁹⁾, Finland, France⁽³⁰⁾, Hungary, Ireland⁽³¹⁾, Italy, Luxembourg, Netherlands, Poland⁽³²⁾, Sweden, Slovakia, United Kingdom⁽³³⁾, Norway). The existence or not of various permanent and ad-hoc resettlement and (humanitarian) admission programmes and schemes are presented in Figure 6.

Figure 6. Overview of permanent and ad-hoc resettlement and (humanitarian) admission programmes and schemes.



28 Refers to a national resettlement programme, three humanitarian admission programmes for Syria (HAP Syria, all finished) and an ad-hoc admission for Afghan Local Staff (ongoing).
 29 Refers to resettlement.
 30 Refers to the three schemes.
 31 Refers to resettlement.
 32 Refers to 2 humanitarian admission schemes.
 33 Refers to 2 resettlement programmes.

2

Overview of the Belgian framework for Resettlement and Humanitarian Admission

2.1 Resettlement

2.1.1 Policy framework for resettlement

In December 2011, the Belgian Government decided to develop a structural resettlement programme⁽³⁴⁾. This decision was based on pilot experiences through different ad hoc resettlement operations (2009: Iraqi refugees from Jordan and Syria and refugees who fled to Tunisia because of the conflict in Libya in 2011) and the development of the Joint European Resettlement Programme. **Since 2013 Belgium has implemented a structural resettlement programme**, which means that Belgium offers every year protection to a number of vulnerable refugees through resettlement.

The **size of the quota** of resettled refugees is decided by the Government. The Office of the Commissioner General for Refugees and Stateless Persons, the asylum authority in Belgium, and the Federal Agency for the Reception of Asylum Seekers (Fedasil) make a proposal on the allocation of the quota based on the UNHCR projected global resettlement needs, the EU priorities in the Joint European Resettlement Programme and national considerations. The final decision rests with the government on the initiative of **the State** Secretary for Asylum Policy and Migration. To optimize the national strategic use, coherence with the Belgian Foreign Affairs and Development Cooperation Policy is sought. The **timing of the decision process** follows the UNHCR (needs), European (thematic and geographic priorities and ERF/AMIF pledging exercises) and Belgian cycles (budget).

In 2013, Belgium agreed to resettle 100 refugees. The focus was on the African Great Lakes region and particularly vulnerable individuals. The **2014** quota was set at 100 refugees and concerned Syrians and Congolese refugees. The intention was to gradually increase the number to 250 in 2020. However, due to the Syrian refugee crisis, the Government announced in November 2014 its decision to double the resettlement quota for **2015** from 150 to 300. In the framework of the Council Conclusions of 20 July 2015 and the EU Resettlement Scheme, Belgium pledged to resettle 550 refugees in **2016** and 550 refugees in **2017**.

34 Belgian Federal Coalition Agreement, 1 December 2011, p.135. Available in French and Dutch on: <http://archive.dirupo.belgium.be/nl/regeerakkoord>

The two **main operational authorities** are the Office of the Commissioner General for Refugees and Stateless Persons, an independent federal administration which determines whether the applicant qualifies for international protection and the Federal Agency for the Reception of Asylum Seekers (Fedasil) fall under the competence of the State Secretariat for Asylum Policy and Migration. The selection process is managed by the Office of the Commissioner General for Refugees and Stateless Persons. Travel and medical arrangements, pre-departure cultural orientation, initial reception and transition to mainstream and specific integration services are managed by Fedasil. Transportation within the first country of asylum, medical arrangements and organisation of the transfer to Belgium are delegated to the International Organisation for Migration (IOM). The Immigration Office, competent for issuing the travel documents, if refugees do not possess such documents, and visas (delivered by the Belgian diplomatic missions and consular posts), also falls under the competence of the State Secretariat for Asylum Policy and Migration.

2.1.2 Legal framework for resettlement

There is **no specific legal framework for resettlement in Belgium** and there are no specific provisions on resettlement in Belgian legislation on immigration, reception, social integration, etc.

According to Belgian Immigration Act of 15 December 1980⁽³⁵⁾, an **international protection status cannot be granted outside the Belgian territory**. As a consequence, the State Secretary for Asylum Policy and Migration, competent for granting access to the territory, authorizes the travel to Belgium of resettled refugees. The State Secretary will take this decision based on the proposal of the Office of the Commissioner General for Refugees and Stateless Persons on the selection of refugees who are eligible for resettlement. After arrival, the resettled refugee will **need to lodge an asylum application**, although this is a pure formality: there will be no interview on the substance of the asylum application and no full investigation will be carried out. Within days after arrival the refugee status will be granted and soon thereafter, the resettled refugee will receive the refugee certificate as proof of the recognition as a refugee. The **refugee status is granted on the basis of the 1951 Convention Relating to the Status of Refugees**.

2.1.3 National debates on resettlement

The current **Commissioner General for Refugees and Stateless Persons**, in office since 2005, as well as the previous Commissioner General have repeatedly called for the launch of a resettlement policy to complement the national asylum policies. There has **never been a major national political debate** on resettlement, yet **since 2009 the successive ministers responsible for asylum policy and migration have put it on the agenda**. The **previous State Secretary for Asylum Policy and Migration** included the participation of Belgium in resettlement programmes at the European level and in cooperation with the United Nations High Commissioner for

35 Law of 15 December 1980 regarding the entry, residence, settlement and removal of foreign nationals, Belgian Official Gazette, 31 December 1980.

Refugees, in her first Policy Note in 2011⁽³⁶⁾. But it is not until the acceptance of the Joint EU Resettlement Programme 2013, that it becomes effective.

In his **General Policy Note**⁽³⁷⁾, the current State Secretary for Asylum Policy and Migration announced that the resettlement quota for 2015 was doubled from 150 to 300 in view of the intensity of the conflict in the Middle East. And in the course of 2015 it was decided to further increase this number to 550. This number was later reduced to 300. The policy note also stated that the number of resettled refugees shall amount to 550 in 2016 and 550 in 2017. For this total of 1100 resettled refugees the focus will be on Syrians.

In last **General Policy Note** on Asylum and Migration of 27 October 2016⁽³⁸⁾, the State Secretary stated that the asylum crisis and the associated lack of reception capacity have led to a **delay in the realisation of the commitments** for 2016 made by Belgium in the context of resettlement. And although the influx of asylum seekers is in the meanwhile back at pre-crisis level, the Belgian asylum system will clearly feel the after-effects of the migration crisis of 2015 until the end 2017. The number of accommodated asylum seekers will stay above pre-crisis levels for months to come, while the accrued administrative backlog will continue until the end of 2017. Nevertheless, the Belgian Government will **continue the resettlement programme at a pace the asylum administrations are able to manage**.

The State Secretary for Asylum Policy and Migration has received several oral and written **questions from Members of the House of Representatives**, mainly about the resettlement quotas, the country of origin of the refugees concerned, the processes and methods used to select refugees under resettlement, the schedule of arrival and reception of resettled refugees, special terms (if any) for the reception of resettled refugees, the particular needs of resettled refugees (due to trauma or other) and the monitoring thereof, the inventory of efforts for Syrian refugees admission programmes, the criteria for granting a humanitarian visa (demand for more flexibility) and the distribution of effort and solidarity regarding resettlement and humanitarian admission within and outside the EU.

At the **international level**, there is currently a very strong opposition of the NGOs⁽³⁹⁾ regarding the EU-Turkey agreement and its 1 to 1 component, also from the NGOs usually in favour of resettlement and the ones who are actively involved in the Belgian resettlement process.

At the **Belgian level**, several non-governmental and non-profit organisations have repeatedly advocated for the launch of a resettlement programme in the past and still stress the importance of resettlement as a response to the refugee crisis. They ask the Belgian government to upscale

36 Belgian House of Representatives, General Policy Note on Asylum and Migration, 20 December 2011, DOC 53 1964/009.

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

38 Belgian House of Representatives, General Policy Note on Asylum and Migration, 27 October 2016, DOC 54 2111/017.

39 Including: VluchtelingenWerk Nederland, Refugee Council USA, ECRE, AMES Australia, Amnesty International Australia, Amnesty International Germany, Auckland Refugee Community, British Refugee Council, Canadian Council for Refugees, Caritas Austria, Caritas International, Danish Refugee Council, Ethiopian Community Development Center USA, Finn Church Aid, Forum Réfugiés, Foundation House, HIAS, ICMC, ICVA, IRC, ISSofBC, Japan Association for Refugees, Mennonite Central Committee Canada, MYAN, Refugee Action UK, Refugee Consortium of Kenya, Refugee Council Australia, Refugee Rights, Refugees as Survivors, RefugeePoint, Romanian National Council for Refugees, Settlement Council of Australia, SSI, Swiss Refugee Council, WUSC.

the programme and to denounce the agreement with Turkey. In 2015, the non-profit association CIRÉ⁽⁴⁰⁾ called upon the Belgian authorities to relax the visa requirements, for humanitarian visas as well, and ease the rules on family reunification for Syrians. The association also wanted the Belgian authorities to set up a humanitarian admission programme, to increase of the resettlement quotas, and to demand a strategy at European level. Early 2016, at the moment of the negotiations with Turkey, CIRÉ and Vluchtelingenwerk Vlaanderen⁽⁴¹⁾ have asked Belgium not to support the measure that grants Turkey the status of safe third country, a measure “aimed, more and more cynically, to prevent refugees from arriving to Europe, not having to accommodate and protect them”⁽⁴²⁾. For these non-profit associations, the resettlement and relocation quotas that have been set are far too low and the concerned nationalities are too limited. They suggest solutions such as the complete revision of the Dublin system, the harmonization and optimization of the reception in the EU and the creation of legal migration channels for Europe.

In 2015 and 2016, the Belgian media focused mainly on the asylum and reception crisis. The high influx of asylum seekers, the registration issues for asylum applicants, the creation of a large number of (temporary) reception places, the backlog of processing the asylum applications, etc. drew all the attention. The pressure on both institutional and private actors and services as a result of the increased number of asylum seekers has also been extensively highlighted in the media. The refugees situation gave rise to a number of spontaneous initiatives organised by concerned parts of the civil society, which attracted the attention of the national and international media. Besides, the topic of the distribution key for the European Relocation Scheme for asylum seekers, and to a lesser extent of the Joint European Resettlement Programme, has also been addressed in the media. The media mentioned the quotas for Belgium, but the focus was however mainly on the European organisational challenges. In this global context, the topic of resettlement has remained rather low-profile in the Belgian media. It should be kept in mind that the national resettlement programme is still recent and of modest size and, as such, does not attract a lot of attention. In 2015, only a few articles on the matter, mostly factual, have been published. However, in the past years particularly along the launch of the programme, some feature articles and “portraits of resettled refugees” have been published.

It is worth mentioning that the **Belgian political authorities have decided not to communicate proactively on the topic of resettlement.**

However, Fedasil and the Office of the Commissioner General for Refugees and Stateless Persons regularly update their joint **website on resettlement**, www.resettlement.be⁽⁴³⁾. Each year the quotas, priorities and different steps of the resettlement process are described on the website and news items are published regularly on this website. A part of the website is dedicated to the Public Social Welfare Centers and provides specific information and useful documents.

40 Coordination et Initiative pour les Réfugiés et Étrangers, www.cire.be

41 www.vluchtelingenwerk.be

42 <http://www.cire.be/presse/communiqués-de-presse/refugies-la-belgique-doit-faire-preuve-de-courage-politique-communique-de-presse-16-mars-2016>

43 The English version of the website is an abbreviated version of the French and Dutch versions.

2.2 Humanitarian admission

2.2.1 Legal and policy framework for humanitarian admission

Belgium does **not have a formal humanitarian admission programme**. However, the State Secretary for Asylum Policy and Migration and the Immigration Office grant in exceptional circumstances visas on the basis of humanitarian grounds, so-called humanitarian visas. This happens **on a discretionary basis**.

The granting of humanitarian visas is **not explicitly foreseen in the Immigration Act**, but it falls under the general competence of the State Secretary and the Immigration Office concerning visas. **Long term humanitarian visa** (D-type, more than 90 days) are being issued on the basis of article 9 and 13 of the Belgian Immigration Act. The legal basis for **short term humanitarian visa** (C-type, maximum 90 days) can be found in European legislation. The Schengen Border Code⁽⁴⁴⁾ and the Visa Code⁽⁴⁵⁾ foresee the possibility for Member States to derogate from the common conditions for granting a visa on humanitarian grounds. In this case a visa will only be issued to enter the territory of Belgium, a so-called Schengen visa with limited territorial validity.

The **humanitarian grounds** which can justify the granting of a humanitarian visa are not defined. It concerns a discretionary power. It is the government, in particular the State Secretary for Asylum Policy and Migration and the Immigration Office, who assess applications on a case-by-case basis. On a number of occasions, in response to questions in the Federal Parliament, the State Secretary did give some clarifications on his policy concerning the issuing of humanitarian visa⁽⁴⁶⁾:

- The Immigration Office exercises its discretionary power in compliance with its **international obligations, in particular Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms** (ECHR). The Immigration Office also attaches importance to the **case law** as it follows from the judgments delivered by the Council for Aliens Law Litigation. Besides the law and the case law, the Immigration Office applies a **number of other criteria** when examining applications for humanitarian visas. Firstly, a simple reference to the general situation prevailing in the region or country of origin is not sufficient. The person requesting the authorization to stay in Belgium for more than three months for humanitarian reasons should be able to explain his **personal situation and demonstrate why these personal circumstances justify the granting of a humanitarian visa**. For example, the Immigration Office will not try to deny the situation in a country like Syria, but will try to determine how this situation personally affects the applicant and justifies the granting of a visa for humanitarian reasons.
- Furthermore, the Immigration Office also pays much attention to **the place of submission of the application**. If the application is filed in a country that is not the country of origin of the applicant, the Immigration Office requests for information about the situation of the

44 Article 5,4 c of the European Schengen Border Code 562/2006/EG

45 Article 25,1,a I of the Visa Code 810/2009/EG.

46 Belgian House of Representatives, Question n° 0394 of the MP Wouter De Vriendt of 18 December 2015 to the State Secretary for Asylum Policy and Migration, in charge of Administrative Simplification, attached to the Minister of Security and the Interior, 25 January 2016, QRVA 54 060, pp. 405-410.

applicant in that country: has the person concerned requested and received protection, does s/he finds him/herself in a precarious situation, is s/he alone or has s/he relatives or acquaintances who could accommodate and / or take charge of the applicant? And the possession of a passport that establishes the identity of the applicant is also a fact that is taken into account.

- The Immigration Office will also check whether the applicant has a **connection with Belgium**. If the link concerns the presence of a family member in Belgium, the Immigration Office will check whether the situation of the applicant justifies a family reunification (in the broad sense) in Belgium. In accordance with Article 8 of the ECHR, the Immigration Office will ask the following questions:
 - ★ is there a real family life? (family life is supposed to exist between the parents and their minor children and between spouses, other family members must provide proof of a family life)
 - ★ does the Immigration office intervene in the family life by refusing the authorisation to stay more than three months in Belgium (this could be the case if the person who is to be rejoined has an international protection status and cannot return to his country to live with the applicant)?
 - ★ is the interference proportionate (these are mainly cases that pose a risk to public or national security - the family's interests and the public interest are weighed against each other)?
- Finally, people also need **someone in the host country that guarantees their visa**.

Each application is unique because based on the applicant's personal situation and is **investigated on an individual basis**. If the Immigration Office decides that the individual situation does not justify the issuance of a visa, it will motivate this decision both de jure and de facto. The control of the court on the decision of the government is limited. The judge can annul the decision to refuse a visa if the refusal is unreasonable, not duly motivated or violates human rights (see below – procedure).

In its note of 22 November 2016 on humanitarian visas⁽⁴⁷⁾, **Myria, the Federal Migration Center, calls for more clarity and transparency in the field of humanitarian visas**. Myria points out that there is an atmosphere of arbitrariness surrounding the humanitarian visas policy and a lack of transparency in the communication.

2.2.3 Humanitarian admission in practice

There are **several scenarios for granting a humanitarian visa**. The following examples were used in the Federal Parliament by the State Secretary for Asylum Policy and Migration: usually it concerns cases which involve the adult children of people who have already or will obtain a residence permit in Belgium. It can also concern for instance a minor recognized as a refugee who wishes to transfer his parents and minor siblings on the basis of Article 10 of the Immigration

47 Myria, Humanitarian visas: Myria analyses the figures and calls for more transparency, 22 November 2016.

Act. However, for adult siblings an application on the basis of humanitarian grounds must be introduced. Other cases are family members, mostly the parents, who are left alone in the country of origin and claim that they have nowhere to go except to their family in Belgium.⁽⁴⁸⁾

There is **no specific procedure to apply for a humanitarian visa**. The application for a short term (visa C) or long term (visa D) humanitarian visa must be submitted to the competent diplomatic or consular mission, which forwards it to the Immigration Office to take a decision. The administrative fee for a humanitarian visa application is EUR 215 per adult and must be paid to the Immigration Office. In addition, there is also the cost of EUR 180 for each family member, charged by the Embassy, the so-called handling fee. However, in some cases the applicant of a humanitarian visa is exempted of this handling fee.

In exceptional cases, an applicant is allowed to submit the application at a more accessible diplomatic mission or consular post. This is currently the case for Syrians who can turn to the Belgian diplomatic missions in the region (Beirut, Ankara and Istanbul). In exceptional cases, the Immigration Office also accepts that the procedure is launched in Belgium.

In case the Immigration Office refuses to grant a humanitarian visa, the applicant can file an **appeal for suspension and annulment by the Council of Aliens Law Litigation** (limit 30 days), or an appeal for suspension in extreme urgency (limit 10 days)⁽⁴⁹⁾. As regards the latter procedure, it must be demonstrated that the family members will undergo a serious and nearly irreparable damage (or a serious risk thereof), in particular the risk of inhuman and degrading treatment in the country of residence, because of the refusal of the visa application. The three cumulative conditions for this procedure, set out in Article 39/82 of the Immigration Act, have to be fulfilled (extreme urgency, serious grounds - based on fundamental rights - and a serious and nearly irreparable damage).

Tabel 1 presents an overview of the number of issued humanitarian visas. In theory, the visas issued for refugees who are transferred to Belgium under the resettlement programme are included in the statistics on humanitarian visas for short stays⁽⁵⁰⁾. Although this is technically correct, it drives up the numbers and creates the impression that recently much more regular humanitarian visas are delivered than in the past⁽⁵¹⁾.

48 Belgian House of Representatives, Question n° 0394 of the MP Wouter De Vriendt, Ecolo-Groen of 18 December 2015 to the State Secretary for Asylum Policy and Migration, in charge of Administrative Simplification, attached to the Minister of Security and the Interior, 25 January 2016, QRVA 54 060, pp. 405-410.

49 Belgian Committee for Aid to Refugees, Family Reunification Unit, Practical guide for humanitarian visa applications for family members of beneficiaries of international protection in Belgium, April 2016.

50 The visas issued under the resettlement programme are included in the humanitarian short-stay visas if the diplomatic post has registered it correctly. It is therefore possible that there is a small margin of error.

51 Myria, Humanitarian visas: Myria analyses the figures and calls for more transparency, 22 November 2016.

Table 1: Overview of the number of issued humanitarian visas.

Year	Total	Visa D (long stay > 3 months)	Visa C (short stay)
2013	270	96	174
2014	208	110	98
2015 ⁽⁵²⁾	849	124	725

The **main countries of origin** receiving humanitarian visas (type C and/or D) in 2015 were Syria (549 of which 188 in the context of resettlement), DR Congo (104 of which 88 in the context of resettlement), Burundi, Russia, Somalia and Afghanistan.

In 2015, a total of 276 persons arrived in Belgium through resettlement: 188 Syrians and 88 Congolese. This is 38% of the humanitarian short-stay visas. Subtracting the visas for resettlement from the total, there are 449 humanitarian visas for short stays issued in 2015. Of these short-stay visas, 320 were issued to Syrians, 29 to Burundians, 19 to Russians and 14 to Congolese (DRC). From the 320 Syrians, 282 of them were given a humanitarian visa for short stays in a mediated operation to save Christians from Aleppo and Al-Hasaka (see box 2).

Box 2. Humanitarian visas for Syrians

Due to the situation in Syria and based on the initiative of a citizens' committee in Belgium, the government decided in the summer of 2015 to issue humanitarian visas to 245 Christian Syrians from Aleppo. The city of Aleppo threatened to be completely enclosed by fundamentalist rebel groups which constituted a hazard for the Christian population of Aleppo. This operation was essentially a collaboration of the departments asylum and migration and the Foreign Affairs Federal Public Service. In December 2015, on the recommendation of the Syrian-orthodox church in Belgium, another 37 Christians from Al-Hasaka were admitted on the Belgian territory. The State Secretary for Asylum Policy and Migration explained that it concerned an exceptional measure adopted in an acute crisis situation and that the government acted in the spirit of the House of Representatives' Resolution on the protection of the Christian community and other religious and ideological minorities in North Africa, the Near East and Middle east, adopted on April 23, 2014⁽⁵³⁾

Since the granting of humanitarian visas in Belgium is not considered as similar or an alternative to resettlement, it will not be further addressed in the context of this study.

(Section 1 of the EMN Questionnaire)

52 Myria, Humanitarian visas: Myria analyses the figures and calls for more transparency, 22 November 2016.

53 Myria, Humanitarian visas: Myria analyses the figures and calls for more transparency, 22 November 2016.

3

History and characteristics of the Belgian Resettlement Programme

3.1 Background and main objective of the resettlement programme

Since the Second World War, Belgium has resettled over 10,000 people. The largest groups to have benefited from these initiatives were 6,000 Hungarians who had fled after the suppression of the rebellion in 1956-57. In 1975, 400 Asians who escaped Idi Amin's Uganda benefited from resettlement in Belgium and in 1973, 1,100 Chileans fleeing Pinochet's regime of terror were resettled in Belgium. Then in 1975, 2,500 boat people from Vietnam and Cambodia were given the opportunity to start a new life in Belgium. In 1992, Belgium became home to 200 Bosnians and subsequently children and family members originated from Bosnia. In 1999, during the war in Kosovo, 1,200 Kosovars were able to settle in Belgium as part of a European framework to coordinate the reception efforts by Member States.

In more recent years, the Office of the Commissioner General for Refugees and Stateless Persons and the Federal Agency for the Reception of Asylum Seekers (Fedasil) have become national experts in the field of resettlement by learning from the best practices of its neighbours' resettlement programmes. In December 2007, the Commissioner General for Refugees and Stateless Persons and Fedasil participated to the **Durable Solutions in Practice twinning project** implemented by the Dutch Reception Agency, and learned about the whole resettlement chain. This mission enabled them to monitor all the steps in the Dutch resettlement programme (from selection to transfer to the municipalities). In September 2008, the Commissioner General for Refugees and Stateless Persons was again involved as an observer in a mission in Tanzania during which the United Kingdom and Ireland jointly selected refugees to be resettled. The Commissioner General for Refugees and Stateless Persons accompanied the Dutch State Secretary in a selection mission to Thailand in April 2008. Likewise, in February 2009, at the invitation of the Dutch Minister of Justice, the former Minister of Asylum Policy and Migration and the Commissioner General for Refugees and Stateless Persons attended a resettlement mission conducted by the Netherlands in Kenya. Furthermore, the Office of the Commissioner General for Refugees and Stateless Persons also took part in a **study visit** to the UN High Commissioner for Refugees (UNHCR) in Beirut, Lebanon in May 2011. This office was the coordination point for resettlement in the Middle East and North Africa.

As part of the **European Network of Asylum Reception Organisations (ENARO)**⁽⁵⁴⁾, Fedasil

54 <http://www.enaro.eu/>

also had the opportunity to follow closely all the reception and integration aspects of the Irish resettlement programme.⁽⁵⁵⁾

In 2009, as a response to the November 2008 **EU Council Conclusions calling for EU-countries to resettle Iraqi refugees**, the Belgian Council of Ministers gave its agreement for the resettlement of 47 Iraqi refugees (26 persons out of Syria, ten out of Jordan and 11 persons out of the al-Tanf refugee camp) in Belgium. The group comprised single women with children and Iraqi Palestinians. And **in 2011**, Belgium responded to the **UNHCR Global Solidarity Initiative** by **resettling 25 Eritreans and Congolese** (families and single women) who were refugees in the Choucha refugee camp in Tunisia due to the conflict in Libya.⁽⁵⁶⁾

Where **in 2009 and 2011** Belgium contributed to **resettlement projects on an ad hoc basis** in cooperation with the European Union and the UNHCR, **from 2013 onwards the Belgian resettlement programme became structural**. It is now a permanent, programme-based, resettlement programme in collaboration with the UNHCR.

The **main objective of the Belgian resettlement programme is to provide humanitarian relief**. Since worldwide, nine out of ten refugees live in refugee camps near the conflict regions, often for a very long period of time and in very precarious conditions, the Belgian government decided to resettle a limited number annually to help the most vulnerable of these refugees.⁽⁵⁷⁾

[\(Section 2 – Q1, 2 & 3 of the EMN Questionnaire\)](#)

3.2. Actors involved in the resettlement programme

3.2.1 Authorities and actors involved in the resettlement programme

In Belgium, several actors play a role in the organisational structure of the resettlement programme⁽⁵⁸⁾. The Office of the Commissioner General for Refugees and Stateless Persons and the Federal Agency for the Reception of Asylum Seekers (Fedasil) are the two main **national actors** responsible for the organisation and coordination of the resettlement programme in Belgium.

The Office of the Commissioner General for Refugees and Stateless Persons (CGRS), an independent federal administration, is the instance competent to examine asylum cases and grant, refuse or withdraw the refugee or subsidiary protection status. In the framework of the resettlement programme the Office of the Commissioner General for Refugees and Stateless Persons coordinates the selection of the refugees who are to be resettled in Belgium. The Office of the Commissioner General for Refugees and Stateless Persons prepares and screens

55 <http://www.resettlement.be/>

56 <http://www.resettlement.eu/country/belgium>

57 <http://www.resettlement.be/>

58 www.resettlement.be

cases based on the UNHCR's Resettlement Registration Forms and organises selection missions, including the interviewing of resettlement candidates by protection officers, or the selection on a dossier basis. For each case, the Office of the Commissioner General for Refugees and Stateless Persons examines the credibility and protection requirements. Once the refugees are selected, the Office of the Commissioner General for Refugees and Stateless Persons issues selection notifications to the Secretary of State for Asylum and Migration and officially grants the refugee status after arrival of the resettled refugees in Belgium and processes documentation (refugee certificate).

The Federal Agency for the Reception of Asylum Seekers (Fedasil) organises the pre-departure cultural orientation missions. In partnership with IOM, Fedasil carries out the initial medical screening prior to arriving in Belgium and coordinates the transfer of refugees to be resettled in Belgium. The latter is realised in close cooperation with the Foreign Affairs Federal Public Service, the Belgian diplomatic missions and consular posts and the Immigration Office. Fedasil organises the initial reception and integration support to resettled refugees after their arrival in Belgium. Fedasil concludes agreements with the Public Social Welfare Centers and the non-governmental organisations to provide accommodation and support to the resettled refugees after the initial reception phase. Furthermore, Fedasil monitors the resettled refugees during two years through regular follow-up meeting with the resettlement partners and the monitoring of databases and reporting. Fedasil also manages the resettlement budget (AMIF and national sources) and invests in European and international benchmarking activities regarding refugees resettlement and regularly coordinates with other Member States concerning resettlement policy and practices.

The other national actors involved in the resettlement process are:

The Immigration Office (Home Affairs Federal Public Service): instructs to issue travel documents to refugees to be resettled, handles cross-border formalities upon arrival in Belgium and is the competent authority for official registration of the asylum application in Belgium.

The Foreign Affairs Federal Public Service, including the Belgian diplomatic missions and consular posts: provides assistance to organise the selection and pre-departure cultural orientation missions, issues travel documents and liaises with other countries that carry out resettlement projects in the region.

The **Public Social Welfare Centres**⁽⁵⁹⁾ (Social Integration Federal Public Service): accommodate the resettled refugees in Local Reception Initiatives⁽⁶⁰⁾ for a period of six months after the initial reception phase and provide a global support similar to the support offered to other beneficiaries of international protection, such as material and medical aid, support to access education and employment, administrative support, referral to mainstream services, help to find housing outside the reception network of Fedasil, etc.

Public Social Welfare Centers which accommodate resettled refugees in their Local Reception

59 The Public Social Welfare Center (PSWC) is a public institution, established in each of the 589 municipalities of Belgium. Every citizen of Belgium has the right to social assistance and social integration. Examples of social services provided by the PSWC are financial and medical support, housing and legal advice. When a person does not have sufficient means to live on, s/he receives a minimum income. The fact that the PSWC is a separate institution from the municipalities is historical. In other countries, such social services are provided by the municipalities themselves.

60 The Local Reception Initiatives are part of Fedasil's reception network for asylum seekers.

Initiatives have the opportunity to step in as a partner in the resettlement programme. Once these Public Social Welfare Centers are full-fledged partners, they have to provide housing and support according to the convention concluded with Fedasil (see box 6).

The non-governmental organisations Caritas International and Convivial: provide additional and tailor-made support to the resettled refugee's integration process for a minimum of 12 months and up to 24 months, depending on the specific needs of the resettled refugees (see box 5).

The **international actors** involved in the resettlement process are:

The **United Nations High Commissioner for Refugees (UNHCR):** deals with the registration and pre-selection of refugees in the first country of refuge and submits resettlement cases to Belgium. UNHCR also facilitates the selection mission, particularly by providing interview premises and interpreters.

The **International Organisation for Migration (IOM):** carries out, at the request of Fedasil, health assessments and fit-to-travel checks before departure, provides (logistical) support during the selection and cultural orientation missions. IOM delivers the travel documents in coordination with the regional UNHCR offices and the Foreign Affairs Federal Public Service and the Belgian diplomatic missions and consular posts. And IOM organises the transfer of the refugees to Belgium, including on-site assistance at airports and accompaniment during the journey.

[\(Section 2 – Q3 of the EMN Questionnaire\)](#)

3.2.2 Information sharing between resettlement actors

Resettlement is a complex process involving multiple actors and responsibilities. To be effective in selecting, transferring, receiving and supporting resettled refugees, international, national and local actors must be able to plan and monitor the resettlement activities and to exchange information and best practices.

At the **Belgian level** different channels are used to share information with the involved resettlement actors:

Steering Committee

On a regular basis the Office of the Commissioner for Refugees and Stateless Persons and Fedasil organise meetings of the Steering Committee in which the institutional actors: Foreign Affairs Federal Public Service, the Immigration Office, the Cabinet of the State Secretary for Asylum Policy and Migration, UNHCR and IOM, are present. During these meetings, all **operational aspects** of the resettlement programme are discussed, such as timelines, risks, dossier flow, travel, etc. For the planning of each resettlement operation, at least one assembly of the Steering Committee is organised.

Stakeholders meeting

At least once a year, a stakeholders meeting is organised by Fedasil and the Office of the Commissioner for Refugees and Stateless Persons together with the Public Social Welfare

Centers and the NGOs involved in the resettled programme. The objective of this meeting is to evaluate the programme and to improve the information flow between the different phases and the actors involved in the resettlement chain. Experiences are shared and discussed, with the aim to ameliorate the Belgian resettlement operations. The Office of the Commissioner for Refugees and Stateless Persons and Fedasil also invite one or more international experts to present best practices and to feed the discussions.

Operational coordination meetings

Two to three times a year, Fedasil organises operational coordination meetings with the federal reception centers, the NGOs and the Public Social Welfare Centers involved in the resettlement programme to coordinate and monitor the ongoing resettlement operations according to the annual conventions concluded between Fedasil and these NGOs and Public Social Welfare Centers.

Information Sessions

Fedasil has also organised information sessions for the Public Social Welfare Centers of the municipalities who are interested in the resettlement programme to explain what resettlement entails: the funding, the stakeholders, the selection of refugees, the reasons why the resettlement programme wants to involve Public Social Welfare Centers on a voluntary basis and what is actually expected from them, the housing requirements and the modalities of participation in the resettlement programme etc.⁽⁶¹⁾

Website

Fedasil and the Office of the Commissioner General for Refugees and Stateless Persons created a website dedicated to the resettlement programme where a variety of information about the programme can be found: caseload profile, latest news, practical information for municipalities, etc. (see: www.resettlement.be). A part of the website addresses the Public Social Welfare Centers and provides specific information and useful documents on the modalities of full-fledged partnership in the resettlement programme.

At the **European level** several initiatives promote the coordination and exchange between Member States.

European Resettlement Network

Belgium is member of the European Resettlement Network, led by IOM, ICMC⁽⁶²⁾ and UNHCR. It is an inclusive network that supports the development of resettlement in Europe by connecting a variety of actors involved in refugee resettlement.

On 2 December 2016, IOM, ICMC and UNHCR announced the launch of the European Resettlement Network's next phase. The project entitled: ERN+ 'Developing Innovative European Models

61 In the framework of the new reception model, Fedasil no longer organises kick-off meeting for partner PSWCs, but shares information with these PSWC by phone and writing.

62 The International Catholic Migration Commission (ICMC) is a registered non-profit organisation working in the areas of refugee and migration issues. More information on ICMC's resettlement activities is available on: <https://www.icmc.net/focus-areas/refugee-resettlement>

for the Protection of Refugees and Providing Support to New Resettlement Countries’, will explore complementary forms of admission for those in need of international protection and highlight the need for safe and legal ways to reach the EU. Building on the experience that the European Resettlement Framework has gathered since 2010, the follow-up project ERN+ seeks to reflect the complementarity of these pathways with existing resettlement programmes and highlight the increased need to expand the European protection landscape. Three main forms of admission will be examined: community-based private sponsorship programmes, student scholarship arrangements, and humanitarian visas as a tool for humanitarian admission schemes. Enhanced family reunification modalities will be examined as a cross-cutting dimension in private sponsorship as well as humanitarian visa programmes. The project aims to bring together national, regional and local government, international organisations, civil society, think tanks, academia and diaspora. Through a series of webinars, targeted roundtables and focused feasibility studies, the project will seek to identify possibilities for the implementation of pilot projects in selected European countries, while also further expanding the ERN community of practitioners and stakeholders.⁽⁶³⁾

European Asylum Support Office (EASO)

Belgium is an active partner of the EASO. The Office of the Commissioner for Refugees and Stateless Persons coordinates Belgium’s participation in EASO activities. The Commissioner General for Refugees and Stateless Persons is the Belgian representative on the EASO’s Board. EASO aims at strengthening the EU role in the area of resettlement with a view to meeting the international protection needs of refugees in third countries and showing solidarity with their host countries. EASO facilitates the resettlement by Member States of refugees from third countries to the EU in cooperation with UNHCR and IOM. EASO further develops existing methodologies and tools to strengthen Member States’ ability to resettle refugees and promote cooperation under the European resettlement scheme. EASO will also monitor the implementation of the resettlement scheme and report accordingly. Furthermore the agency aims to coordinate exchanges of information and other actions on resettlement taken by Member States. To this end EASO organises practical cooperation expert meetings on resettlement in synergy with the other various EU and international initiatives on resettlement. Fedasil and the Office of the Commissioner for Refugees and Stateless Persons take part in this expert meetings on resettlement.

EU-FRANK Project

The project ‘Facilitating Resettlement and Refugee Admission through New Knowledge’ is funded by the EU and aims at facilitating resettlement and refugee admission through sharing of knowledge. The project, which officially kicked-off on 12 October 2016, is run by the Swedish Migration Agency between 2016-2020 and offers operational support to Member States to increase or start resettlement programmes and facilitate their increased capacity for resettlement and humanitarian admission. Apart from Sweden, the partners include Belgium, Netherlands, Italy, Hungary, Switzerland, UNHCR and EASO.

63 More information available on: <http://www.resettlement.eu/news/ern-relaunch>.

3.3. Key features and characteristics of the Belgian resettlement programme

3.3.1 Quotas and geographical priorities

Belgium sets **annual quotas and multi-annual quotas in the framework of the AMIF pledging system** for the resettlement of refugees. The **size of the quotas** is decided by the Federal Government. The Office Of The Commissioner General For Refugees And Stateless Persons and Fedasil make a proposal on the **allocation of the quotas** based on the UNHCR projected global resettlement needs, the EU priorities in the Joint European Resettlement Programmes and national considerations. The **final decision belongs to the State Secretary for Asylum Policy and Migration**. To optimize the national strategic use, **coherence with the Belgian Foreign Affairs and Development Cooperation policy** is sought. The **timing** of the decision process follows the UNHCR (needs), European (thematic and geographic priorities and AMIF pledging exercises) and Belgian cycles (budget).

Table 2: Resettlement quotas in Belgium.

Year	2011	2012	2013	2014	2015	2016
Annual Quota	Ad hoc (25)	/	100	100	300	550

In the period 2011-2015, **the quotas have differed significantly from the actual number of persons resettled**. In **2014**, Belgium decided to resettle **75 Syrian refugees out of Turkey and 25 Congolese refugees out of Burundi**. Although the Syrian refugees were selected as planned, the majority of the departures, all foreseen in 2014, had to be postponed until 2015 due to problems with the issuing of exit permits by the Turkish authorities. Only 28 of 75 of the selected Syrian refugees and six of the selected Congolese refugees did arrive as planned in 2014.

In **2015**, Belgium had doubled its quota to 300. **225 Syrian refugees out of Lebanon, Turkey and Jordan and 75 Congolese refugees out of Burundi**. Due to the sharp increase of new asylum applicants in Belgium in the second half of 2015 part of the arrivals had to be postponed to 2016. In total, 276 refugees arrived for resettlement in Belgium in 2015, of which 188 Syrian and 88 Congolese refugees and of which 66 were pledged under the quota of 2014 (including 43 Syrian refugees out of Turkey who could not arrive in 2014 because of the delay in issuing the exit permits)⁽⁶⁴⁾. For **2016** the quota is 550, **almost exclusively Syrians**. Until 9 November 2016, 428 resettled refugees arrived in Belgium of which 424 Syrians and 4 Congolese (DRC).⁽⁶⁵⁾

Since 2013 Belgium has set **geographical priorities** in resettlement and has resettled refugees from the Sub-Saharan Africa, in particular the Great Lakes Region, and Middle East regions.

64 In the end, following the withdrawal of four Syrians refugees from Turkey, 29 Congolese refugees were resettled to obtain the total of 100 refugees pledged for 2014.

65 The Resettlement Unit of Fedasil expects that another 29 persons will most likely still arrive in 2016.

The most common nationalities of persons resettled to Belgium have lately been **Syrians, Burundians and Congolese from the Democratic Republic of Congo**.

(Section 2 – Q4 of the EMN Questionnaire)

3.3.2 Status of the selected refugees

Belgium **only accepts cases submitted by UNHCR**. The submission categories to be eligible for resettlement are communicated to the UNHCR. UNHCR is responsible for the identification of the candidates for resettlement and classifies these individuals as refugees according to the Geneva Refugee Convention. Once this selection is finalized, the UNHCR submits the cases that meet the criteria to the Office of the Commissioner General for Refugees and Stateless Persons.

The UNHCR refugee recognition is **reassessed by the Office of the Commissioner General for Refugees and Stateless Persons** before the person in question can be transferred to Belgium. This reassessment is either done in the framework of **selection missions**, whereby Protection Officers of the Office of the Commissioner General for Refugees and Stateless Persons examine all individual cases in the country of refuge, either, in exceptional cases, in Belgium, on the basis of “**dossier selection**”.

Since the Belgian Immigration Act of 15 December 1980, does **not allow for an international protection status to be granted outside the Belgian territory**, after arrival, the resettled refugee will need to **lodge an asylum application**. In fact this is a pure formality: there will be no interview on the substance of the asylum application and no full investigation will be carried out, since this has already been done beforehand. Within days after arrival the refugee will be granted the refugee status and soon thereafter, will receive the refugee certificate as proof of the recognition as a refugee.

The refugee status is granted on the basis of the **1951 Convention Relating to the Status of Refugees and its 1967 Protocol**. The asylum procedure and the competencies of the asylum institutions are governed by the **Immigration Act of 15 December 1980**. There is no difference between refugee status criteria for asylum seekers and those for resettled refugees. In Belgium the subsidiary protection status does not apply to resettled refugees.

Since 8 July 2016⁽⁶⁶⁾, recognised refugees will no longer immediately receive a **residence permit** for unlimited stay but will at first be authorised to stay temporarily in Belgium **for a period of five years**, starting from the date of the asylum application. After five years, the recognised refugee will receive the right to reside in Belgium for an unlimited period of time unless the refugee status is withdrawn or ceases to apply. The same applies to resettled refugees.

(Section 2 – Q4, Q6 & Q14a of the EMN Questionnaire)

66 Law of 1 June 2016 modifying the law of 15 December 1980 regarding the entry, residence, settlement and removal of foreign nationals, Belgian Official Gazette, 28 June 2016.

3.4 Methods of resettlement to Belgium

As a rule, the Office of The Commissioner General for Refugees and Stateless Persons organises **selection missions to the country of refuge** for the selection of the refugees who are submitted for resettlement by the UNHCR. Selection missions to countries where displaced people have found first refuge are carried out annually. The number of selection missions depends on the quota. For efficiency reasons, selection missions are, if possible, organised for a quota of around 100 refugees. These selection missions are carried out to all countries from which persons are resettled unless this is **not possible due to security risks or other logistical challenges**. In the latter case a **dossier-based selection** is carried out.

The **Resettlement Registration Form (RRF)** of the UNHCR is used to perform the selection of the submitted candidates for resettlement. For this reason the form needs to be as comprehensive as possible. Full and exact personal data including full data on family composition are of vital importance. A full examination of the applicant's refugee claim, including a thorough assessment of the present fear needs to be done in each case. Assessing the exclusion factors is an integral part of the status determination process by the UNHCR, and it is essential that issues relating to exclusion from refugee status are carefully examined in all cases where there are indications that the individual concerned may come within the scope of Article 1F⁽⁶⁷⁾ of the 1951 Convention. The registration form should include and indicate the refugees' activities e.g. involvement in armed struggle, previous convictions and military background. Copies of all identity and all other pieces of evidence should be added to the RRF or, when this would not be possible, a list of all available documents should be included in the RRF.

Through the submitted Resettlement Registration Forms the Commissioner General for Refugees and Stateless Persons has the opportunity to closely scrutinize and assess the quality and thoroughness of UNHCR refugee status determination. If the Commissioner General considers the RRF to be incomplete, additional information will be requested.

If a case has been **submitted to another resettlement country earlier** to the submission to Belgium, this information should be included in the RRF and the Office of the Commissioner General for Refugees and Stateless Persons will in most cases consult this state to learn more about the reasoning for its refusal.

There is **no quota foreseen for dossier selection**, although dossier selection on an ad-hoc basis and for a limited number of cases is possible.

Until now, Belgium has not used video or telephone interviews with candidates for resettlement.

In-country selection missions are discussed in detail with UNHCR. To facilitate preparations the Office of the Commissioner General for Refugees and Stateless Persons uses the **Pre-Mission Questionnaire for Resettlement Interview Missions** supplied by UNHCR.

67 Article 1F provides that the 1951 Convention "shall not apply to any person with respect to whom there are serious reasons for considering that: a) s/he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes; b) s/he has committed a serious non-political crime outside the country of refuge prior to his/her admission to that country as a refugee; or c) s/he has been guilty of acts contrary to the purposes and principles of the United Nations."

The Foreign Affairs Federal Public Service and the competent Belgian diplomatic mission or consular post are involved in the selection missions to provide **logistical and other support**, such as accommodation, transport, security, meetings, etc.

The Office of the Commissioner General for Refugees and Stateless Persons' **delegation** for a selection mission consists, as a rule, of a mission leader, a Policy Officer from the international department, and two or three caseworkers who have expert knowledge with regard to the region of which the refugees originate from.

All documentation, i.e. **the Resettlement Registration Form and all possible supplementary documentation**, should be provided by UNHCR and made available at least one month before the planned date of the mission. All refugees submitted for resettlement are **screened** and will be **interviewed by the Protection Officer**. To ensure that the quota will be filled, the Office of the Commissioner General for Refugees and Stateless Persons can ask the UNHCR to submit more cases than will be selected. This will vary depending on the conditions of each mission, keeping in mind a balance between the risk of not being able to select sufficient cases and the inconvenience to have to refuse cases only because the quota has been reached. Based on the number of RRFs and the profiles submitted, the Office Of The Commissioner General For Refugees And Stateless Persons will prepare an interview plan and sent it to UNHCR.

During the selection missions in the country of refuge, the candidates for resettlement are **individually interviewed on-site** by the Protection Officers to verify and supplement the information provided in the RRF in order to reassess the refugee recognition granted by UNHCR. During these interviews, the Protection Officers make use of the services of interpreters contracted by UNHCR or IOM.

The Belgian **approval rate** on the cases submitted by UNHCR is around 95%.

No final decisions are made during the selection mission. After return to Belgium, the caseworker will draft a decision which will be discussed with a supervisor and/or with the Commissioner-General or one of his deputies.

The **processing time**, i.e. time from UNHCR's submission of the resettlement case until the communication of the Belgian decision, is not set and depends on the number and profile of persons to be interviewed. After the selection mission, the decisions will be communicated to UNHCR as soon as possible. In 2015, the result of the selection mission was communicated to UNHCR around 1,5 months after the end of the mission.

In **2013** a **first selection mission** concerned Burundian refugees in Tanzania. The selection interviews were conducted in the Kigoma transit center in late April. The **second selection** and orientation mission for Congolese refugees in Burundi took place in the autumn of 2013. Not being located in the same region, the **third group was selected on dossier basis**. In August **2014** a selection delegation went to Ankara, Turkey. The team consisted of two protection officers specialised in Syria and the region, as well as a mission coordinator. In **2015**, **two selection missions** were carried out. In March, the Office of the Commissioner General for Refugees and Stateless Persons went to Lebanon in order to select a first group of Syrian refugees for resettlement in 2015. During this first mission 122 refugees were selected. In September the

Office of the Commissioner General for Refugees and Stateless Persons went to Lebanon for a second time, in order to select the second group of Syrian refugees. In total around 110 people were selected. In **2016**, four missions have already been executed, two to Lebanon and two to Turkey. The missions in Turkey take place in the framework of the resettlement efforts under the 1:1 mechanism, implementing the EU-Turkey Statement of March 2016 and are joint missions. For the preparation of each selection mission at least one meeting of the **Steering Committee** in which all institutional partners in the resettlement process (Office of the Commissioner General for Refugees and Stateless Persons, Fedasil, Foreign Affairs Federal Public Service, Immigration Office, Cabinet of the State Secretary for Asylum Policy and Migration, UNHCR and IOM) are present, is held. During this meeting, all operational aspects are discussed, such as timelines, risks, dossier flow, travel, etc.

Although **consultations with authorities of the country of refuge** are not part of a systematic policy, Belgium recognises the added value of the involvement of these countries. Regarding the resettlement of Syrian refugees for example, Belgium participates actively in the **UNHCR Core Group on Resettlement of Syrian Refugees**⁽⁶⁸⁾. One of the objectives of this group is to start and deepen the dialogue with the host countries in order to increase the strategic use of resettlement. Belgium believes that the results of these consultations can be maximised through multilateral initiatives.

(Section 2 – Q7 of the EMN Questionnaire)

3.5 Prioritisation, de-prioritisation and exclusion

When selecting persons for resettlement, Belgium follows the proposals by the UNHCR as a main principle. The UNHCR uses a number of eligibility criteria and prioritises cases.

Box 3. UNHCR resettlement categories⁽⁶⁹⁾

To be submitted for resettlement by UNHCR, individuals or families must meet the preconditions for resettlement consideration and fall under one or more of the UNHCR resettlement submission categories.

Preconditions for Resettlement Consideration:

- ★ the applicant is determined to be a refugee by UNHCR; and
- ★ the prospects for all durable solutions were assessed, and resettlement is identified as the most appropriate solution.

Resettlement Submission Categories:

- ★ Legal and/or Physical Protection Needs of the refugee in the country of refuge (this includes a threat of refoulement);
- ★ Medical Needs, in particular life-saving treatment that is unavailable in the country of refuge;
- ★ Women and Girls at Risk, who have protection problems particular to their gender;

68 <http://www.unhcr.org/core-and-contact-groups.html>

69 United Nations High Commissioner for Refugees, UNHCR Resettlement Handbook, 2011, 428p.

- ★ Family Reunification, when resettlement is the only means to reunite refugee family members who, owing to refugee flight or displacement, are separated by borders or entire continents;
- ★ Children and Adolescents at Risk, where a best interests determination supports resettlement;
- ★ Lack of Foreseeable Alternative Durable Solutions, which generally is relevant only when other solutions are not feasible in the foreseeable future, when resettlement can be used strategically, and/or when it can open possibilities for comprehensive solutions.

Belgium has **not set its own criteria, nor does it prioritise certain cases over others on the basis of specific profiles such as age, religion, health condition, or others.** Neither does Belgium use any **integration criteria**, such as language knowledge or education level. In general, Belgium has focused on **protracted refugee situations and particularly vulnerable refugees** such as women at risk or LGBT refugees.

The **absorption capacities** (including housing facilities for large families, specific services e.g. for non-accompanied minors, etc.) are taken into account when setting the allocation of the quota. Belgium does **not have a specific quota for emergency or urgent cases.** But regarding prioritisation for departure, Belgium takes into account the UNHCR Resettlement Priority Levels, so those refugees who are submitted by the UNHCR under the priority “urgent” are prioritised for departure.⁽⁷⁰⁾

On the other hand, a number of factors can lead to persons being **excluded from resettlement.** To this end Belgium verifies that there are no exclusion risks under Article 1F of the Geneva Convention. The Office Of The Commissioner General For Refugees And Stateless Persons does a full Refugee Status Determination (RSD) assessment, including an inclusion and exclusion analysis and all cases submitted for resettlement are screened and cleared by the Belgian Intelligence Services⁽⁷¹⁾. No other specific criteria to exclude or deprioritise certain persons for resettlement are set, but if security or public order issues are identified before, during or after the selection mission, these refugees will not be selected for resettlement.

Cases dismissed by the Office of the Commissioner General for Refugees and Stateless Persons and the State Secretary for Asylum Policy and Migration are **not subject to appeal.**

(Section 2 – Q8a, b, c & 9a and b of the EMN Questionnaire)

70 The UNHCR Resettlement Priority Levels: ‘emergency’ (security and/or medical condition requires immediate removal - ideally, seven-day maximum between the submission of an emergency case and the refugee’s departure), ‘urgent’ (serious medical risks or other vulnerabilities requiring expedited resettlement within six weeks of submission) and ‘normal’ (majority of cases, without immediate medical, social or security concerns which would merit expedited processing).

71 In Belgium, there are two intelligence and security services. The State Security is the civil intelligence service. The service acts primarily under the authority of the Minister of Justice. Sometimes, however, it acts under the authority of the Minister of Home Affairs. The General Intelligence and Security Service of the Armed Forces is the military intelligence service. It operates under the authority of the Minister of Defence.

3.6 Procedure following selection and decision-making

Once Belgium has decided on the refugees to resettle, the Office of the Commissioner General for Refugees and Stateless Persons transmits the list with the details of the selected candidates to the **UNHCR** who in turn **notifies the selected refugees**.

In the immediate aftermath of the decision to resettle, **Fedasil coordinates all the following steps** based on a chain management approach with all the involved pre-departure and post-arrival actors.

Most pre-selected refugees receive a health assessment, carried out by IOM according to a written agreement and an ad hoc budget concluded with Fedasil. The costs are covered by the allocated budget and may include transportation of the refugees from the camp to the medical facility and back, compensation of the medical staff, medical tests and any treatment needed to ensure that refugees are able to travel to Belgium. The sole purpose of the assessments is to **ensure that the refugees are physically capable of being transferred to Belgium without any risk to themselves or to public health**. Consequently, the medical management protocol developed by Fedasil aims at performing a superficial examination allowing the detection and treatment of acute diseases and decompensated chronic diseases that might prevent a refugee from being transferred. Other medical problems will be managed by the medical staff of the Fedasil reception center upon arrival. Maximum 48 hours before departure, a **fit-to-travel examination** is performed on all selected refugees to confirm the capacity of each refugee to travel. If a refugee is declared not fit to travel, he/she will receive the necessary treatment and will be transferred as soon as there is no more risk to him/herself or to public health. **No pathology constitutes an exclusion factor**, only a delaying factor at worst. The treatment of acute diseases and decompensated chronic diseases that could prevent a refugee from being transferred to Belgium is provided by IOM. Costs are covered by the budget allocated to IOM. Depending on the results of the health assessment, Fedasil can require additional examinations and treatment and medical escorts if needed to ensure the safe transfer of the refugee.

In most resettlement operation, Fedasil organises a **cultural orientation mission** to the country of refuge.

Box 4. The pre-departure cultural orientation missions

A **three-day pre-departure cultural orientation training** is provided to the refugees whose selection for resettlement in Belgium is definitely confirmed by the State Secretary for Asylum and Migration. Fedasil organises this training in close cooperation with UNHCR and IOM, to assist with all logistical issues (premises, transportation, interpreters, babysitter, various materials, etc.). Depending on UNHCR's advice, available premises and transportation, the training can take place either in the refugee camp or in another adequate location (transit center, hotel, conference center, etc.). The funding of the training is covered by Fedasil.

Fedasil staff is in charge of providing the **cultural orientation sessions**. Usually, the delegation is composed of staff members working in the reception centers where the refugees will be accommodated upon arrival in Belgium and one staff member from the Fedasil Resettlement Unit in charge of the coordination of the mission. The main objectives of this training are to allow the refugees to make an informed decision on being resettled, to manage their expectations regarding their life and to collect

information relevant for reception and further steps in Belgium. The data collected by Fedasil concerns language knowledge, qualifications, educational background, working experience, medical and other specific needs and the family links in Belgium which may influence settlement considerations.

The programme is based on a curriculum developed by Fedasil and covers **different themes**:

- ★ Housing (the initial, temporary stay in the collective reception centers and the transfer to private accommodation);
- ★ Rights of refugees and procedural aspects;
- ★ Employment;
- ★ Education, vocational training and diploma equivalence;
- ★ Healthcare;
- ★ Family reunification;
- ★ Cost of life, etc.

Playful and participative activities are mixed with more “classical” methods such as Power Point presentations and short films.

Furthermore, IOM provides **pre-embarkation briefings with the aim to prepare refugees for their flight**, including what to expect at the airport, in-flight, while in transit, and upon arrival in the country of destination. This helps first-time travelers feel less anxious and more prepared for the journey. This session is mostly integrated in the cultural orientation programme of Fedasil.

In case the cultural orientation cannot be provided, the selected refugees receive an **information brochure about resettlement in Belgium**, translated in their language, through IOM. This document includes a timeline, some explanations on the travel to Belgium, on the first weeks in Belgium (initial reception phase), on the transfer to private housing, on Belgium in general (geography, climate, languages, etc.) and on the family reunification procedure.

The 2016 missions to Turkey took place in the framework of the resettlement efforts under the 1:1 mechanism, implementing the EU-Turkey Statement of March 2016 and are joint missions. Since the European Commission asked for a swift processing, the cultural orientation mission of Fedasil was done at the same time as the selection mission, instead of waiting until the selection of the submitted refugees is finalised. In this context the cultural orientation training was given to the **pre-selected** refugees the day after their selection interview. The training consisted of a **condensed one day version** instead of three days and focussed mainly on **expectation management**.

In this phase Fedasil plans the process of **allocating a settlement place in a collective reception center and the future transfer to municipalities** and organises the **coordination of all actors** involved in resettlement in Belgium, including the non-governmental organisations. Fedasil also coordinates the **first administrative steps** to be taken after arrival of the resettled refugee, including the asylum application in Belgium (more information below).

Apart from the various approaches and actions to prepare the refugees who are selected for resettlement, it is also considered imperative to carry out **activities to prepare the receiving community** for the arrival of resettled persons. Before the implementation of the new reception model for resettled refugees in August 2016, Fedasil organised kick-off meetings for the voluntary participating Public Social Welfare Centers and the NGOs who are part of the resettlement programme. During this meetings, Fedasil provided information on the concerned caseload, including a feedback from the cultural orientation mission, shared best practices and

reviewed the agreement with the Public Social Welfare Centers into details to highlight what is expected from each partner in the framework of the resettlement programme. The good practices shared with the Public Social Welfare Centers included: local community awareness rising, local community information and involvement, contacts with the schools/pupils/general practitioners/all sorts of professionals that the refugees might encounter, involvement of local associations and volunteers, etc. In the framework of the new reception model, no more kick-off meetings are organised and this information and data are shared with the Public Social Welfare Centers **by phone and in written form**. Fedasil and the Office of the Commissioner General for Refugees and Stateless Persons also manage a **website** dedicated to the Belgian resettlement programme, available for consultation by anyone interested.

Fedasil also coordinates the **issuance of necessary travel documents** in close cooperation with the Immigration Office, the Foreign Affairs Federal Public Service and the competent Belgian diplomatic missions or consular post abroad. The required travel documents are issued by the Belgian diplomatic mission on the instructions of the State Secretary for Asylum Policy and Migration. They consist of a visa and a laissez-passer when the refugee has no valid passport. Sometimes, a transit visa waiver is needed to go through a transit country.

In coordination with IOM the **travel to Belgium** is prepared. For this, IOM liaises with UNHCR, the Belgian diplomatic missions and consular posts and the local authorities. IOM is notably responsible for the collection of travel documents, booking of the national and international flights and obtaining the exit permits from local authorities. IOM accompanies the refugees on departure, including transportation to the airport if necessary and assistance with embarkation. IOM also provides assistance during transit and on arrival, including helping with immigration and customs formalities and special assistance such as non-medical escorts for elderly refugees or particularly vulnerable persons (e.g. single mother with several children). In agreement with or at the request of Fedasil there is also the possibility of a medical escort for refugees requiring special medical attention during the journey⁽⁷²⁾.

(Section 2 – Q5, Q10a, b, Q11a and b, Q20b and c of the EMN Questionnaire)

72 Convention between Fedasil and IOM, Annex III, operational framework 2016. It concerns a bilateral annual agreement between Fedasil and IOM, based on real costs in a set budget. It includes all operations-related costs for resettled refugees, e.g. pre-departure medical screening, logistical support for cultural orientation and transfer services.

Table 3: Overview of the stakeholder responsibilities within the pre-departure and departure phase of the Belgian resettlement programme.

Stakeholder responsibilities within the (pre-) departure phase of the Belgian resettlement programme		
Action/measure	Authority/actor responsible	Explanation of responsibilities
Policymaking, including objectives, geographical focus, priorities, and other aspects regarding resettlement	Federal Government (State Secretary for Asylum Policy and Migration)	The size of the quota is decided by the government (on the initiative of the State Secretary) based on a proposal of the CGRS and Fedasil taking into account the UNHCR projected global resettlement needs, the EU priorities in the Joint European Resettlement Scheme and national considerations
Identification of persons to be resettled	UNHCR	Belgium only accepts cases for resettlement submitted by UNHCR
First selection of the candidate for resettlement	UNHCR	The Belgian approval rate on the cases submitted by UNHCR is around 95%
Security screenings	Security of State, Military Intelligence Service and Police	All cases submitted for resettlement are screened by the Belgian security services
Interviews with pre-selected persons	CGRS	Protection Officers of the CGRS reassess all the cases submitted for resettlement by UNHCR
Health checks	Fedasil (delegated to IOM)	Most of the pre-selected candidates receive a health screening by IOM around the time of the selection mission. Fedasil has developed a protocol ⁽⁷⁴⁾ that IOM follows, including a medical questionnaire to fill in (under certain circumstances the health checks are waived in case of need of swift processing or limited IOM capacity). Pre-departure refugee health assessments are intended to ensure that people travel in a safe and dignified manner, are fit to travel, receive appropriate assistance when required, and do not pose a hazard to other travellers or receiving communities. Fit-to-travel assessments are systematically done on all selected refugees prior to departure

73 IOM follows a protocol developed by Fedasil, including filling out a medical template that aims to identify serious medical conditions that could keep the refugee from travelling or delay his departure; could be a risk for public health; could lead to the necessity of adapting the reception conditions in Belgium. The results of the medical checks can help to prepare the arrival (adequate treatment, further tests, adaptation of reception conditions, etc.).

Stakeholder responsibilities within the (pre-) departure phase of the Belgian resettlement programme		
Action/measure	Authority/actor responsible	Explanation of responsibilities
Decision on the final selection of a candidate for resettlement	State Secretary for Asylum Policy and Migration	CGRS issues selection notifications on the basis of which the Secretary of State for Asylum Policy and Migration takes the final decision
Departure and travel to Belgium	Fedasil	Fedasil coordinates the transfer to Belgium with all relevant actors, including the Foreign Affairs Federal Public Service, the Belgian diplomatic missions and consular posts, immigration and reception actors, NGOs, and IOM
Provision of information to the selected person	UNHCR and Fedasil in cooperation with IOM	UNHCR notifies the selected refugees and gives basic information on resettlement throughout the process and IOM provides pre-embarkation briefings
Provision of cultural orientation to the selected person	Fedasil with support of IOM	In most resettlement operations, Fedasil provides a three-day cultural orientation training in the country of refuge. When refugees are selected on dossier, Fedasil provides, through IOM, an informative brochure. ⁽⁷⁴⁾

(Section 2 – Q5, Q10a and b, Q11a and b, Q20b and c of the EMN Questionnaire)

3.7 Post-arrival and integration measures in Belgium

3.7.1 Immediate support on arrival

Fedasil takes care of the **airport pick-up** of the resettled refugees. Staff of the federal collective reception centers where the refugees will be temporarily accommodated after their arrival is present at the airport. They welcome the refugees with the assistance of an interpreter. As much as possible, the team present at the airport includes staff that took part in the cultural orientation mission. Seeing a familiar face upon arrival reduces the culture shock and underlines the continuity of the resettlement programme. Staff from the Resettlement Unit of Fedasil, usually the person who took part in the cultural orientation mission, is present as well to deal with the organisational issues, the IOM escort, airport authorities, etc.

The **provision of (temporary) documentation** is usually postponed until the third day after arrival to allow for the refugees to settle down and rest before dealing with the administrative

74 Source: International cell, Resettlement department, Fedasil.

requirements. Prior to the arrival, Fedasil arranges an appointment for the refugees at the Immigration Office. Even though the intention to grant the protection status has already been set in the country of refuge, the persons have to **formally apply for international protection** once they are on the Belgian territory. Staff members from Fedasil accompany the refugees to this appointment and through the whole administrative process to obtain the refugee certificate and the residence permit.

The Immigration Office provides the refugees with temporary documentation, a so-called 'Annex 26' stating that the person has introduced an application for international protection. Within eight days after lodging the application, the resettled refugee has to go to the town hall of his place of residence to register in the municipality. The municipality will issue a residence permit, the 'attestation of immatriculation', to cover the resettled refugee's stay on the Belgian territory until the **delivery of the refugee status by the Office of the Commissioner General for Refugees and Stateless Persons**.

The asylum case processing is expedited so that the resettled refugees receive the granting decision and related documents, including the refugee certificate, shortly afterwards.

A **medical consultation** takes place at the moment of the registration at the Immigration Office, consisting of a tuberculosis test and the administration of vaccinations by Fedasil's medical staff (at the Fedasil Dispatching service).

Within three days after arrival, all refugees also undergo a first **medical examination** in the reception center. The medical team ensures the medical follow-up of the refugees and the drafting of a first medical report that will be forwarded to the general practitioner in the future municipality. All the necessary health care and treatment is provided to the refugees during their stay in the reception center. Visits to consulting specialists can already be arranged. Health issues that are assessed as of lower priority by the medical team of the center will be referred to the future general practitioner through the medical file. When specific issues are identified by the medical team, appointments can be made for a later stage as well⁽⁷⁵⁾.

The staff of the reception centers is assisted by **interpreters** at all stages of the reception phase. The interpreters are either external professionals, Fedasil staff who speaks the language (and who can act as interpreters when needed or for specific missions) or volunteers.

Since they are accommodated in a collective reception center of Fedasil, the refugees **benefit from all available services and facilities as comprised in the material aid**, defined in the Reception Act⁽⁷⁶⁾, including food and clothing. The food provision varies from center to center (catering, food vouchers). Second-hand clothes are available and provided by the reception center. The refugees are also informed on nearby second-hand or discount clothing shops.

(Section 2 – Q13 of the EMN Questionnaire)

75 The reception center informs the Local Reception Initiative responsible for the accommodation after the first reception phase on medical appointments and medication. At the moment of the transfer to the Local Reception Initiative, the resettled refugee receives a five-day doses of the medication to make sure that the medical treatment is not interrupted. The reception also sends the social and medical file to the responsible Local Reception Initiative or hands it over to resettled refugee on the day of the transfer.

76 Law of 12 January 2007 on the reception of asylum seekers and other categories of foreigners, Belgian Official Gazette, 7 May 2007.

3.7.2 Accommodation and mobility rights

Upon arrival, the resettled refugees are accommodated in one of **four specialised federal reception centers run by Fedasil**. The main objectives during this initial stay in a federal reception center are the identification of the special needs of the resettled refugees (also based on previously received information – RRF and IOM medical files), the start-up of the administrative steps (opening of social rights), the provision of basic integration courses and liaising with the integration actors. In these centers, families receive private rooms while single persons usually have to share rooms. Depending on the reception context in Belgium, the occupancy rate in the centers and the specific situation of the resettled family, the length of **stay can vary between three and seven weeks**. Two of the centers are located in Flanders (in the towns of Sint-Truiden and Kapellen) and two in Wallonia (in the towns of Florennes and Pondrôme). On the basis of information on the selected refugees, Fedasil allocates the resettled refugees to one of these four federal reception centers. Wherever possible, Fedasil tries to respect the regional and linguistic logic in allocating the resettled refugee. For example, a refugee that will receive private housing in Flanders during the second reception phase is usually provided a reception place in one of the two centers located in Flanders. However, several other criteria can impact the allocation of the refugees to the reception centers, such as their health status (for example not all centers have rooms accessible to people with reduced mobility).

After this initial period in a federal reception center, the resettled refugees are transferred to **individual housing** all over the Belgian territory.

Before August 2016, Fedasil launched regularly specific calls to municipalities and their Public Social Welfare Centers to participate voluntarily in the resettlement programme. Participating municipalities had to introduce an offer including the provision of housing for a minimum of 12 months, an intensive social assistance for the resettled refugees and participation in the resettlement programme (including contributing to the monitoring process by providing feedback to Fedasil, attending meetings, collaborating with the NGOs involved in the resettlement programme, etc.). Since the offers provided by the municipalities were not sufficient to meet the needs⁽⁷⁷⁾, Fedasil already started to use, from 2015 onward, the so-called ‘Local Reception Initiatives’⁽⁷⁸⁾ (individual housing, part of the reception network of Fedasil at the local level), to temporarily accommodate the resettled refugees after the initial reception phase.

This practice has now become the general rule and since August 2016⁽⁷⁹⁾, after the initial reception in a collective center, the **resettled refugees are accommodated in the Local Reception**

77 The limited offer of municipalities willing to participate voluntarily in the resettlement programme was mainly due to the increased influx of asylum seekers, the increased resettlement quota and the uncertainty regarding the time of arrival of the resettled refugees in the municipality with the main difficulty, the reservation of housing in advance.

78 Belgium has 28,277 reception places in total (Fedasil, 3 November 2016). The network comprises collective and individual reception structures. The collective structures are reception centers managed by Fedasil, the Red Cross, private operators or other partners. The individual structures are housing managed mainly by the Public Social Welfare Center (‘Local Reception Initiatives’) or by NGOs.

79 Instruction of Fedasil concerning the transition from material aid to social aid: measures for the residents of the collective reception structures and accompaniment in the transition phase, 20 July 2016.

Initiatives for a period of six months⁽⁸⁰⁾, with the possibility to ask twice for a postponement of the time of departure with one months.⁽⁸¹⁾

The Local Reception Initiatives are managed by the Public Social Welfare Centers. In the allocation of the resettled refugee to a Local Reception Initiative the preferences of the refugees are not taken into consideration. However, **family composition and medical conditions are taken into account**. Fedasil also tries to take family links in Belgium or language knowledge into consideration, as much as possible. However, it is the **housing availability** that is the determining factor.

Except for the social support offered by the Public Social Welfare Centers in collaborating with two specialised NGOs (see 3.7.3), an important task during this reception phase, is to find **sustainable housing** in the territory of the municipality. The social workers of the Public Social Welfare centers will assist, in collaboration with the NGOs, the resettled refugees in finding a long-term housing solution, taking into account the personal situation of the resettled refugees (recently in Belgium, limited knowledge of the Belgian housing market, limited knowledge of national languages, level of education etc.). At the end of the transitional phase and any received postponement of departure, the resettled refugee has to leave the Local Reception Initiative⁽⁸²⁾.

Municipalities, with Local Reception Initiatives accommodating resettled refugees, have the possibility **to join the resettlement programme on a voluntarily basis** by offering resettled refugees a temporary accommodation outside of the reception network for an additional 12 months after the transitional period of six months. In this case, the Public Social Welfare Center of that municipality becomes a full-fledged operator in the resettlement process: they

80 As a rule, at each request to postpone the departure, Fedasil will only allow a delay for one month. But in specific cases Fedasil will, based on the submitted application, allow a delay of more than one month, for example in the context of the end of the school year (from April 1), or depending on the start date of the lease of the housing for the resettled refugee after the reception phase. Each request has to mention the steps that have been undertaken to find accommodation outside of the reception network. A third request for prolongation of the stay in the Local Reception Initiative can only be lodged in exceptional circumstances that are linked to the human dignity, e.g. in medical cases. If housing outside the reception network is found, the resettled refugee can leave the Local Reception Initiative before the period of six month has ended.

81 The coalition agreement of 2014 (Federal Coalition Agreement, 9 October 2014, p. 157-158) provides for the introduction of a new reception model. In this model reception in collective facilities becomes the rule. Individual reception facilities are in the model reserved for two groups: on the one hand for tailor-made reception for specific groups of asylum seekers (people with physical disabilities, pregnant women and single parents, unaccompanied minors) and on the other hand for persons who are granted international protection or a residence permits for more than three months (the so-called transitional reception in the Local Reception Initiatives). This concerns the management of the outflow of residents from the reception network. The new reception model aims to simplify an efficient management of the reception network, to better reflect the shorter processing time of asylum applications by the Office of the Commissioner of Refugees and Stateless Persons and to allow to allocate the most adapted reception facility according to the reception needs of the applicant. The new model was also intends to address the lower occupation rate in the Local Reception Initiatives and to harmonise the reception models for resettled refugees and refugees who have come to Belgium to seek asylum. Due to the high influx of asylum seekers in 2015, the introduction of the new reception model was put on hold. Since the number of asylum applications has dropped sharply in 2016 and Fedasil has reduced the number of reception places, the introduction of the new reception model restarted in 2016. From 29 August 2016 onwards, the so-called transitional reception in Local Reception Initiatives applies to all the concerned residents of the collective reception centers, including resettled refugees. And since 13 October 2016, asylum seekers from countries for which a high degree of protection applies (international protection rate of 90%), awaiting a decision on the asylum application and staying for at least four months in a collective reception, are also allocated to a Local Reception Initiative. More information on the previous reception model: The organisation of Reception Facilities in Belgium Focussed Study of the Belgian National Contact Point for the European Migration Network, August 2013.

82 If the resettled refugee does not leave the Local Reception Initiative by the end of the term, this reception place will be suspended and shall cease to be subsidized by Fedasil.

provide assistance in the integration and social support for refugees in collaboration with the experts NGOs in the field of support for newcomers, Caritas International and Convivial.

In case the resettles refugees present **specific vulnerabilities** (e.g. special medical needs), the NGOs can also provide **individual housing immediately after the arrival** of the resettled refugees in Belgium. But this is rather exceptional considering the numerous constraints this entails (reservation of housing and payment of rents in advance).

Furthermore, resettled refugees can also choose to stay with friends or relatives present on the Belgian territory.

The resettled refugees are allowed to **freely move or establish themselves elsewhere** within the Member State after their arrival⁽⁸³⁾.

They are allowed to **travel to another Member State** under certain conditions: acquisition of a travel document for refugees, a so-called 'blue passport', which can only be obtained once the asylum procedure is completed and an residence permit is obtained; a restriction in time as long as they live on social welfare benefits (not allowed to travel more than four weeks at the time or risk of losing their integration income); informing the social worker from the Public Social Welfare Center about their travel, as long as they live on social welfare benefits.

The recognised refugee must inform the municipality if s/he wants to stay in another country for a longer period of time. And s/he has the right to return to Belgium within one year, beyond this time limit, a return is not guaranteed. If the recognised refugee wants to settle in another country, s/he will be subject to the laws and regulations of that country.

[\(Section 2 – Q12a, b, Q16a, b, Q17a, b and c of the EMN Questionnaire\)](#)

3.7.3 Introduction to society, integration measures and citizenship

Integration per se is a regional competence in Belgium. In general, integration measures for resettled refugees are the same as for people who came to Belgium as asylum seekers and are granted international protection.⁽⁸⁴⁾

However, the **national resettlement programme entails specific measures and actors to provide a tailor-made assistance to resettled refugees**, taking into consideration their individual situation and needs.

Introduction programme during the initial stay in collective reception centres

Besides the pre-departure cultural orientation programme in the country of refuge and the airport pick up in Belgium, Fedasil offers a **specific introduction programme** to resettled refugees during their initial stay in the reception centers of Fedasil. It is a basic orientation programme, adapted to the specific circumstances, the time of arrival and the general reception context⁽⁸⁵⁾.

83 However, if they want to benefit from the specific services offered by a Public Center for Social Welfare who decided to participate in the resettlement programme on a voluntary basis, the resettled refugee has to reside in the Local Reception Initiative allocated Fedasil and afterwards in the housing provided by the PSWC.

84 For more information on the integration of beneficiaries of international protection: Belgian Contact Point to the EMN, Integration of beneficiaries of international protection into the labour market in Belgium, May 2016.

85 As stated before, the duration of the stay in the reception center may vary depending of the occupation rate in the Fedasil reception network. Depending on the duration of stay, an adequate introduction programme is foreseen for the resettled refugees.

Considering the fact that the refugees will be granted the refugee status within a few days and will move on to individual housing within a short time, the **main objectives** of this introduction programme are:

- Deal with **administrative issues** and facilitate the **access to rights**;
- Start-up of the **social counselling** and preparation of a dossier to guarantee the continuity of the social support by the future social workers (from the Public Social Welfare Centers in the municipality and the NGOs);
- Start the **medical follow-up**;
- Provide **key-information and tools**, building on the information provided during the pre-departure cultural orientation training, to facilitate the transfer to individual housing and a more autonomous life in Belgium.

The introduction programme is linked to the topics addressed during the pre-departure cultural orientation mission and includes a range of **information sessions**⁽⁸⁶⁾ on:

- ★ life in Belgium including rights and duties, norms and values;
- ★ fears and expectations concerning the future;
- ★ the healthcare system;
- ★ the education system⁽⁸⁷⁾;
- ★ employment and the labour market;
- ★ the use public transportation;
- ★ the public services provided by a municipality;
- ★ the cost of life and budget management;
- ★ family reunification;
- ★ recycling;
- ★ basic language lessons⁽⁸⁸⁾.

Additional **practical activities** can be organised, for example visits to the supermarket, cooking lessons, biking lessons, fieldtrips to Brussels, conversations with earlier recognised refugees ('buddies'), etc.

Guidance during the stay in Local Reception Initiatives and beyond

After this phase in a collective reception center of Fedasil, the refugees are accommodated for a **period of six months** in individual housing, the so-called **Local Reception Initiatives** which are also part of the Fedasil reception network and managed by the Public Social Welfare Centers in the different Belgian municipalities⁽⁸⁹⁾. During this phase, **the Public Social Welfare Centers provide orientation and integration support** similar to the one that is provided to 'regular' beneficiaries of international protection in the framework of the Reception Act of 2007. In addition **the partner-NGOs, Caritas International and Convivial**, are responsible to provide the

86 Note that each of the four reception centers develop their own introduction programme taking into to account the locally available resources, such as regional (civic) integration services, local associations, etc.

87 School enrolment of children is sometimes not possible, for example if the resettled refugees arrive immediately before or during an exams period.

88 The language classes in the reception centers are usually provided by volunteers so there is no guarantee that it can be systematically organised.

89 More information on the accommodation of resettled refugees is available under 3.7.2.

resettled refugees with **tailor-made integration support**. Both the Public Social Welfare Centers and the NGOs provide assistance aiming at fostering the empowerment and the autonomy of the resettled refugees⁽⁹⁰⁾.

The involvement of **the non-governmental organisations Caritas International and Convivial, who assist the Public Social Welfare Centers⁽⁹¹⁾ by providing additional tailor-made support to the refugee's integration process** for a minimum of 12 months and up to 24 months, depending on the specific needs of the resettled refugees, is a specificity of the Belgian resettlement programme. To this end, Fedasil concludes annually a convention⁽⁹²⁾ with each of the NGOs and submits the files and any relevant (social) information concerning the resettled refugees⁽⁹³⁾. The NGOs meet the resettled refugees for the first time in the reception centres to introduce themselves and their role in the integration process and to determine what kind of assistance individual refugees and families will require.

The Public Social Welfare Centers are basically responsible for finding **housing** for the resettled refugees after the six months stay in the Local Reception Initiatives, but they are geographically limited (own municipality or city). The NGOs can support them in the quest for housing across the country, but do not have the means to search and find housing for all resettled refugees.

After the stay of six months in the Local Reception initiative, the NGOs **continue to support the resettled refugees and help them move** to private housing in the same or another municipality and ensure their local anchorage. The NGOs assist the resettled refugees with interpretation and translation, administrative steps such as registration with the municipality authorities, and accessing mainstream services such as financial assistance and medical insurance.

The NGOs organise three **collective information and discussion sessions** in which resettled refugees from the same region meet and participate in discussion groups. The topics of the first two sessions are culture shock and adaptation and the transfer to private housing, including the reality of the Belgian housing market. During these sessions other topics such as energy and waste management, health, banking, taxes, travel, family reunification are addressed. These sessions include also **networking activities** between resettled refugees. A third session is organised after one year and is a moment of **evaluation**. In this session the resettled refugees reflect on what they have learned and achieved and share their expectations for the future.

In addition to these group sessions, the NGOs provide an **individual, tailor-made follow-up** during **house visits**. They inform the resettled refugees on their rights and obligations, provide answers to practical questions and give accurate information in order to make the resettled refugees' expectation about life in Belgium more realistic and to help them shape their future

90 If the Public Social Welfare Center decides to become a partner in the resettlement programme (see box 6), it will receive subventions to meet the specific needs of the (often vulnerable) resettled refugees, still in collaboration with the NGOs.

91 And in collaboration with local associations, volunteers, etc.

92 For example the 2016 convention between Fedasil and Caritas International: 'Convention relative à la mise en oeuvre du volet suivi/accompagnement à l'intégration du programme belge de réinstallation de réfugiés 2016'.

93 Caritas International and Convivial divide the files of the newly arrived resettled refugees between them according to a 50:50 ratio.

projects⁽⁹⁴⁾. If necessary they refer the resettled refugees to specialist services who are not always locally available.

They also provide **legal support** for specific questions, such as family reunification, the right to travel, errors in identity documents, etc.

Another specificity for resettled refugees is that the NGOs have **bicultural counsellors** in their coaching teams, who speak the language of the resettled refugee and facilitate the communication between the refugees and (mainstream) services.

Box 5. Resettlement coaches and bicultural counsellors of the partner-NGOs

The NGOs Caritas International and Convivial involved in the resettlement programme, are specialised organisations with an expertise in intercultural work with vulnerable refugees. They ensure the continuity of support to resettled refugees both during and after they have settled in the municipality and up to 24 months after their arrival in Belgium.

The **resettlement coach** provides social support tailored to the resettled refugees needs in cooperation with the **bicultural counsellors**. The latter speaks the native language of the refugees and works closely together with the social workers of the Local Public Social Welfare Centers concerned. The purpose of the guidance is to ensure that refugees can lead an autonomous life in Belgium as soon as possible. They work throughout the whole Belgian territory.

In collaboration with bicultural counsellor, the resettlement coach is responsible for:

Individual counselling for integration:

- ★ Information about the status, rights and duties, the integration steps, etc.;
- ★ Adjusting expectations and setting a realistic plan for the future in Belgium;
- ★ Guidance for better access to public services (municipal, hospital, health insurance, school, language courses, social housing, ...);
- ★ Support for administration and budget (filling out documents, registrations, sort mail, etc.);
- ★ Facilitate local anchorage (look for local activities, working with volunteers, ...);
- ★ In the case of special needs (medical, psychological, ...): orientation to specialised services;
- ★ Support in the family reunification procedure (and accompanying family members after arrival);
- ★ Support for access to studies and employment (diploma equivalence, orientation towards training, voluntary work, intensive language courses, ...);
- ★ Search for private housing and acting as a contact person for the homeowner;
- ★ Help with moving and installation into the municipality (transportation, furniture, 'welcome kit', etc.).

Administration

- ★ Keeping an individual coaching record per person / family;
- ★ Maintaining an overview of the integration progress of the resettled refugees in the different municipalities;
- ★ Collecting documents for annual reporting to Fedasil.

Collective activities

- ★ Organise collective recreational activities and thematic information modules.

The NGO support is digressive over time, more intensive in the first year and then decreasing in intensity according to the stage of autonomy and the integration in the main stream services, while maintaining a specific attention for the most vulnerable resettled refugees.

94 Caritas also uses information brochures in Arabic. Each brochure covers a specific topic such as "find a home and move," "energy and waste management", "health", "banking and taxation", "travel", etc.)

For the services described above, the NGOs receive a **financial compensation** from Fedasil. In 2016 two different amounts apply depending on the cooperation of a partner Public Social Welfare Centers. If the resettlement is not carried out in collaboration with a Public Social Welfare Center who voluntarily participates in the resettlement programme (and provides housing for a period of 12 months after the initial reception phase), the financial compensation for the NGOs is fixed at a flat rate of EUR 3,100 per resettled person in Belgium. If the resettlement is carried out in collaboration with a resettlement partner Public Social Welfare Center, the financial intervention for the NGOs is set at a flat rate of EUR 1,600 per person resettled in Belgium. In the latter case, after a period of 12 months of accommodation offered by the Public Social Welfare Center, a non-automatic financial contribution of EUR 500 per person resettled in Belgium may be granted, if the NGOs were able to relocate and settle the refugee outside the municipality or city for which the Public Social Welfare Center is competent. A convention between Fedasil and the NGOs determines the payment modalities of the lump sum and the services. The financial terms and conditions applied in this agreement are subject to the terms and conditions of the Asylum, Migration and Integration Fund, which means that **the lumps sums can only be paid after arrival** of the resettled refugees in Belgium.

(Section 2 – Q12a of the EMN Questionnaire)

Box 6. Public Social Welfare Centers as voluntary partners in the resettlement programme ⁽⁹⁵⁾

Public Social Welfare Centers (PSWC) accommodating resettled refugees in their Local Reception Initiatives, have the opportunity to step in as a partner in the resettlement programme. Once these PSWC are full-fledged partners in the resettlement programme, they have to:

- ★ provide **housing** (found on the private market ⁽⁹⁶⁾ or property of the PSWC or the municipality) in the territory of their municipality, adapted to the family composition and specific needs of the resettled refugees, available for at least 12 months ⁽⁹⁷⁾. This property may not be part of the reception network of Fedasil;
- ★ organise the **move** of the refugees resettled to this new home, at the latest six months after their arrival in the Local Reception Initiative (an exceptional postponement may be requested under the Fedasil instruction of July 20, 2016, see above);
- ★ **prepare and facilitate the arrival in this house** (installation premium granted in advance, rent guarantee, referral to second hand stores and charities, welcome kit for food and sanitary products, etc.);
- ★ **provide transitional relief / emergency aid** (first rent, livelihood, transportation etc.) pending the granting of the integration income;
- ★ make **procedural arrangements to gain access to assistance from the PSWC and other rights** (minimum wage, guaranteed family allowance, health insurance and benefits, etc.);

95 Fedasil, Resettlement of refugees In Belgium - Programme 2016: Explanatory note on the process of resettlement of refugees in Belgium and the modalities of participation of the Public Social Welfare Centers, September 2016.

96 If a property was found on the private market and if possible, the PSWC arranges with the owner that the resettled refugees are direct tenants and sign the lease themselves. In such cases, the PSWC guides the refugees when signing the lease. The rental guarantee can be paid by the PSWC (possibly using the premium of € 2,500 per resettled refugee) and can be gradually reimbursed by the refugees. The PSWC is free to apply more favourable terms. The refugees have to pay the rent as soon as they receive their integration income. The PSWC may provide support for the budgetary management and help the refugees in the timely payment of rent (to reassure certain owners) and if necessary other bills. Gradually, the refugees are required to manage their budget independently.

97 The property must have furniture and basic equipment (kitchenware, linens etc.) and a package of necessities for the first days (food, cleaning and personal hygiene products). The property must comply with the legislation on accommodation and the security must be guaranteed.

- ★ provide **global support** to the resettled refugees, **including material, social, medical, socio-medical, psychological, socio-professional support**; the appointment of a specific social worker; the use of interpretation services; referral to integration programmes for newcomers and to mainstream services; support to access medical and psychological care, education (school enrollment), training (including language training, literacy) and work and several administrative steps such as opening a bank account, family support; referral of parents and children to organisations and initiatives that facilitate the integration (women's associations, sports clubs, cultural associations, leisure etc.) etc. for at least one year;
- ★ **cooperate with Fedasil** and other partners for the **monitoring of resettled refugees, in particular by participating in the operational coordination** meetings.

The PSWC receive **support in the counselling of resettled refugees by two NGOs**, experts in the field of supervision of newcomers, Caritas International and Convivial.

For the services described above, the PSWC receive a **fixed sum of EUR 2,500 per resettled person** if the following conditions are fulfilled:

- within four months following the allocation of the resettled refugees in the Local Reception Initiative, and with their consent, the PSWC declares to Fedasil that it wishes to take part in the programme, (fill out the entry form along with a copy of the lease or the promise of the lease);
- providing a home adapted to the needs of the resettled refugees, no later than 6 months after the allocation to the Local Reception Initiative and for a minimum period of one year;
- organisation of the relocation, the installation and providing the services as described above.

In case the resettled refugee can **durably anchor in the municipality** at the end of this first year in the private house (new rental agreement or extension of the first lease), a non-automatic premium of EUR 500 per resettled refugee will be granted.

A **convention between Fedasil and the PSWC** determines the payment modalities of the lump sum and the services.

All of these resettlement operational partners also **refer the resettled refugees to existing regional integration services**, the regional employment agencies, vocational training organisations, psychological counselling services, etc.

And once the resettled refugees are established in a municipality, they will be invited by the **mainstream regional (civic) integration services⁽⁹⁸⁾ to follow an integration trajectory**, including citizenship lessons, language training and socio-economic orientation (education, vocational training, work).⁽⁹⁹⁾ In collaboration with Fedasil, the NGOs will monitor the integration trajectories of the resettled refugees for up to 24 months⁽¹⁰⁰⁾.

Another specific aspect of the resettlement programme concerns the fact that the **composition and the specific needs of the resettled refugees are already known in advance**. The resettlement

98 Fedasil is in contact with the regional integration actors and informs them on the upcoming arrival of resettled refugees in their jurisdiction. Integration actors are also sometimes directly involved as partners in the reception centers' introductory programmes (social orientation).

99 For more information on the integration of beneficiaries of international protection: Belgian Contact Point to the EMN, Integration of beneficiaries of international protection into the labour market in Belgium, May 2016.

100 Fedasil monitors the refugees up to two years through regular follow-up meetings with the partner NGOs and the monitoring of databases and reporting requirements.

partners in Belgium can therefore anticipate their arrival and provide support that best fit their profiles and needs.

Family reunification and the possibility to acquire Belgian citizenship

Resettled refugees follow the same procedure for **family reunification** as other persons granted the refugee status. Besides married partners, children under 18 and parents of children under 18, other family members who are eligible for family reunification include:

- Registered partners (including same-sex partners),
- Children over 18 suffering from a mental or physical disability.

The applying family member must evidence a stable, regular and sufficient income, appropriate accommodation and medical insurance. These requirements are waived for refugees making applications within one year of the grant of refugee status and where the family link already existed prior to the refugee's arrival in Belgium⁽¹⁰¹⁾.

Resettled refugees can acquire **Belgian citizenship** following the same procedure as refugees who came to Belgium and were granted the refugee status after lodging an asylum application.

Belgian citizenship can be obtained by a person above 18 years of age who has resided legally in Belgium for five years and who knows one of the three national languages and:

- who can prove his/her social integration and economic participation or
- who is married to a Belgian citizen or is the parent of a Belgian child aged under 18 and who can prove his/her social integration or
- who cannot work due to a disability or is retired.

The citizenship declaration can also be made by a person above 18 who has resided legally in Belgium for ten years and who knows one of the three national languages and who can prove his/her social participation in the Belgian community.

The conditions described above are the basic criteria necessary to acquire Belgian citizenship. The exhaustive conditions can be found in the Belgian Nationality Code⁽¹⁰²⁾. The cost of this procedure is EUR 150.

Children born after arrival but before acquisition of the citizenship of their parents are not automatically granted refugee status. A request has to be submitted to the Office of the Commissioner General for Refugees and Stateless Persons if both parents are refugees in Belgium or an asylum application needs to be lodged with the Immigration Office if only one of the parents has refugee status in Belgium.

(Section 2 – Q12a, b; Q15a, b, c & d of the EMN Questionnaire)

¹⁰¹ Unless the applicant is a child over 18 suffering from a mental or physical disability. Note that the stable sufficient revenue condition is never applicable if it is the minor children who apply to join their parent(s).

¹⁰² http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=1984062835

Evaluations and Studies regarding Resettlement in Belgium

Since the Belgian resettlement programme is a fairly recent one, **the number of evaluations and studies**, highlighting different aspects of the resettlement process, **is very limited**. When speaking about evaluations, it is important to distinguish:

- between the pilot projects (2009 and 2011) and the structural programme since 2013 and
 - between the regular project reporting under ERF and AMIF and longitudinal monitoring.
- Several actors involved in the resettlement process, such as Fedasil and the Office of the Commissioner for Refugees and Stateless Persons, have conducted **internal evaluations** of the pilot projects and/or structural resettlement programme in Belgium. It concerns internal documents which are not published. For example the mid-term evaluation of the 2009 pilot project by Fedasil in 2010, "Projet pilote de réinstallation de réfugiés irakiens, note d'évaluation à mi-parcours".

Furthermore, resettlement operations are monitored on a day-to-day basis by Fedasil, also in the framework of the AMIF reporting duties. **All actors financed under ERF/AMIF projects have to report accordingly**. The resettlement implementing partners, IOM, the NGOs and the participating Public Social Welfare Centers, regularly **report to Fedasil based on the agreements concluded between these parties**. These documents are not public.

Box 7. Resettlement funding under the Asylum, Migration and Integration Fund

To promote resettlement in Europe, the European Commission introduced a **system of funding and financial incentives for states' resettlement activities** under the European Refugee Fund (ERF) and since 2014 under AMIF.

Virtually **all types of Member State activities related to resettlement can be financially supported** under AMIF, including those taking place both **pre-departure** in countries of refuge and **post-arrival** in Europe. AMIF requires that refugees must be resettled within the calendar year of the respective annual AMIF programme. The European Commission uses a number of different methods to monitor fulfilment of these conditions. The European Commission, in cooperation with EASO and in accordance with their respective competences, should also monitor the effective implementation of resettlement operations supported under the Fund.

AMIF funding for resettlement is allocated through three channels:

1. **National programmes:** a part of AMIF resettlement funds are allocated to national programmes (where Member States include refugee resettlement pledges in national AMIF programmes). An AMIF contribution in this context normally cannot exceed 75 per cent of the total costs of the specific action; however, this may increase to up to 90 per cent in specific circumstances.

2. **Lump sum per resettled refugee:** the AMIF provides Member States with a lump sum amount of EUR 6,000 for each resettled refugee, and EUR 10,000 for each resettled refugee falling into one of the following categories:

- ★ Persons from a country or region designated for the implementation of a Regional Protection Programme (Annex III of the AMIF lists the common Union resettlement priorities);
- ★ Women and children at risk;
- ★ Unaccompanied minors;
- ★ Persons having medical needs that can be addressed only through resettlement;
- ★ Persons in need of emergency resettlement or urgent resettlement for legal or physical protection needs, including victims of violence or torture.

In order to receive the lump sum payments, Member States must communicate in advance to the European Commission how many refugees they plan to receive under the above categories. There are three resettlement pledging periods: 2014-2015, 2016-2017 and 2018-2020.

3. **Union Actions:** which are managed centrally by the European Commission (previously termed Community Actions), are designed to promote practical cooperation in resettlement between actors in two or more EU Member States.

In 2011, Myria, the Belgian Federal Migration Centre⁽¹⁰³⁾, commissioned **a study at the University of Ghent**, entitled “The experiences of resettled refugees in Belgium”⁽¹⁰⁴⁾. The research is based on extensive interviews with institutional stakeholders and mainly with refugees from Iraq who were resettled in Belgium in 2009. Some resettled refugees from Eritrea and Congo who fled in 2011 to Tunisia after the fall of Kadhafi were also interviewed. The study aims to assess the experiences and current life situation of the refugees under resettlement programmes in Belgium and this **from a longitudinal perspective**. Within this context, specific attention is paid to the support that was provided to the resettled refugees, and more specifically to the way they experienced this support.⁽¹⁰⁵⁾

Following research questions were posed:

- How did resettled refugees experience the whole process of resettlement?
- What are the living conditions of the resettled refugees, and what changes/evolutions can be observed? With a focus on the following areas of life: housing, employment and income, social network, physical and psychological well-being, residence procedures (including family reunification), nationality acquisition, education and civic integration.
- How were the resettled refugees supported throughout their journey to and in Belgium and how have they experienced this support?

The study points out that the resettled refugees are **grateful to the Belgian authorities for providing protection, but the study also identifies the difficulties in the resettlement process**. Concerning **the pre-departure phase**, many refugees were positive about the provision of a cultural orientation course: it made clear that they were welcome and enabled them to be

¹⁰³ <http://www.myria.be/en/about-myria>

¹⁰⁴ Caestecker F. & Derluyn I. (Universiteit Gent), The experiences of resettled refugees in Belgium, 2016.

¹⁰⁵ It is to be noted that the resettlement context has significantly changed since the first pilot operations in 2009 and 2011, both in terms of resettlement quotas and model.

informed and to decide more actively on their resettlement in Belgium. The airport pick-up by the Belgian participants in the selection and orientation phase diminished the culture shock and smoothed over the transition.

The fact that Belgium, at least for the resettlement programme of 2009, selected mainly women at risk, i.e. women with medical problems and/or single mothers, implied specific challenges for the programme. The study showed that **the assistance provided by the NGOs during the first year** of resettlement was crucial for the refugees involved to be able to settle in Belgium and to find private housing. The interviewed refugees were in general also very **satisfied with the medical care** they received.

However, their high expectations concerning **economic and social integration could not be met**. The economic integration of these resettled refugees was, even after several years, rather weak. Aside from the regular factors with a negative impact on labour market integration (lack of language skills and/or qualifications matching the local labour market needs), the medical conditions of these refugees also hindered their the labour market insertion. For single mothers, staying at home to look after the children meant that they mostly remained dependent on welfare.

The resettled refugees indicated that they find it very difficult to connect with the local community and they only had a **limited social network**. The single mothers, who were mostly well off in Iraq and characterized by a high cultural capital, expressed that they had put their hope in the educational careers of their children. Several of these children who arrived in Belgium as teenagers are now pursuing higher education.

The resettled refugees considered **the housing arrangement as the weak link** in the resettlement programme. They expected to receive adequate housing, but upon arrival they were housed in reception centers for asylum seekers and had to search, with the help of NGOs, for housing on the private market. The mental map of resettled refugees turned out to be strongly influenced by the practices of the long standing resettlement countries such as the Unites States of America, Netherlands and Sweden, where resettled refugees receive private housing upon arrival. The reception centers were associated with protracted refugee situations. In some cases the stay in the centers lasted for several months because no acceptable housing was found.

Furthermore, the **housing offer available to the refugees was of low quality**, mostly because of the limited resources at their disposal. Even after several years most of them still lived in substandard housing. Very few, predominantly those living outside the urban agglomerations, had been able to transfer to better housing, especially social housing. Living outside of the urban agglomerations implied however that they were cut off from the collectively life of their ethnic community and that they were more socially isolated.

Following the recommendations of the study, resettlement will have to be the subject of **continuous monitoring and evaluation**. The mapping of the living conditions of resettled refugees in various areas of life (housing, employment, education, access to services, social networking, medical support, etc.) and querying resettled refugees on their evaluation of their

(further) integration path and the support provided throughout this pathway can provide very valuable information about which areas of life require extra attention and support and what sources of support are valuable or what support resources are still missing. A longitudinal monitoring and follow-up of refugees who are resettled in Belgium is a necessity for the further development of the resettlement programme, aligned as closely as possible the actual needs, demands and expectations of the refugees concerned.

On the **international scene**, very few longitudinal evaluations exist on resettled refugees specifically, in December 2015, ICMC published the guide “Building a resettlement network of European cities and regions. Experiences of the SHARE Network 2012-2015”⁽¹⁰⁶⁾. This guide provides a summary of policy reflections, tools and resources and recommendations produced by the SHARE Network from 2012 to 2015 and aims to support regional and local actors implementing reception and integration in European refugee resettlement and relocation programmes and offer useful guidance for refugee integration programmes in Europe.

(Section 4 – Q32)

¹⁰⁶ <http://resettlement.eu/page/share-final-publication-building-resettlement-network-european-cities-and-regions%E2%80%99>

Conclusions: Challenges and Good Practices

The Belgium resettlement programme is still a **very recent** one and although Belgium has stepped up its efforts following the resettlement activities announced in the European Commission's "European Agenda for Migration" in 2015 and in the wake of the humanitarian crisis associated with the ongoing civil war in Syria, the **size of its structural resettlement programme remains rather modest**.

Nevertheless, the national resettlement actors have identified **challenges and good practices** regarding the Belgian resettlement programme and have drawn some valuable conclusions. Before the start of the structural resettlement programme, Belgium participated in an important number of EU twinning projects on resettlement. These experiences, combined with two ad hoc operations in 2009 and 2011, allowed Belgium in 2013 to set up a well-based permanent resettlement programme.

Legal framework and governmental proceedings

The **absence of a legal framework** hinders efficiency because resettlement has to be handled within the existing legislation on migration, asylum, family reunification, etc. The fact that the **Office of the Commissioner General for Refugees and Stateless Persons cannot grant the refugee status outside of the Belgian territory**, implies that resettled refugees need to lodge a formal asylum application after arrival in Belgium. And although resettled refugees can benefit from an accelerated procedure to receive the refugee status, it is considered an inefficient process, certainly when larger numbers of refugees are to be resettled. A **strong legislative framework** could improve the efficiency of the resettlement process regarding visa application, asylum registration, refugee certification, etc.

The Belgian government considers **resettlement as a necessary complement to the reception of refugees in the region of origin**, particularly for those refugees for whom no durable protection is available. In his General Policy Note on Asylum and Migration of 27 October 2016⁽¹⁰⁷⁾, the State Secretary for Asylum Policy and Migration stated that the asylum crisis and the associated lack of reception capacity have led to a delay in the realisation of the commitments made by Belgium in the context of resettlement. And although the influx of asylum seekers is in the meanwhile back at pre-crisis level, the Belgian asylum system will clearly feel the after-effects of the migration crisis of 2015 until the end 2017. The number of accommodated asylum seekers will stay above pre-crisis levels for months to come, while the accrued administrative backlog

¹⁰⁷ Belgian House of Representatives, General Policy Note on Asylum and Migration, 27 October 2016, DOC 54 2111/017.

will continue until the end of next year. The policy note confirms that the Belgian Government will **continue the resettlement programme**, but stresses it will do so at **a pace the asylum administrations are able to manage**. The **lack of a clear political commitment over a longer period of time makes the resettlement operations less predictable and makes an efficient and timely planning of the operations difficult**.

To allow for more possibilities for admitting persons via legal channels, several resettlement partners expressed their interest in **alternatives such as private sponsorship**⁽¹⁰⁸⁾ to complement Belgium's resettlement activities. This could be a suitable practice in the context of a lack of institutional capacity to increase resettlement places or as a way for the Belgian authorities to boost legal channels of migration while enabling private actors to take on (some of) the costs. Private sponsorship could also generate more support in society for legal channels of migration by allowing private actors, such as communities and religious institutions, to play a role.

Funding and expenses

As part of the ways to tackle the challenges of asylum and migration in Europe, the European parliament adopted on 13 March 2014 the **Asylum, Migration and Integration Fund**. Member States that receive resettled refugees submitted for resettlement consideration by UNHCR are eligible for a **lump sum** of EUR 6,000 per person arriving, rising to EUR 10,000 per person for refugees from groups identified as priorities for EU resettlement. To receive the lump sums, Member States must pledge to take in specific numbers of refugees one year in advance of their resettlement programme being implemented.

This system of lump sums greatly **simplifies the accounting and financial monitoring requirements** by the resettlement actors. But since the AMIF pledging system is based on actual arrivals in the resettlement country, the resettlement actors are **only paid after the arrival of the refugees in Belgium**. This makes it difficult for some of them to employ staff or reserve housing in advance, unless they use their own funds.

The Union Resettlement Programme of AMIF 2014-2020 foresees three resettlement pledging periods: 2014-2015, 2016-2017 and 2018-2020. This **multi-annual planning considerably facilitates the national planning and implementation of resettlement operations**, contrary to previous EU resettlement programmes that were much less flexible⁽¹⁰⁹⁾.

The Belgian resettlement programme is **almost fully financed with AMIF-funding** (combining national actions and resettlement pledging). This dependency on EU-funding has a **limiting effect on the flexibility** of the resettlement process. Since the pledging has to be done in advance, according to set priorities focusing on geographical regions or specific categories of refugees,

¹⁰⁸ More information on private sponsorship:

European Migration Network, Resettlement and Humanitarian Admission Programmes in Europe – what works?, November 2016, pp. 37-39.

¹⁰⁹ Except for the accommodation arrangements, which are only partly financed under AMIF funding and partly under national resources, and the long-term integration measures, as well as welfare benefits which are part of mainstream services for newcomers and are not included in the pledging (national resources).

the Belgian resettlement programme does not allow to respond to calls for resettlement that fall outside these pledging priorities.

The pre-departure and departure phase

The **start-up of new resettlement operations in countries of refuge is considered difficult** in some cases. A longer term investment in these countries is considered necessary to facilitate the smooth running of operations, through **knowledge of the local context, actors and of the target group**.

The development of **good working relationships** between the Office of the Commissioner General for Refugees and Stateless Persons and Fedasil on the one hand and UNHCR, IOM and the Belgian diplomatic missions and consular posts on the other hand are considered as extremely important for the well-functioning of the resettlement programme.

The need for selection and cultural orientation missions is confirmed by all stakeholders.

Selection missions by the Office of the Commissioner General for Refugees and Stateless Persons to the country of refuge are considered very important, allowing for Protection Officers to interview the candidates for resettlement face-to-face instead of solely on the basis of the UNHCR's Resettlement Registration Form, which is the case in resettlement operations where no **selection missions** can be carried out due to security risks or logistical challenges in the country of refuge.

The same applies to **the pre-departure orientation missions** of Fedasil. The provision of a pre-departure cultural orientation training is regarded as a good practice, both by the resettlement partners and the refugees. It enables the latter to take an informed decision and augments the refugees' ownership in regard to their resettlement to Belgium. The training also aims to manage unrealistic expectations regarding life in Belgium by giving accurate information on the acquisition of citizenship, housing, labour market participation, family reunification, etc., in order to minimise disappointment and frustrations after arrival in Belgium. To this end Fedasil has put together a pool of **experienced cultural orientation trainers** and developed a **cultural orientation training methodology which is continuously improved on the basis of (inter)national practices**. In comparison, resettlement operations, in which resettled refugees are selected on dossier basis and transferred individually or in countries of refuge where the local situation does not allow for a cultural orientation mission, are viewed as less effective since the refugees are not or a lot less prepared for their arrival in Belgium.

For instance the case for resettlement operations for which the **need for swift processing** exist. This is the case with the fast-track standard operating procedures implementing the one to one mechanism for resettlement from Turkey to the EU, which poses challenges for **maintaining quality pre-departure procedures**.

To find solutions for the challenges related to the Belgian resettlement operations for which no selection and/or pre-departure orientation mission can be organised, Belgium will look at **good practices implemented by other resettlement countries**. For instance the use of an internet-based communication service (Skype) by Netherlands to provide cultural orientation courses to dossier-selected refugees before departure and the United Kingdom's pilot project in which

officials from the Syrian Resettlement Team conduct video interviews with beneficiaries of the Syrian Vulnerable Persons Resettlement Scheme, post-selection, to gather more information about their background and circumstances.

Furthermore, **decisions on the size and the allocation of the resettlement quota can take a long time**, which make an efficient and timely planning of the operations more difficult for some of the resettlement partners. For instance, the allocation of Local Reception Initiatives is often made just before the arrival of the resettled refugees, which leaves only between three to seven weeks before the actual transfer to the individual housing. This can hinder the supporting NGOs in the preparation and organisation of the integration support in cooperation with the partners in the municipalities.

The arrival and post-arrival phase

The **lack of predictability of operations** based on a series of factors, such as the capacity of local partners in the countries of refuge to support the operations, the delay in issuance of exit permits by host country authorities, the available reception places in Belgium, especially in times of asylum pressure and in times of reduction of the reception capacity, has significant consequences for the date of arrival of resettled refugees and for the planning and execution of the next steps in the resettlement process. For example, **in 2015**, the **delay in arrival** from Turkey (exit clearances) and Burundi (local security situation) caused significant backlogs and arrivals had to be rescheduled to the second half of the year. At the same time, Belgium experienced **an increased asylum inflow of asylum seekers from July 2015 onwards**. This situation had **several consequences** for the organisation of the resettlement programme in order to guarantee the arrival of the 300 refugees pledged. The **initial reception phase was shortened** to a period of 3 weeks during which a **condensed basic introduction programme** was offered to the resettled refugees and two **additional federal reception centers**, without previous experience regarding resettled refugees, had to step in to organise the initial reception phase. The **difficulty to find municipalities** that were willing to participate in the resettlement programme on a voluntary basis, especially in times with an increased numbers of asylum seekers and larger resettlement quotas, made it necessary to use a **double-track system to accommodate the resettled refugees**. Fedasil had to use its structural reception network of Local Reception Initiatives to accommodate resettled refugees after the initial reception phase. The duration of the stay in this individual housing system was shorter compared to the original programme with partner Public Social Welfare Centers providing accommodation and support for a period of 12 months. Follow-up by the NGOs was nevertheless guaranteed in both cases, but this reception modalities, even if very flexible, were experienced to be less effective. Due to the increased influx of asylum seekers and the higher recognition rate in Belgium it took resettled refugees **longer to obtain the refugee certificate** which resulted in a delay in receiving a residence permit and the consequent accessing of social benefits (integration income).

The **continuum between pre-departure and post-departure activities**, by having the Fedasil's staff, who participated in the pre-departure cultural orientation mission, present at the airport on arrival, is considered a good practice. Seeing a familiar face makes resettled refugees

feel welcome, reduces the culture shock and underlines the continuity of the resettlement programme.

The **basic introduction programme**, provided in the reception centres by specialised staff and in cooperation with local integration actors is also considered as a good practice. The same is true for the **orientation and integration support** by the (voluntary participating) Public Social Welfare Centers in the municipalities and in particular by the two partner NGOs, that provide additional tailor-made integration support to the resettled refugees for a period up to two years. The deployment of **bicultural counsellors** by these NGOs, who speak the native language and have knowledge of the regions of origin, to assist the resettled refugees is an important added value in the resettlement process.

But although the resettled refugees receive pre- and/or post-arrival orientation and integration support, the management of their **expectations about life in Belgium** remains difficult. Especially the initial reception in centers and the co-existence of two accommodation models for resettled refugees, one with voluntary Public Social Welfare Centers (12 months housing) and one with Fedasil's Local Reception Initiatives (six months housing), can create misunderstandings and lead to frustrations and disappointments.

Furthermore, it is sometimes difficult to justify the **different approach regarding accommodation and social support** between (vulnerable) resettled refugees and (vulnerable) 'regular' beneficiaries of international protection.

Cooperation practices

Resettlement in Belgium is a **cooperative effort**, where each authority and stakeholder has specific roles and responsibilities. There is a good collaboration among the Belgian resettlement partners, with a strong **ownership** of the programme at the **national level**. This contrasts with the lack of ownership by local actors which is due to the fact that Belgium has a fairly young resettlement programme with limited quotas and that there is little or no active communication on resettlement.

The regular contacts between the national resettlement partners during **stakeholders and coordination meetings** have been proved to be very useful in allowing these actors to share experiences and knowledge aiming to improve the Belgian resettlement programme.

On **an international level**, the involvement of UNHCR and IOM in the Belgian **Steering Committee** is considered very valuable given the fact that resettlement operations necessitate good planning and a coordinated, multi-institutional approach. For this reason the Belgian resettlement actors also take part in the **exchange of information between resettlement countries**. A good example is the setting up of Core and Contact Groups⁽¹¹⁰⁾ between resettlement states and UNHCR, for example the Core Group on the Resettlement of Syrian refugees in which Belgium takes part.

¹¹⁰ Core and Contact Groups are established through the agreement of resettlement States and UNHCR based on a joint assessment of the need for a coordinated, multi-annual approach to resettlement. There are currently six Core/Contact Groups chaired by resettlement countries and each is very beneficial in advancing refugees' resettlement needs, more information available on: <http://www.unhcr.org/core-and-contact-groups.html>.

Furthermore, Belgium is also in favour of an **intensive cooperation between EU Member States**, e.g. by engaging in benchmarking activities with other EU Member States, by organising joint selection missions and by participating in different EU-projects in the field of resettlement, such as the EU-FRANK-project⁽¹¹¹⁾ which aims to facilitate resettlement and refugee admission through sharing of knowledge. Other good cooperation practices are Belgium's participation in the European Resettlement Network and in the practical cooperation meetings organised by EASO.

Challenges related to the Belgian context in general

And finally, some challenges are not limited to the situation of resettled refugees in particular, but apply to the Belgian context in general.

One of them is the **shortage of affordable and adequate housing** both on the private and social housing market. On top of this, the fact that landlords are often reluctant to rent to people who are dependent on social aid provided by the Public Social Welfare Centers adds to the scarcity of housing available to (resettled) refugees. It is therefore a difficult task for most resettled refugees to find suitable accommodation. The high number of asylum applicants that arrived in the second half of 2015 and the and high degrees of protection granted, will **increase the challenge to find housing** in the coming months and years⁽¹¹²⁾.

The **dependence on a series of mainstream services for the integration of newcomers** entails advantages because these services are experienced in working with refugees, but also disadvantages because of their capacities which are sometimes lacking, causing waiting lists for instance for language courses.

Furthermore, physical and psychological traumas may affect the well-being and integration of resettled refugees and need to be treated. But the lack of **specialised psychological support services** available to refugees poses challenges.

Last, but definitely not least, beneficiaries of resettlement are also faced with challenges in finding **employment** on the Belgian labour market due to physical and psychological traumas, linguistic obstacles, low educational attainment and difficulties regarding the recognition of qualifications. This is considered as one of the **key obstacles to long-term integration** of (resettled) refugees⁽¹¹³⁾.

(Section 4 – Q33 & 34a)

111 European Union Action on Facilitating Resettlement and Access to Asylum through New Knowledge.

112 For more information on the access to the housing market in Belgium: Belgian Contact Point to the EMN, Integration of beneficiaries of international protection into the labour market in Belgium, May 2016, pp. 37-40.

113 For more information on the access to the labour market in Belgium: Belgian Contact Point to the EMN, Integration of beneficiaries of international protection into the labour market in Belgium, May 2016.

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- Convivial (<https://convivial.be/>)
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- European Asylum Support Office (<https://www.easo.europa.eu/>)
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- European Network of Asylum Reception Organisations (<http://www.enaro.eu/>)
- European Migration Network - Belgian National Contact Point (<http://www.emnbelgium.be/>)
- European Resettlement Network (<http://www.resettlement.eu/>)
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- International Catholic Migration Commission (<https://www.icmc.net/>)
- International Organisation for Migration (<https://www.iom.int/>)
- Kruispunt Migratie- Integratie (<http://www.kruispuntmi.be/>)
- Myria (<http://www.myria.be/>)
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- UNHCR (<http://www.unhcr.org/>)
- Vluchtelingenwerk Vlaanderen (<http://www.vluchtelingenwerk.be/>)
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- Office of the Commissioner General for Refugees and Stateless Persons
- Kruispunt Migratie-Integratie
- Caritas
- Convivial
- IOM
- UNHCR

Annex 1: Statistics

Key data on resettled refugees in Belgium, 2011 – 2016*

	2011**	2012	2013	2014	2015	2016
Quota	25	/	100	100	550	550
Total number of resettled refugees	25	/	100	34	276	428***
Country of origin	Eritrea: 21 DR Congo: 4	/	Burundi: 31 RD Congo: 65 Liberia: 2 Afghanistan: 1 Iran: 1	Syria: 28 DR Congo: 6	Syria: 188 DR Congo: 88	Syria: 424 Dr Congo: 4
Sex (F/M)	F: n/a M: n/a	/	F: n/a M: n/a	F: 22 M: 12	F: 131 M: 145	F: 212 M: 216
Age (minor/adult)	Minor: n/a Adult: n/a	/	Minor: n/a Adult: n/a	Minor: 13 Adult: 21	Minor: 124 Adult: 152	Minor: 188 Adult: 240
Country of refuge	Tunisia (25)	/	Tanzania (38) Burundi (56) Zambia (2) Gambia (2) Russia (1) Georgia (1)	Turkey (28) Burundi (6)	Lebanon (141) Turkey (43) Jordan (4) Burundi (88)	Lebanon (278) Turkey (98) Jordan (24) Egypt (24) Burundi (4)

* Note that the actual arrivals of resettled refugees in a given year do not necessarily correspond with the quota set for that year. Due to the delay in the issuing of exit permits (2014) and the sharp increase of new asylum applicants in Belgium (2015) part of the planned arrivals had to be postponed to the following year.

** ad-hoc resettlement initiative.

*** until 9 November 2016 (note that the Resettlement Unit of Fedasil expects that another 29 persons – families from Turkey and Lebanon - will most likely still arrive in 2016).

n/a: not available

Sources: International Cell, Resettlement Unit, Fedasil and the Office of the Commissioner General for Refugees and Stateless Persons

Annex 2: Glossary of terms

The following key terms are used in the Common Template. The definitions are taken from the EMN Glossary v3.0 unless specified otherwise.

Asylum: *A form of protection given by a State on its territory, based on the principle of non-refoulement and internationally or nationally recognised refugee rights and which is granted to a person who is unable to seek protection in their country of citizenship and / or residence, in particular for fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.*

Asylum seeker: *in the global context, a person who seeks safety from persecution or serious harm in a country other than their own and awaits a decision on the application for refugee status under relevant international and national instruments. In the EU context, a person who has made an application for protection under the Geneva Convention in respect of which a final decision has not yet been taken.*

Applicant for international protection: *a third-country national or a stateless person who has made an application for international protection in respect of which a final decision has not yet been taken.*

Application for asylum: *an application made by a foreigner or a stateless person which can be understood as a request for protection under the Geneva Convention of 1951 or national refugee law.*

Application for international protection: *a request made by a third-country national or a stateless person for protection from a Member State, who can be understood to seek refugee status or subsidiary protection status, and who does not explicitly request another kind of protection, outside the scope of Directive 2011/95/EU, that can be applied for separately.*

Beneficiary of international protection: *a person who has been granted refugee status or subsidiary protection status.*

Geneva Convention: *means the Convention relating to the Status of Refugees done at Geneva on 28 July 1951, as amended by the New York Protocol of 31 January 1967*

Durable solutions: *Any means by which the situation of refugees can be satisfactorily and permanently resolved to enable them to live normal lives.*

Humanitarian protection: *a person covered by a decision granting authorisation to stay for humanitarian reasons under national law concerning international protection by administrative or judicial bodies. It includes persons who are not eligible for international protection as currently defined in the Qualifications Directive (Directive 2011/95/EU) but are nonetheless protected against removal under the obligations that are imposed on all Member States by international refugee or human rights instruments or on the basis of principles flowing from such instruments. [...] persons granted a permission to stay for humanitarian reasons but who have not previously applied for international protection are not included under this concept."*

Integration: *in the EU context, a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States.*

International protection: *In the global context, the actions by the international community on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries. In the EU context, protection that encompasses refugee status and subsidiary protection status.*

Orientation courses: *Orientation courses typically provide factual information about the country of destination but may also aim to foster positive attitudes for successful adaptation in the long run. These could include opportunities for migrants to gain (and practice) the necessary skills needed to facilitate their integration and to develop helpful attitudes including pro-activity, self-sufficiency and resourcefulness (knowing how to find the information they are seeking); skills include knowing how to conduct oneself in certain situations, time management and goal-setting, as well as being able to navigate complex systems including banking, social, health and emergency services, transportation etc. (Source: IOM Best Practices IOM's migrant training and pre-departure orientation programmes).*

Quota of resettled/admitted persons: *target number of persons that the Member State plans to resettle/admit in its territory, under its national scheme(s). The quota can be defined either on an annual or multiannual basis.*

Refugee: *In the global context, either a person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned before, is unable or, owing to such fear, unwilling to return to it. In the EU context, either a third-country national who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned above, is unable or, owing to such fear, unwilling to return to it, and to whom Art. 12 (Exclusion) of Directive 2011/95/EU does not apply.*

Refugee status: *The recognition by a Member State of a third-country national or stateless person as a refugee.*

Residence permit: *Any authorisation issued by the authorities of an EU Member State allowing a non-EU national to stay legally in its territory.*

Subsidiary protection status: *recognition by a Member State of a third-country national or a stateless person as a person eligible for subsidiary protection;*

Person eligible for subsidiary protection: *a third-country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to his or her country of origin, or in the case of*

a stateless person, to his or her country of former habitual residence, would face a real risk of suffering serious harm and is unable or, owing to such risk, unwilling to avail himself or herself of the protection of that country;

United Nations High Commissioner for Refugees: *The refugee agency of the United Nations (UN) mandated to lead and coordinate international action to protect refugees and resolve refugee problems worldwide, and to safeguard the rights and well-being of refugees;*

Third-country national: means any person who is not a citizen of the Union (including stateless persons) within the meaning of Article 17 (1) of the Treaty and who is not a person enjoying the Community right of free movement, as defined in Article 2(5) of the Schengen Borders Code.

Transit country: the refugee's country of first refuge after having fled the territory of the third country he or she is a citizen of.

In addition, the study uses on the following concepts and definitions:

Resettlement: *In the global context, the selection and transfer of refugees from a state in which they have sought protection to a third state which has agreed to admit them as refugees with permanent residence status. The status provided ensures protection against refoulement and provides a resettled refugee and his/her family or dependants with access to rights similar to those enjoyed by nationals. Resettlement also carries with it the opportunity to eventually become a naturalized citizen of the resettlement country.⁽¹¹⁴⁾*

In the EU context and specifically for the purposes of this Study, *the transfer, on a request from UNHCR and based on the need for international protection of a third-country national or stateless person, from a third country to a Member State, where they are permitted to reside with one of the following statuses:*

(i) refugee status within the meaning of Art. 2(d) of Directive 2011/95/EU; or

(ii) a status which offers the same rights and benefits under national and EU law as refugee status."

Humanitarian admission: The term "admission" is defined as "the lawful entry of an alien onto the territory of a State after inspection and authorisation by an immigration officer". The term "humanitarian admission" is however not defined. In the context of this study, humanitarian admission refers to schemes which are similar to resettlement but for varying reasons do not fully match the definition of resettlement. For example, resettlement may be a permanent solution for the people benefiting from it, while humanitarian admission may be temporary. A refugee status determination (by the UNHCR) could be a precondition for resettlement while humanitarian admission could be available to a wider range of potential beneficiaries.

International protection: in the global context, the actions by the international community on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries.

¹¹⁴ United Nations High Commissioner for Refugees, UNHCR Resettlement Handbook, 2011, 428p.

In the EU context, international protection means protection that encompasses refugee status and subsidiary protection status.

Private sponsorship: There is no common and agreed definition of private sponsorship. A key element of private sponsorship are that a person, group or organisation assumes responsibility for providing financial, social and emotion support to a resettled person or family, for a predetermined period of time (usually one year or even) or until the person or family becomes self-sufficient. Additionally, sponsors have the option of naming the person or family they are willing to support in resettlement, though some sponsors do not have specific persons in mind but rather seek to match a certain profile.⁽¹¹⁵⁾

¹¹⁵ Migration Policy Institute Europe, Welcoming engagement: How private sponsorship can strengthen refugee resettlement in the European Union, December 2015.