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# BELGIUM 2021

Main developments in migration  
and international protection,  
including latest statistics

EMN COUNTRY FACTSHEET

August 2022



## OVERARCHING CHANGES

The year was marked by several unpredictable events, including floods in Wallonia, evacuation from Afghanistan, sharp rise in the number of asylum applications (peaking in September 2021, with the highest number of applications since December 2015) and hunger strike by people in irregular stay. The ongoing COVID-19 pandemic also had a significant impact on Asylum and Migration Services and return policy. A number of overarching changes began: an external audit of the Asylum and Migration Services, a Commission to establish a Belgian Migration Code, and a website providing information on asylum and migration to enhance 'evidence-based' policy. Extra funding was granted to the State Secretary to deal with the shortage of reception places and to recruit staff for the Asylum and Migration Services. Finally, an Inter-Ministerial Conference on Migration and Integration was set up to establish greater coherence across policy levels.



## LEGAL MIGRATION AND MOBILITY

### WORK-RELATED MIGRATION

In the Flemish region, changes to the labour migration policy included administrative simplifications and policy changes to attract more talent. Furthermore, the policy on foreign entrepreneurs and self-employed persons was modified (to take effect in 2022). Both the Flemish region and the Walloon region modified their lists of shortage

## KEY POINTS



At federal level, the Belgian Government granted additional funding to address the unprecedented reception crisis and recruit staff for the different Asylum and Migration authorities.



The State Secretary and federal Asylum and Migration Services began a review of the functioning of the migration system. A Commission was appointed to establish a new Migration Code.



At regional level, measures facilitating legal migration to meet labour market needs were taken. For example: in the Flemish Region, administrative simplifications and policy changes aimed to attract talent and foreign entrepreneurs, while the Walloon Region significantly modified its list of shortage occupations.

occupations and changed work permit salary thresholds. A single-permit application platform was launched: 'Working in Belgium'.

### STUDENTS AND RESEARCHERS

Belgium partially transposed the Directive on Students and Researchers (EU/2016/801). It introduced a Search Year Permit, giving international students one year to find (self-) employment in Belgium after their studies.

## INFORMATION ON ROUTES TO AND CONDITIONS OF LEGAL MIGRATION

A single-permit application platform was launched, 'Working in Belgium', in an effort to streamline the application procedure irrespective of the Region where the application is filed.

### OTHER MEASURES

Within the framework of bilateral agreements and circular migration, Enabel started the 'Pilot Project on Mobility for Entrepreneurs' (PEM). Similarly, the PALIM-project of Enabel was concluded.



## INTERNATIONAL PROTECTION

### LEGISLATIVE AND POLICY DEVELOPMENTS RELATED TO INTERNATIONAL PROTECTION

To relieve pressure on the Fedasil reception network, the Commissioner General for Refugees and Stateless Persons (CGRS) targeted reduced processing times for applications for international protection, as well as higher output.

From 16 August 2021 to end-February 2022, the CGRS temporarily and partially suspended the notification of decisions to Afghan applicants.

Several digitisation projects were developed, including a new CGRS website ([www.asyluminbelgium.be](http://www.asyluminbelgium.be)) providing specific information on the asylum procedure. The Immigration Office also launched a new website and registration system, 'InqAs'.

### RELOCATION AND RESETTLEMENT<sup>1</sup>

In view of its belief that relocation should be embedded in a more structural solution, Belgium did not make any new pledges for 2022. Saturation of the reception network prevented carrying out all planned resettlement transfers in 2021.

Fedasil organised online information sessions for local authorities to obtain extra reception places for resettled refugees. In April 2021, 50 places were allocated to resettled refugees in an existing reception centre.

The Belgian Secretary of State for Migration and Asylum and Sant'Egidio signed a letter of intent to begin a humanitarian corridor for 250 refugees from 2022-2024. For 2022, Belgium included a quota for Emergency Cases within its annual resettlement programme. It also pledged 500 places for Humanitarian Admission under the Asylum and Migration Integration Fund (AMIF), 425 of which are allocated to Afghan nationals.



## MINORS AND OTHER VULNERABLE GROUPS

The number of unaccompanied minors applying for asylum rose sharply, impacting identification and age assessment, appointment of guardians, and availability of reception places.



## INTEGRATION

### NATIONAL INTEGRATION STRATEGY

An Inter-Ministerial Conference on Integration and Migration was established as a consultation platform for migration and integration issues under different competences and policy levels. A new (third) federal plan on gender mainstreaming 2020-2024 targeted equal opportunities and diversity, including in migration policy and administration. A new (sixth) national action plan to combat gender-based violence 2021-2025 was also approved.

### EDUCATION AND TRAINING OF ADULTS/ LABOUR MARKET AND SKILLS

The Action Plan to Combat Illiteracy (2021-2024) was adopted by the Inter-Ministerial Conference, including literacy courses, awareness-raising campaigns, studies to gain an understanding of illiteracy, and support for socio-cultural activities. Several organisations involved in the reception and social cohesion of migrants are involved, specifically targeting third-country nationals. The French-speaking Brussels Community Commission pledged to increase the availability of French language courses for newcomers.

### FIGHTING RACISM AND DISCRIMINATION

Wallonie Bruxelles Enseignement approved greater tolerance for religious symbols in graduate schools. From September 2021, religious symbols (e.g. cross, headscarf, yarmulke) were authorised provided they did not interfere with safety or hygiene. This decision opened a greater range of schools to Muslim women.

The Flemish Government approved the preliminary draft of the decree establishing a Flemish Human Rights Institute. This institution will end the cooperation agreement between the Flemish government and Unia (the inter-federal equality body). Considerable criticism, as well as many substantive and practical matters, meant the decree will not enter into effect until 2023.

### BASIC SERVICES

COVID-19 vaccinations were available but not mandatory for third-country nationals staying legally and irregularly in the territory.

### ACTIVE PARTICIPATION OF MIGRANTS AND RECEIVING SOCIETIES IN INTEGRATION

A new civic integration programme has been established in Flanders, comprising four main steps: learning the

<sup>1</sup> Includes Humanitarian Admission Programmes

Dutch language, becoming economically independent, learning the norms and values of the Flemish society and taking part in a tandem-team program linking each integration candidate with a Flemish citizen. The new program is not only compulsory, but payment of a participation fee is required. The legislation will come into effect in March 2022.

Furthermore, the French speaking Brussels Community Commission pledged in their policy declaration to re-inforce the reception and guidance conditions for newcomer migrants, including expanding welcoming offices, increasing availability of French language courses and introduction of a compulsory integration program starting January 2022.



## CITIZENSHIP AND STATELESSNESS

### ACQUISITION OF CITIZENSHIP

Most developments were legal and procedural in nature. Changes saw more candidate Belgians eligible to have their procedural costs reimbursed for appeals against the Public Prosecutor's negative opinion on their nationality declaration. Furthermore, Belgium introduced a new card for British citizens and their family members, to recognise their legal residence and to facilitate their declaration of nationality. Finally, a new article on the proof of social integration for a nationality declaration entered into force.

### STATELESSNESS

The Court of Cassation clarified that Palestine (oPt) must be considered a State. The implications for people from oPt are yet unclear, as the Court of Cassation did not clarify whether the oPt has a citizenship legislation. Therefore, acquisition of the Belgian nationality for stateless children may be more complicated. Finally, the State Secretary for Migration and Asylum began to examine the creation of a separate right of residence for stateless persons under the Immigration Act.



## BORDERS, SCHENGEN AND VISAS

### BORDER MANAGEMENT

At the end of 2021, a Frontex Joint operation (JO) was launched between Frontex, France and Belgium. The JO aims to detect small boats in the Channel and North Sea and prevent embarkment of boats to the United Kingdom (UK) so as to reduce loss of life at sea and transmigration to the UK.

### SCHENGEN GOVERNANCE

Several Ministerial Decrees were adopted in 2020 and 2021 in response to the COVID-19 pandemic. One measure was the temporary reintroduction of internal border controls, from 27 January 2021 to 18 April 2021, to ensure compliance with non-essential movement/social distancing measures.



## IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

### PREVENTING AND TACKLING IRREGULAR MIGRATION IN LEGAL MIGRATION CHANNELS

The number of student visa applications from one particular third country was high for many years, with some 10-15% of applications including false documents. An online debate between the Director-General of the Immigration Office and students from that third country highlighted the dangers of irregular migration, unlawful stay and the possibilities for legal stay.

### PREVENTING FACILITATION OF IRREGULAR MIGRATION ('SMUGGLING') AND PREVENTING IRREGULAR STAY

On 26 May 2021, the Appeal Court in Brussels clarified the constitutional elements of the crime of human smuggling, as is stipulated in Article 77 of the Immigration Act. The Court ruled that providing shelter to persons in irregular stay or lending them a laptop/mobile phone does not constitute human smuggling.



## TRAFFICKING IN HUMAN BEINGS

### NATIONAL STRATEGIC POLICY DEVELOPMENTS

The 4th Action Plan on Trafficking in Human Beings 2021-2025 was adopted in June 2021. The plan addresses legislation and regulations, training, victim protection, awareness-raising and coordination, including actions by the regional authorities. It set out new avenues to explore in the fight against trafficking in human beings.

The Federal Parliament adopted a law on the decriminalisation of sex work (which was adopted in March 2022). The law may have a positive impact on the detection of victims of human trafficking for the purpose of sexual exploitation. However, it may limit their access to the protection status for victims of trafficking in human beings, as criminal investigations and prosecutions may be based on the new crime of 'abuse of prostitution' instead of trafficking.

### IDENTIFICATION AND INFORMATION TO VICTIMS OF TRAFFICKING IN HUMAN BEINGS

Since 2019, Belgium has been an active member of the Eurojust Focus Group on Migrant Smuggling. In November 2021, the scope of the Group was extended to trafficking in human beings.



## RETURN AND READMISSION

### MAIN NATIONAL DEVELOPMENTS

On 1 June 2021, an 'Alternatives to Detention' Department was established within the Immigration Office to meet the objectives of the Federal Government's Coalition Agreement and Policy Declaration. The new Department was given responsibility for developing and applying alternative measures to avoid the detention of persons residing unlawfully on the Belgian territory.

On 28 October 2021, the Immigration Office opened its first regional 'Individual Case Management Support' (ICAM) desk in Brussels. ICAM coaches were tasked with informing irregularly staying migrants about their situation, possible new residence procedures, and encouraging voluntary return, in line with the 'adherent policy' that seeks to use a wide range of measures to strengthen effective returns. ICAM desks will open in other Belgian cities.



## MIGRATION AND DEVELOPMENT

### NATIONAL ACTIONS

The 'Pilot Project Addressing Labour Shortages through Innovative Labour Migration Models' (PALIM) was concluded at the end of April 2021 and its mobility component was integrated into the follow-up labour mobility project (THAMM-Enabel). Enabel began its work on a project on Mobility for Entrepreneurs (PEM).

Belgium endorsed two 'Team Europe Initiatives' on migration. One regarding the Atlantic and Western Mediterranean routes and one regarding the Central Mediterranean route.



## STATISTICAL ANNEX

The Statistical Annex was prepared by ICF, the European Migration Network Service Provider, with statistics provided by Eurostat. It provides an overview of the latest available statistics for Belgium on aspects of migration and international protection (2018-2021), including legal residence, asylum, unaccompanied minors, integration, irregular migration, return and visas. Where statistics were not available at the time of publication, this is indicated in the Annex as "N/A".

# STATISTICAL ANNEX

## ! GENERAL NOTES

This statistical annex complements the Country Factsheet with relevant migration-related data organised in up to nine thematic sections – depending on data availability. The dashboard-like layout of the annex allows comparability across countries as well as simultaneous visualisation of different indicators. Whenever data are not available, the relative chart is indicated with 'N/A'. Data are provided for the latest available year or the latest available four-year period. For some indicators, data are rounded in the source. The sum of percentages or of individual values might not add up to 100 or to the total value. This is due to rounding and confidence intervals in the original data. For this edition, figures for Third Country Nationals refer to 'non-EU27 nor reporting country' across all indicators and years. The How to Read Guide is available [here](#).

### COLOUR LEGEND

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

Data relative to Belgium

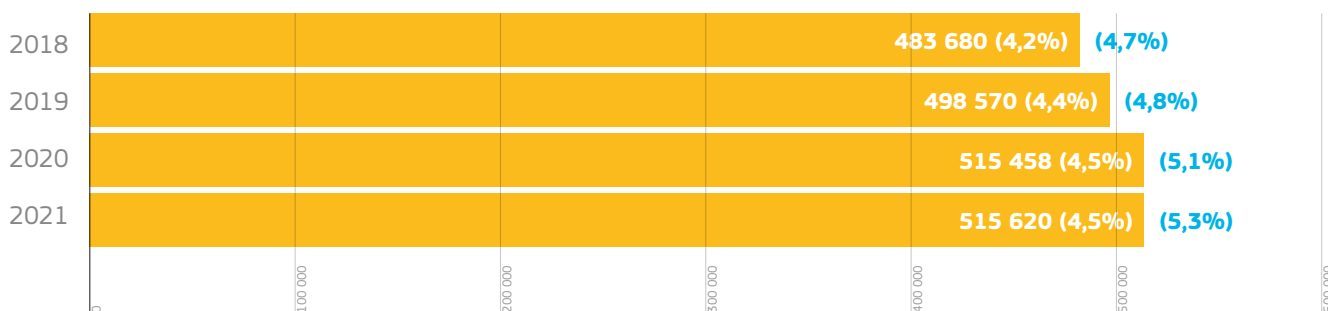
Data relative to EU



## LEGAL MIGRATION AND MOBILITY

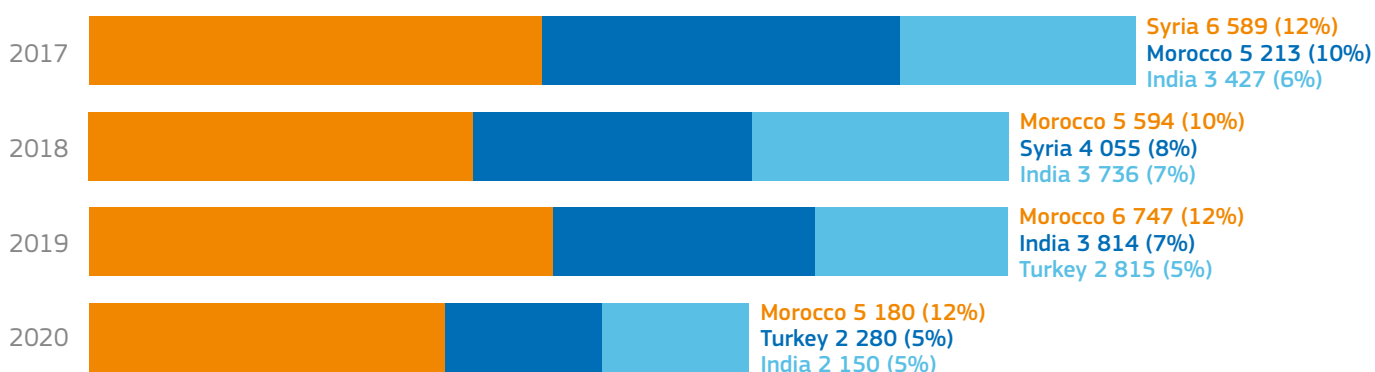
### Third-Country Nationals (TCNs) as % of total population in the country (and in the EU) and in absolute numbers

SOURCE: Eurostat (migr\_pop1ctz)



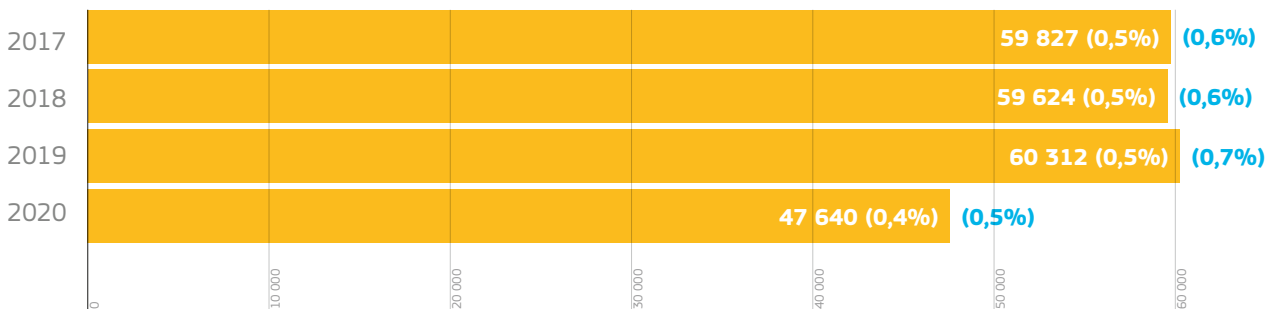
### Top 3 nationalities of number of first residence permits annually issued: number of permits and % of total annual permits

SOURCE: Eurostat (migr\_resfirst)



### First residence permits annually issued: total number and % of total population in the country (and in the EU)

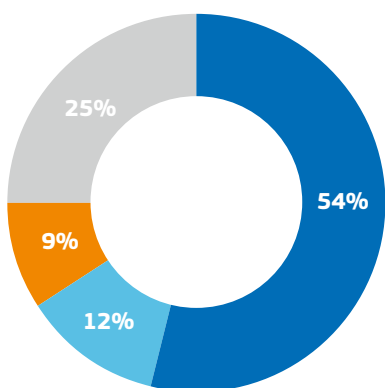
SOURCE: Eurostat (migr\_resfirst, migr\_pop1ctz)



### First residence permits annually issued by reason in 2020

SOURCE: Eurostat (migr\_resfirst)

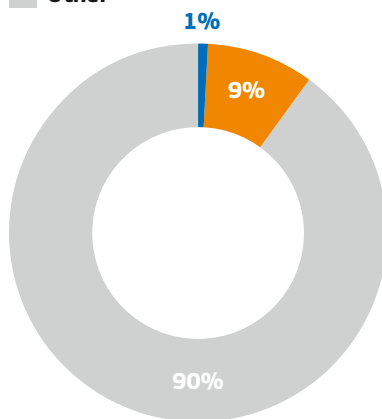
- Family
- Education
- Work
- Other



### First residence permits annually issued for work reasons in 2020

SOURCE: Eurostat (migr\_resocc)

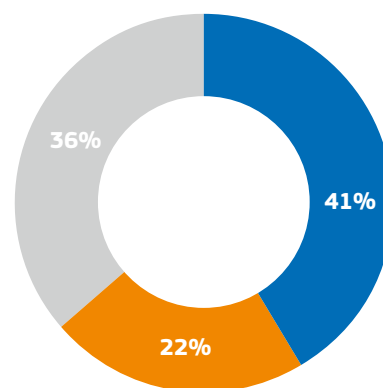
- EU Blue Card
- Highly skilled
- Researchers
- Seasonal workers
- Other



### First residence permits annually issued for 'other reasons' in 2020

SOURCE: Eurostat (migr\_resoth)

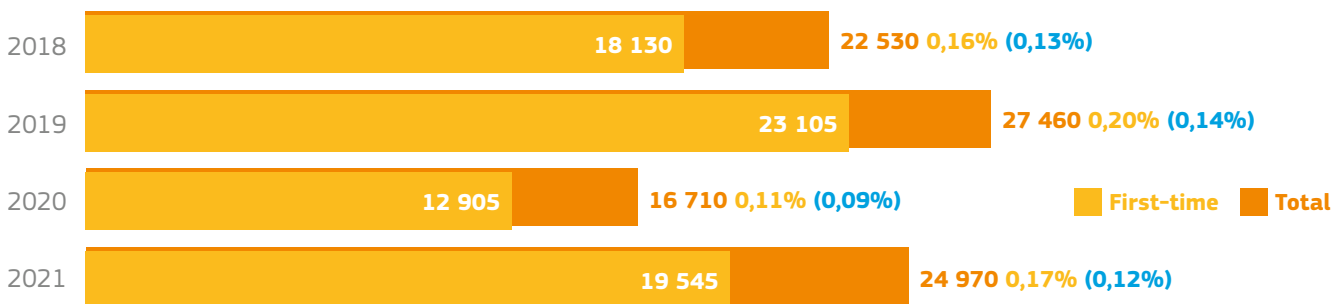
- Refugee/sub prot.
- Residence only
- Humanitarian
- Not specified



## INTERNATIONAL PROTECTION INCLUDING ASYLUM

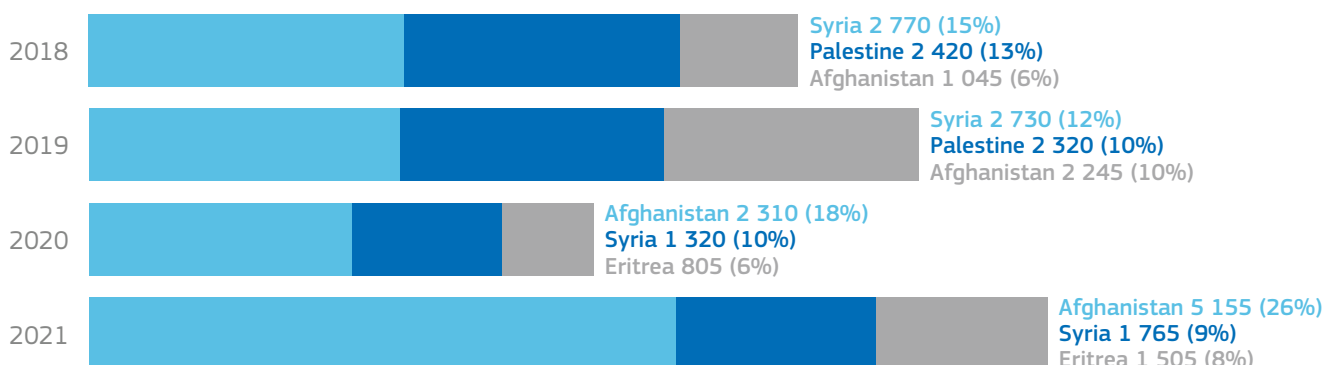
### Total/first-time asylum applications; first-time asylum applications as % of population in the country (and in the EU)

SOURCE: Eurostat (migr\_asyappctza, migr\_pop1ctz)



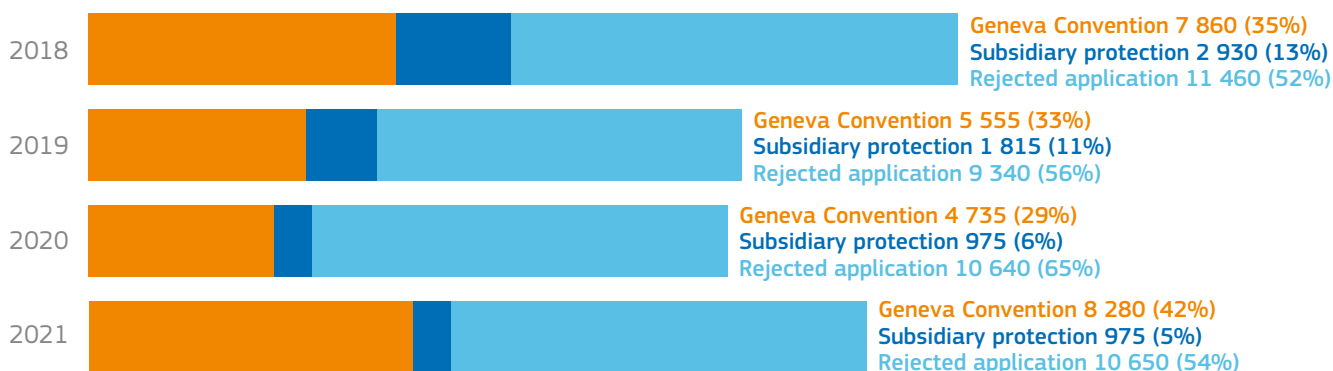
## Top 3 nationalities of annual number of first-time asylum applications: number of applications and % of total first-time annual applications

SOURCE: Eurostat (migr\_asyappctza)



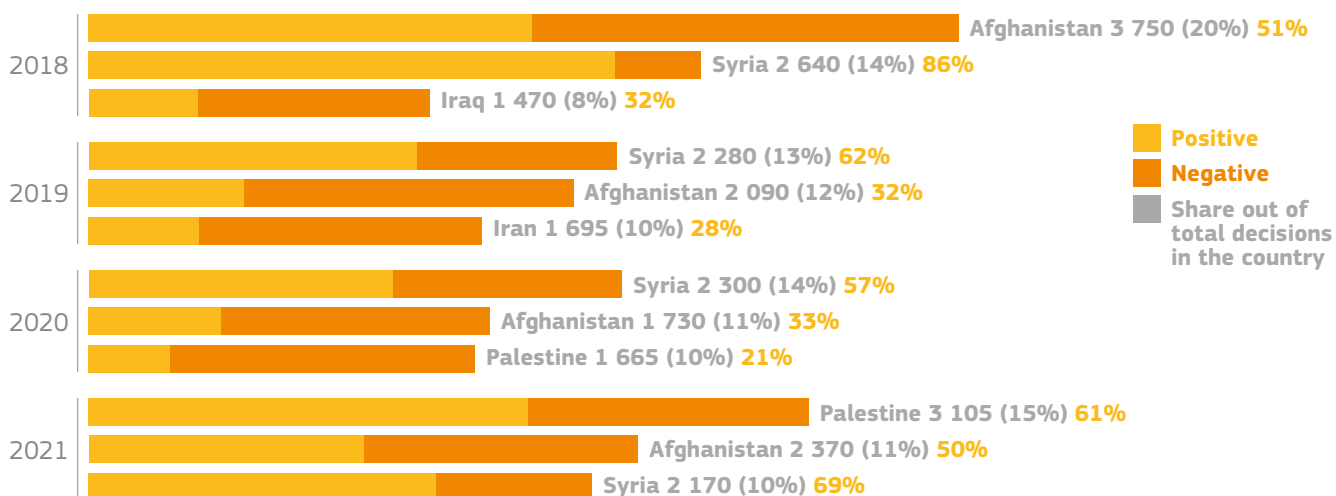
## Number of first-instance asylum decisions by outcome (% of total decisions)

SOURCE: Eurostat (migr\_asydcfsta)



## Top 3 nationalities of annual number of first-instance decisions: number of decisions (% of total decisions in the country) and % of positive outcomes

SOURCE: Eurostat (migr\_asydcfsta)



■ Positive  
■ Negative  
■ Share out of total decisions in the country



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

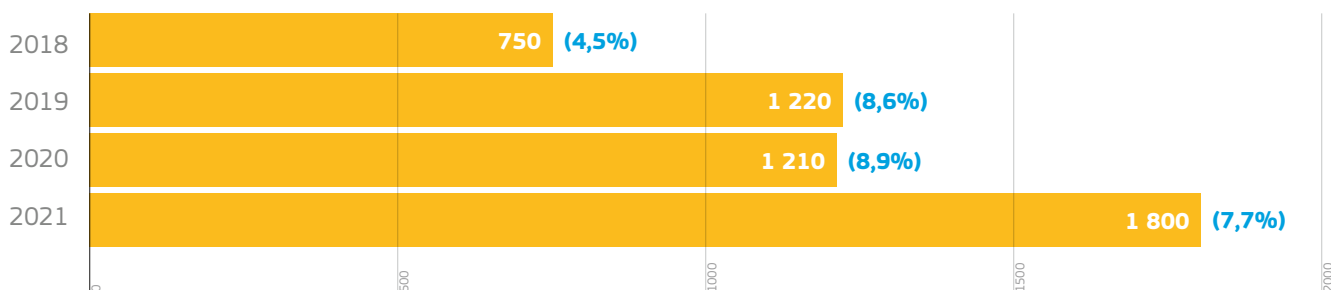
SOURCE: Eurostat (migr\_asyresa)



## UNACCOMPANIED MINORS

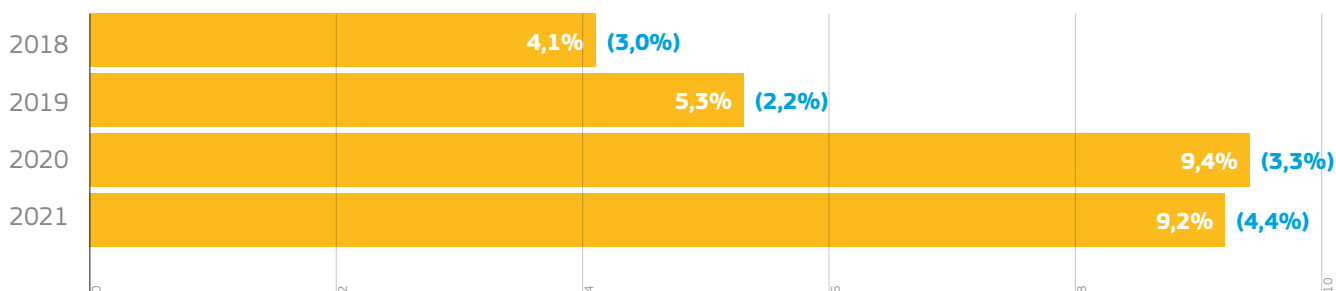
### Unaccompanied minors applying for asylum in the country (and % of total applications from unaccompanied minors in the EU)

SOURCE: Eurostat (migr\_asyunaa)



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

SOURCE: Eurostat (migr\_asyunaa, migr\_asyappctza)

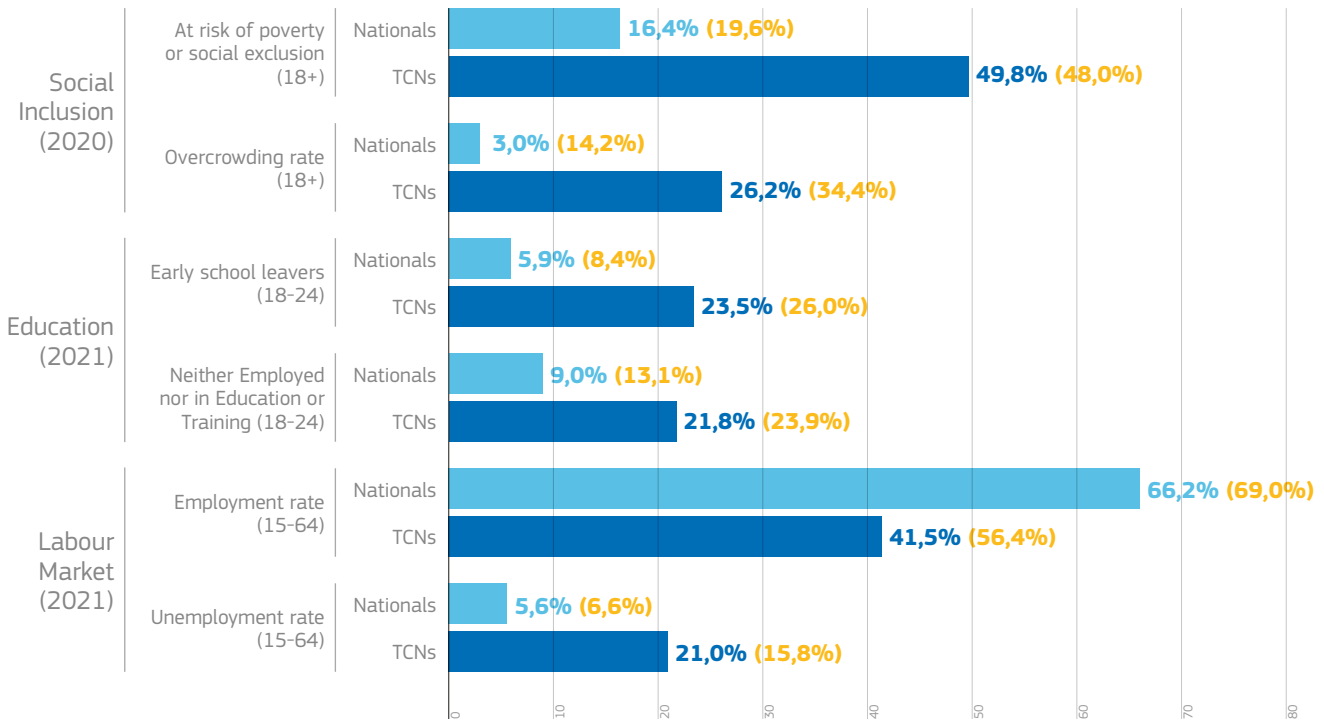




## INTEGRATION

Integration indicators for nationals (light blue) and Third-Country Nationals (dark blue) in the country (when available). The same indicator is provided in yellow for the EU.

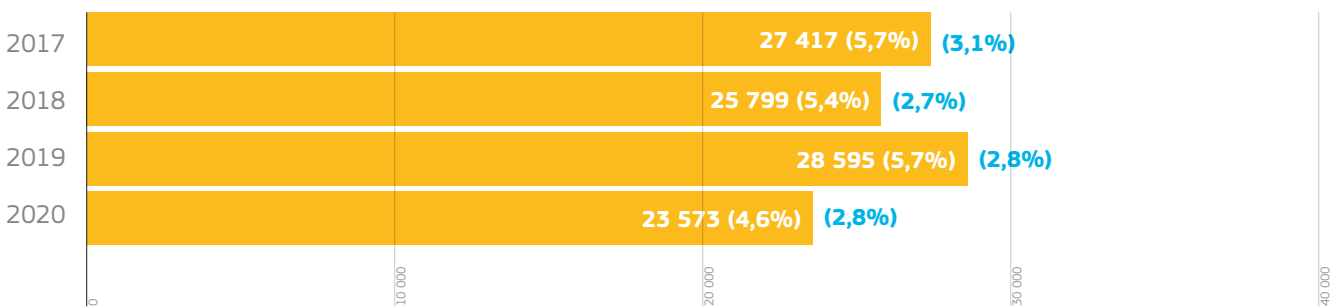
SOURCE: Eurostat (ilc\_peps05, ilc\_lvho15, edat\_lfse\_01, edat\_lfse\_23, lfsa\_ergan, lfsa\_urgan)



## CITIZENSHIP AND STATELESSNESS

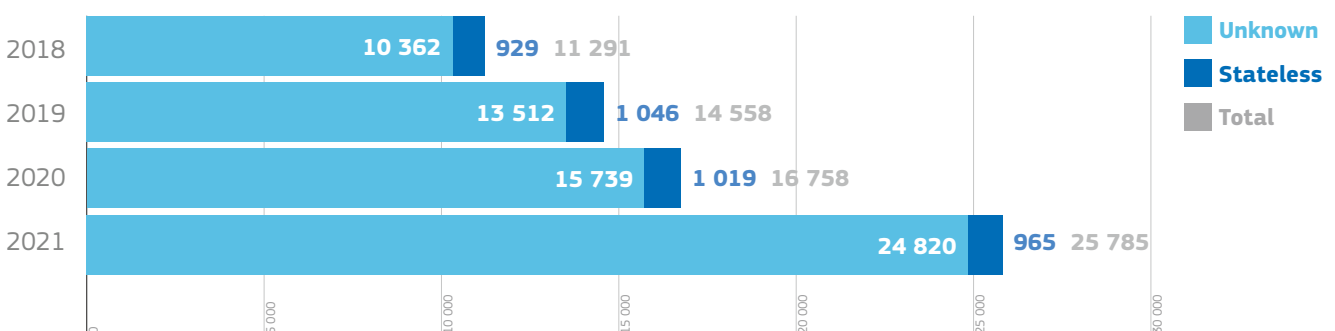
Third-Country Nationals who have acquired citizenship as a share of total Third-Country Nationals (in the country and in the EU) and in absolute numbers

SOURCE: Eurostat (migr\_acqs, migr\_acq)



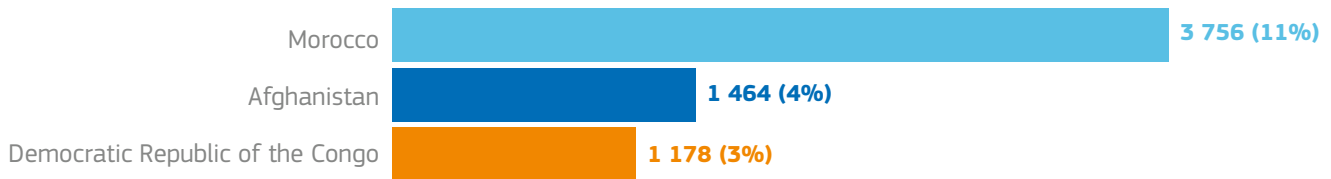
Stateless, unknown citizens and recognised non-citizens (RNC) - where present

SOURCE: Eurostat (migr\_pop1ctz)



## Top 3 nationalities by number of citizenship acquisition in 2020: absolute number and % of total acquisitions in the country by Third-Country Nationals

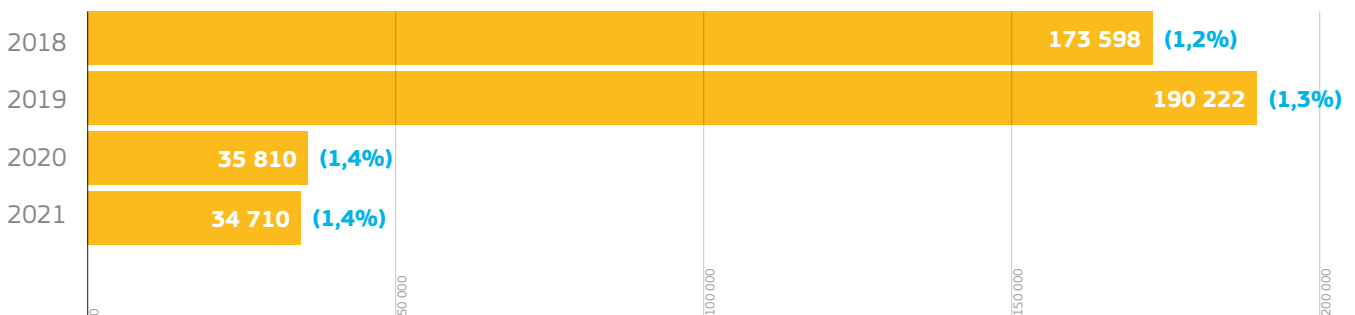
SOURCE: Eurostat (migr\_acq)



## BORDERS, SCHENGEN AND VISAS

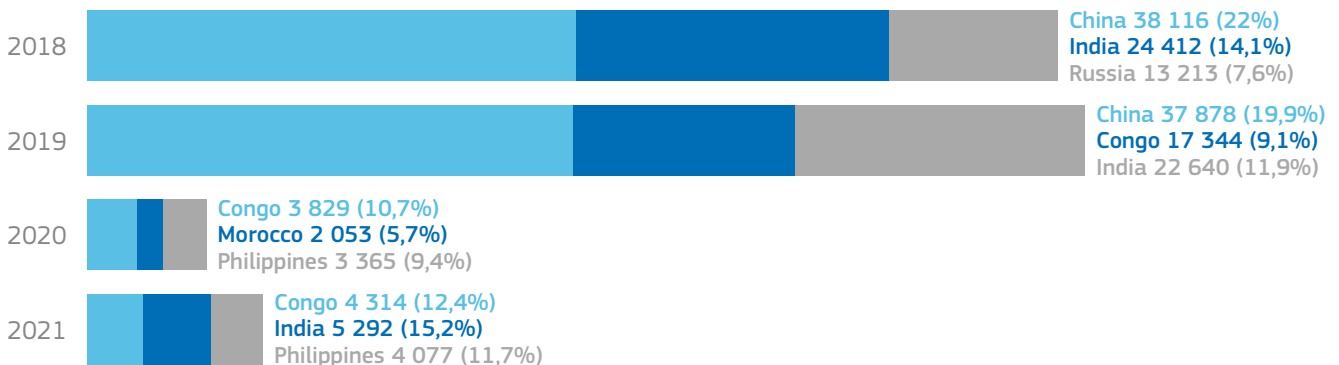
### Short-term visa issued (% of Schengen)

SOURCE: DG Migration and Home Affairs



### Short-term visa issued in top 3 consulate countries (and % of total issued)

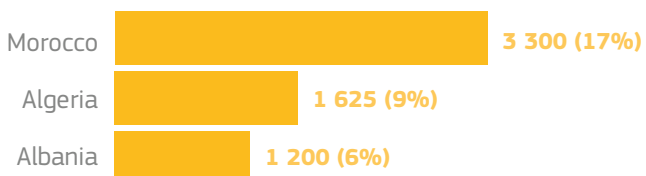
SOURCE: DG Migration and Home Affairs



## IRREGULAR MIGRATION

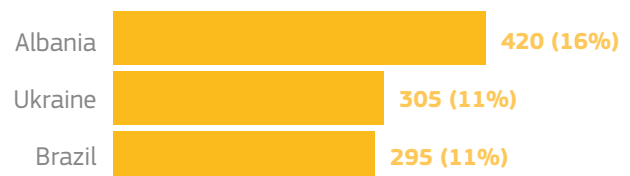
### Top 3 nationalities ordered to leave the country in 2021, in absolute number and as a share of all nationalities ordered to leave the country

SOURCE: Eurostat (migr\_eiord)



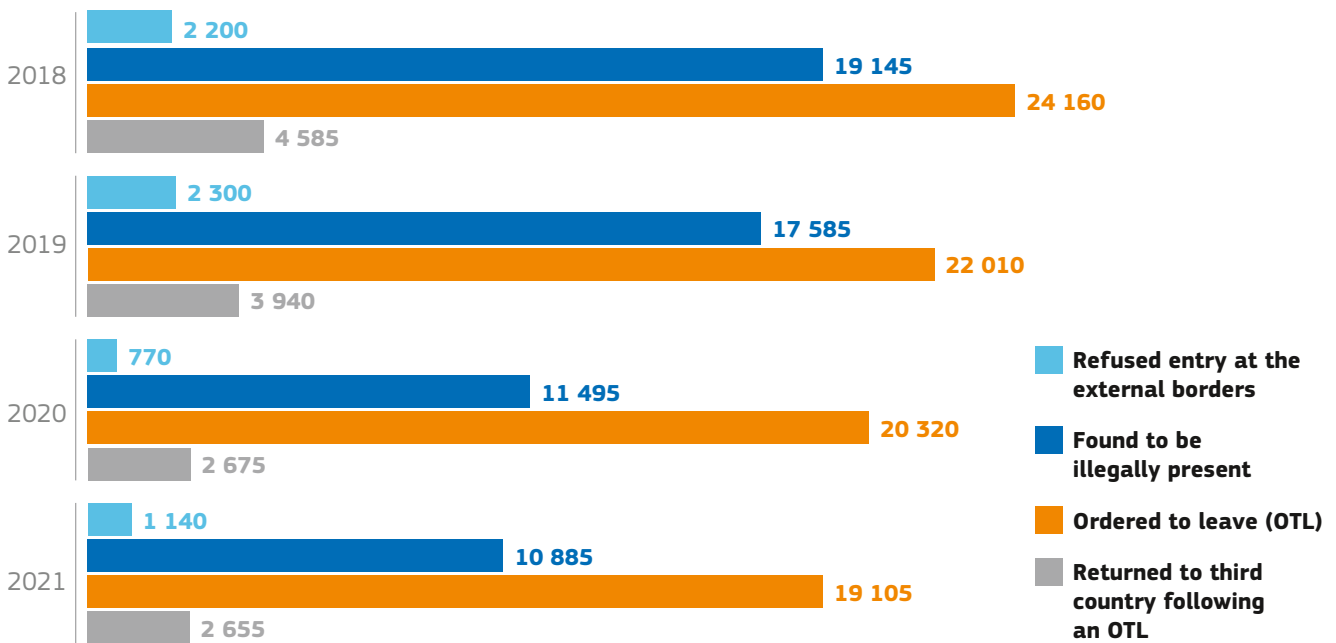
### Top 3 nationalities returned to third country in 2021, in absolute number and as a share of all nationalities ordered to leave the country

SOURCE: Eurostat (migr\_eirtn)



## General statistics on irregular migration

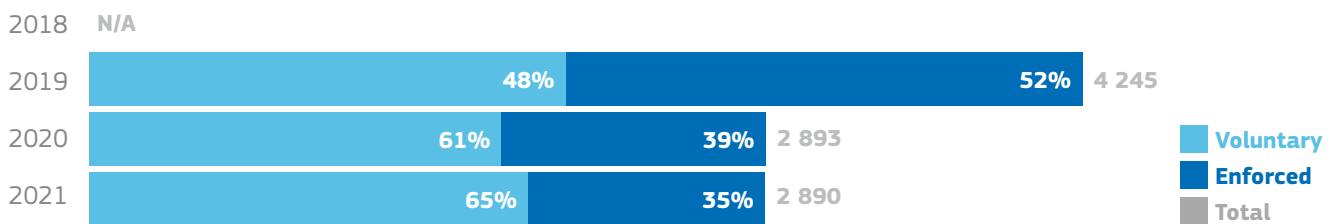
SOURCE: Eurostat (migr\_eirfs, migr\_eipre, migr\_eiord, migr\_eirtn)



## RETURN AND READMISSION

### Number of Third-Country Nationals who left the territory by type of return (in %) and total returns

SOURCE: Eurostat (migr\_eirt\_vol)



## TRAFFICKING IN HUMAN BEINGS

### Number of first residence permits issued to victims of trafficking in human beings

SOURCE: Eurostat (migr\_resoth)

