

**COUNTRY  
CHAPTER**

**BEL**

# **BELGIUM**

**BY THE GOVERNMENT OF BELGIUM**

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**Belgium 2013 Overview:**

Resettlement programme since: <b>2013</b>	Selection Missions: <b>Yes</b>	Dossier Submissions: <b>Yes</b>
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**Resettlement Admission Targets for 2013:**

Admission targets for <b>UNHCR submissions:</b>	<b>100</b>
Total Resettlement Admission Target:	<b>100</b>

**Regional Allocations for 2013:**

Africa:	80
Asia:	
MENA:	
Europe:	
Americas:	

**Sub-quota features:**

<b>Designated sub-quota/acceptance for:</b>	<b>2013 Description, additional comments:</b>
Emergency resettlement procedures	
Medical cases	
Women-at-risk cases	Sub-quota of 20 vulnerable refugees, divided between Women-at-risk and Survivors of Violence and Torture
Unaccompanied children	
Family Reunion (within programme)	
Other, please specify Survivors of Violence and Torture	Sub-quota of 20 vulnerable refugees, divided between Women-at-risk and Survivors of Violence and Torture

**1. Resettlement Policy****1.1 Description of Belgium's resettlement policy**

In December 2011, the Belgian Government decided to develop a structural resettlement programme (Government Declaration). This decision was based on pilot experiences through different ad hoc resettlement operations (Iraq, Libya) and the development of the Joint European Resettlement Scheme. The size of the quota is decided by the Government (State Secretary for Asylum and Migration). The quota for 2013 has been established at 100.

The selection process is managed by the Office of the Commissioner General for Refugees and Stateless Persons (CGRS). A hybrid selection system is used, implying that around 80% of the quota will be selected via interviews conducted during selection missions, and the remaining 20 on a dossier basis. Travel and medical arrangements, pre-departure cultural orientation, initial reception and transition to mainstream and integration services are managed by FEDASIL. Transportation and medical arrangements are delegated to the International Organization for Migration (IOM). Resettled refugees stay for a period of 6-7 weeks in a reception center, after which they move to individual housing. Resettled refugees are offered specific individual support for a period of 12 months through local municipalities and NGOs Caritas and Convivial.

## 1.2 Ministries or Departments responsible for resettlement policy

The two main operational authorities, the CGRS and FEDASIL, fall under the State Secretariat for Asylum and Migration. The Immigration Office, competent for issuing the travel documents, if refugees do not possess such documents, and visa, also falls under the State Secretariat for Asylum and Migration.

## 1.3 Process for deciding the annual resettlement quota and its composition, including the timelines for the process

The size of the quota is decided by the Government (State Secretary for Asylum 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 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/AMF pledging exercises) and Belgian cycles (budget).

## 2. Criteria for Recognition of Refugee Status Eligibility and Asylum

### 2.1 National legislation defining refugee status eligibility

Refugee status is granted on the basis of the 1951 Convention Relating to the Status of Refugees (1951 Convention). The asylum procedure and the competencies of asylum institutions are governed by the Aliens Act of 15 December 1980 (Law on the entry, residence, settlement and removal of aliens). The Aliens Act also includes provisions for subsidiary protection (i.e. complementary protection). The status of subsidiary protection is granted if an asylum applicant does not meet the criteria of the Refugee Convention but when there is a real risk of serious harm if returned to his country of origin.

There are no specific provisions on resettlement in Belgian legislation (aliens act, reception, social integration, etc.). Resettlement can be handled in existing legislation.

### 2.2 Distinction, if any, between refugee status criteria for asylum-seekers, and that for resettled refugees

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.

## 3. Criteria for Resettlement

### 3.1 Refugee resettlement eligibility criteria

In order to be eligible for resettlement to Belgium, a person must meet the refugee criteria as defined in Belgian Aliens Law. 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. For 2013, there is a specific sub-quota for the 20 dossier cases, more precisely women-at-risk and victims of violence and torture. In accordance with the principle of family unity, resettlement is, as a rule, offered to all core family members (spouses and minor children) in a case.

Belgium does not have any other humanitarian immigration programmes.

### 3.2 Admissibility criteria

All cases submitted for resettlement are screened and cleared by the Security of the State.

Public order threats are also taken into account when deciding on the eligibility for resettlement.

## 4. Resettlement Allocations/Processing Priorities

### 4.1 Resettlement allocation including sub-quotas

The size of the quota is decided by the Government (State Secretary for Asylum 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 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/AMF pledging exercises) and Belgian cycle (budget)..

### 4.2 Processing priorities

Focus is on protracted refugee situations. Absorption capacities (including integration facilities, housing for large families, specific services e.g. for non-accompanied minors, etc.) are taken into account when setting the allocation of the quota. For 2013, a specific sub-quota was defined for 20 vulnerable persons, more precisely women-at-risk and victims of violence and torture, selected on dossier basis.

### 4.3 Non-UNHCR allocations, including role of referral organisations

Belgium only accepts UNHCR submissions. No places are foreseen for non-UNHCR submissions.

## 5. Submissions and Processing via Dossier Selection

### 5.1 Dossier submission policies

For 2013, within the quota of 100, 20 places are reserved for dossier selection, more precisely for 20 vulnerable refugees, belonging to the subcategories Women-at-risk and/or Survivors of Violence and Torture. No other criteria are set, although, because of reception/integration issues, the number of individual arrivals is limited. Group arrivals are preferred (organization of quality services, especially for persons with special needs). A balance is sought between quality and flexibility.

### 5.2 Case documentation

As there is no possibility for a personal interview, the RFF for a dossier submission 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. The possible application of article 1F of the Geneva Convention is to be examined by UNHCR. The declaration should include and indicate activities e.g. involvement in armed struggle, previous convictions and military background.

For reception/integration purposes data on language knowledge, qualifications, educational background, working experience and medical and other needs are essential, as are possible family links in Belgium which may influence settlement considerations.

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 documents available should be included in the RRF. If the CGRS considers the RRF to be incomplete, additional information will be asked.

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 CGRS will in most cases consult this state to learn more about the reasoning for the refusal.

### 5.3 Decision-Making Process

All refugee resettlement submissions are considered by the CGRS in accordance with existing guidelines and policy. An applicant must meet the criteria in the Geneva Convention to be eligible for resettlement in Belgium. The RRF will be assessed in detail by a caseworker specialized in the region of origin of the applicant. He/she will draft a decision and this will be discussed with a supervisor and/or with the Commissioner-general or one of his deputies.

The refugee status cannot be granted outside the Belgian territory. As a consequence, the decision to authorize travel to Belgium will be taken by the State Secretary for Asylum and Migration. He/she will take this decision based on the proposal for selection by the CGRS and if he/she decides to follow this advice, he/she will give the instruction to the Immigration Office to issue travel documents, if refugees do not possess such documents, and visa, that will be prepared by the Ministry of Foreign Affairs.

After arrival, the resettled refugee will need to lodge an asylum application at the Immigration Office, although this is a pure formality: there will be no more interviews on the substance and no full investigation will be carried out. Within days after arrival refugee status will be granted and within weeks, the refugee certificate will be handled to the resettled refugee.

If a case is rejected based on the analysis of the RRF, the reasons for rejection will be communicated to UNHCR.

### 5.4 Recourse Processing

Cases dismissed by the CGRS and the State Secretary for Migration and asylum are not subject to appeal.

### 5.5 Processing Times

The processing time i.e. time from submission to the communication of the decision to UNHCR is not set, but amounted to around 25 days for the cases accepted in 2013. Time from submission to arrival can vary depending on various factors. For a part of the dossiers in 2013, it was around 40 days.

## 6. Submissions and Processing via In Country Selection

### 6.1 Selection mission policies

In 2013, the CGRS organized 2 selection missions for the selection of 2x40 persons. The criteria for in-country selections are outlined in Section 3. As the quota is relatively low, the CGRS can, if desired by UNHCR and to the extent possible, conduct joint selection missions together with other Resettlement States.

### 6.2 Preparations and Case Documentation

In-country selection mission are discussed in detail with UNHCR. To facilitate preparations the CGRS uses the *Pre-Mission Questionnaire for Resettlement Interview Missions* supplied by UNHCR.

The Ministry of Foreign Affairs and the Belgian embassy are involved to arrange logistical and other support, such as accommodation, transport, security, meetings, etc. Steering Groups, in which all operational partners (CGRS, Fedasil, Foreign Affairs, Immigration Department, UNHCR, IOM, Cabinet of the State Secretary) are represented, are organized to prepare selection missions. During these meetings, all operational aspects are discussed, such as timelines, risks, dossier flow, travel, etc.

The delegation for a selection mission consists, as a rule, of a mission leader, a policy officer of the International Department, and two caseworkers who are specialized in the region.

All documentation, i.e. RRF 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 cases submitted are screened by the CGRS and will be interviewed. To ensure that the quota will be filled, the CGRS can ask for 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 be obliged to refuse cases only because the quota has been reached.

Based on the number of RRF's and the profiles submitted, an interview plan will be prepared and sent to UNHCR.

### **6.3 Decision Making Process**

Interviews are carried out on an individual basis and the aim is to verify and supplement the information provided in the RRF. No decisions are made during the selection mission. After return to Belgium, the caseworker will draft a decision and this will be discussed with a supervisor and/or with the Commissioner-general or one of his deputies. For the rest of the decision making process, see 5.3.

In line with the selection process for dossier cases, the grounds for rejection are given in writing and in some cases also orally.

### **6.4 Processing Time**

The length of time needed for in-country selections depends on the number and profile of persons to be interviewed. After the selection mission, the result of the selection will be communicated to UNHCR as soon as possible.

In 2013, the result of the selection was communicated to UNHCR around 15 days after the end of the selection mission.

## **7. Emergency Cases/Urgent Cases**

### **7.1 Policies for receiving emergency and/or urgent case submissions**

Belgium does not have a specific quota for emergency or urgent cases. However, within its quota of 20 dossier cases, urgent cases can be considered in agreement with all operational actors.

The procedure is the same as for other dossier submissions (see 5), although the process is accelerated: the aim is to organize departure within 6 weeks of submission.

## **8. Special Categories/Special Needs**

### **8.1 Sub-quotas dedicated to specific needs cases**

For 2013, within the quota of 100, 20 places are reserved for dossier selection, more precisely for 20 vulnerable refugees, belonging to the subcategories Women-at-risk and/or Survivors of Violence and Torture. See Sections 5 and 7 for more details.

## **9. Medical Requirements**

### **9.1 Screening procedures, including costs**

Health assessments are carried out by IOM following a written agreement and 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 (i.e.: sputum smears) and any treatment needed to ensure that refugees are able to travel to Belgium.

## 9.2 Health criteria and exclusion factors

The sole purpose of the assessments is to ensure that the refugees are physically capable of being transferred to Belgium without any risk for themselves or public health. Consequently, the medical management protocol developed by FEDASIL only aims at performing a superficial examination allowing to detect and to treat acute diseases and decompensated chronic diseases that might prevent one refugee from being transferred. All other pathologies will be managed by the medical staff of the reception centre upon arrival. Shortly before departure (max. 4 days), a “fit-to-fly” examination is performed so as to confirm the capacity of each refugee to travel.

No pathology constitutes an exclusion factor, only delaying factor at worst. A refugee who suffers from a disease that causes a risk for him/herself or the public health during the travel will be treated until he/she can travel to Belgium safely.

## 9.3 Pre-departure treatment, including costs

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 if needed to ensure the transfer of a refugee.

## 9.4 Pre-departure examination procedures, if any

Shortly before departure (max. 4 days), a “fit-to-fly” examination is performed so as to confirm the capacity of each refugee to travel. If one refugee is declared not being able to travel, he/she will receive the necessary treatment and will be transferred as soon as there is no more risk for him/her self and for public health.

# 10. Orientation (pre-departure)

## 9.1 Pre-departure orientation sessions including eligibility and provider

In 2013, a 3 days pre-departure cultural orientation was provided to the refugees whose selection for resettlement in Belgium had been definitely confirmed by the State Secretary for Asylum and Migration. FEDASIL organizes this training in close cooperation with UNHCR and IOM. UNHCR assists mainly with all logistical issues (premises, transportation, interpreters, etc.) and IOM assists with the pre-embarkation part of the training which focuses on travel-related aspects.

FEDASIL staff is in charge of providing the cultural orientation. Usually, the delegation is composed of staff members working in the reception centres where the refugees will be hosted initially.

The programme is developed by FEDASIL and covers different themes which are addressed according to the refugees’ main areas of interest. Playful and participative activities are mixed with more “classical” methods such as presentations.

## 9.2 Duration, location and funding of sessions

The training lasts three days, including the pre-embarkation training. Depending on UNHCR’s advice, available premises and transportation possibilities, the training can take place either in the refugee camp or in another adequate location such as a transit centre.

The funding of the training is covered by FEDASIL (facilities etc. are generally organized for free by UNHCR).

### 9.3 Any other pre-departure preparation courses offered

All refugees selected for resettlement in Belgium (including refugees selected “on dossier” who do not benefit from a pre-departure cultural orientation training) receive an informative brochure about resettlement in Belgium translated in their language. 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. For dossier cases, the brochure is generally handled over by IOM prior to departure.

## 11. Travel

### 11.1 Travel booking procedures

Following a written agreement concluded with FEDASIL, IOM is in charge of booking the flight tickets for the refugees and helps with the delivery of travel documents. IOM staff accompanies the refugees through immigration and customs procedures at the airport and assist them with embarkation. Assistance is also provided with the transit phase in case no direct travel is possible.

In some cases, IOM provides an escort to the most vulnerable refugees (i.e.: single mother with several children). There is also a possibility of medical escort if needed and in agreement with or at the request of FEDASIL.

### 11.2 Payment

Payment of the flight tickets is covered by the budget allocated to IOM. Travel documents are delivered by the Belgian representatives for free. If additional costs have to be made (e.g. ID pictures), they can be covered by the IOM budget.

### 11.3 Travel documents issued

The required travel documents are issued by the Belgian representatives abroad 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.

## 12. Status on Arrival and the Path to Citizenship

### 12.1 Immigration status on arrival and process for regularization of status

There is no specific legal framework for resettlement in Belgium. According to Belgian Aliens law, refugee status cannot be granted outside the Belgian territory. As a consequence, the decision to authorize travel to Belgium will be taken by the State Secretary for Asylum and Migration. He/she will take this decision based on the proposal for selection by the CGRS and if he/she decides to follow this advice, he/she will give the instruction to the Immigration Office to issue travel documents, if refugees do not possess such documents, and visa, that will be prepared by the Ministry of Foreign Affairs. 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 and no full investigation will be carried out.

### 12.2 Documentation issued, including travel documents

Within days after arrival refugee status will be granted and within weeks, the refugee certificate will be given to the resettled refugee. If he/she possesses a Passport of his/her country of origin, he/she will have to turn it in to the CGRS. He/she will, on top of the refugee certificate, 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 needs to apply for a travel document (a “blue” passport).

### 12.3 Documents issued to children born after arrival, but before naturalization of their parents

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 CGRS 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 been granted refugee status in Belgium.

### 12.4 Details on the requirements, costs and timelines for citizenship

The Belgian citizenship can be obtained by a person **above 18** who has resided legally in Belgium for **five years** and who knows **one of the 3 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 can not 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 3 national languages** and who can prove his/her social participation in the Belgian community.

The cost of this procedure is 150€.

The conditions described above are the basic criteria necessary to acquire the Belgian citizenship. The exhaustive conditions can be found in the updated version of the Belgian Nationality Code.

## 13. Domestic Settlement and Community Services

### 13.1 Overview of services, including providers and length of eligibility

Fedasil, the Federal Agency for the Reception of Asylum Seekers, is in charge of the pre-departure cultural orientation, the transfer, the initial reception, the monitoring of the integration process and the overall coordination of all involved actors/partners.

The **initial reception phase** is ensured by **FEDASIL**: the refugees are hosted in a federal reception centre for a duration of 6 to 7 weeks. The objectives include: special needs identification (based on previously received information), administrative steps (opening of social rights), basis integration courses, liaison with integration actors.

The provision of adequate **housing and social support for a duration of 12 months** is delegated to voluntary public centres for social assistance ("**CPAS/OCMWs**") which are competent at the municipality level. An agreement is signed between the voluntary CPAS/OCMW and FEDASIL. In 2013, 5 CPAS/OCMWs participated to the placement of the first caseload of 31 refugees.

**NGOs** selected by FEDASIL assist the CPAS/OCMWs by bringing **additional support** to the refugees' integration process for a period of 12 months. They can also play a role in emergency resettlement (eg if no voluntary OCMW / CPAS could be found in due time). An agreement is concluded between FEDASIL and the NGOs.

All of these resettlement partners also refer the 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, etc.

### 13.2 Reception

FEDASIL is responsible for the initial reception of the refugees. During the first 6 to 7 weeks after their arrival in Belgium the refugees are hosted in one of the two federal reception centres for asylum seekers that also specialized in the reception of resettled refugees.

During this period, they benefit from an orientation programme delivered in the centre, specialized social and medical services and language courses delivered by volunteers if necessary.

Secondly, the refugees are transferred to private housing in the municipalities. It is the location of the public centres for social assistance (CPAS/OCMWs) which voluntarily joined the resettlement programme that determines where in Belgium the refugees will be offered a housing.

### 13.3 Orientation

Upon arrival in the reception centre, the FEDASIL staff provides basic integration modules (shopping in the supermarket, using the Euro, education system, cooking, using the public transportation, etc.). Basic language courses are also delivered. In Flanders, the civic integration programme provides additional orientation courses (see below).

After the reception centre phase, the voluntary CPAS/OCMWs and the partner-NGOs are responsible for the orientation of the resettled refugees. In the framework of a convention of 12 months concluded with FEDASIL, these actors provide a tailor-made assistance which aims at fostering the empowerment and the autonomy of the resettled refugees. The main services provided are:

- help with the moving and installation into the municipality (transportation, furniture, “welcome-kit”, etc.)
- individual assistance including home visits, particularly intensive in the beginning
- help with all administrative formalities (access to all social rights and benefits, opening of bank account, access to healthcare, etc.)
- network activities
- specific support for vulnerable cases
- assistance with the reunification procedure in applicable
- monitoring of the integration process and reporting to FEDASIL

The refugees have also access to the mainstream social services available to all newcomers in Belgium. Belgian integration policy for newcomers is a community / regional competence. Consequently, the rules differ depending on whether the refugees are resettled in the Flemish Region, in the Walloon Region or in the Brussels-Capital Region. (More information is in the 2012 EMN Annual policy report on Asylum and Migration in Belgium).

In Flanders, refugees have to enter a primary civic integration programme called the “*inburgering programma*”. This mandatory programme contains an individual programme counselling, a social orientation course, a basic Dutch as a second language course and a professional orientation component.

In Wallonia, the refugees can receive language courses as well as orientation courses and socio-professional guidance from a lot of different organizations (public, private or associative). The competent CPAS/OCMW will refer the resettled refugees to the appropriate services/associations, depending on their individual needs. There are also 8 regional integration centres in Wallonia from which the refugees can receive assistance.

In the Brussels-Capital Region, depending on the language that the refugees know/want to learn (Dutch or French), they can either join the “*inburgering programma*” (and thus receive the same services as the ones provided in Flanders, although not compulsory) or, like in Wallonia, they can access a multitude of support services (language courses, literacy, professional guidance, vocational trainings, etc.) organized by associations, public or private organizations.

### 13.4 Housing

After the initial reception phase in centres, the refugees are transferred to a private home in a municipality.

The voluntary CPAS/OCMWs are responsible for seeking adequate housing and for making it available (reservation, furnishing, preparation of a “welcome kit”, etc.) for the refugees in due time. NGOs act as a back-up for support services and possibly housing.

The refugees have the right to move from the place that is initially allocated. In this case, they lose the benefit of the assistance of the CPAS/OCMW which has found a home for them and which engaged in assuring a specific social guidance for 12 months. Only the additional support provided by the NGOs will continue to be provided as, unlike CPAS/OCMWs, they are not geographically anchored.

### 13.5 Health

Similarly to what is done for asylum seekers, chest X-rays are done to all refugees at the Immigration Office upon arrival.

Moreover, a complete medical screening of all the refugees is carried out in the reception centre a few days after their arrival. For the duration of their stay in the centre, the refugees have access to the medical services provided in the centre.

When they move to their private house, the local public centre for social assistance (CPAS/OCMWs) makes a subscription to a mutual health insurance for the family so they can access healthcare under the same conditions as Belgian citizens.

### 13.6 Language Training

Shortly after their arrival in the reception centre, the adult refugees resettled in Flanders have to take a language test to assess their level. This test will determine their level for the “basic Dutch as a second language course” of the “*inburgering programma*”: depending on their results, the beneficiaries will receive from 90 to 600 teaching periods. The language component of the programme starts when the refugees are settled in their private home. While in the reception centre, volunteers provide very basic Dutch lessons.

The Walloon integration programme for newcomers being currently developed, the language training of the newcomers who are illiterate and/or who need to learn French is provided by a multitude of recognized/licensed service providers (either local integration initiatives, organizations recognized by the public authorities or public services themselves). While in the reception centre, the refugees can receive introductory French lessons.

In the Brussels-Capital Region, depending on the language that the refugees know/want to learn (Dutch or French), they can either benefit from the Dutch classes included in the “*inburgering programma*” or they can choose amongst many initiatives specialized in adult literacy and French teaching for newcomers.

### 13.7 Education

Depending on their level, the minor refugees are either integrated to a class corresponding to their age in the regular school system or they join, in first instance, a transitional class (“*welcome class*”) to catch up with the children of their age. Besides extra curricular activities, the school system is regarded as the main civic integration mean for children.

### 13.8 Employment, and employment-related training

The persons who receive the refugee status in Belgium have the right to work. Resettled refugees have access to the public employment services as any other Belgian citizen and they can receive additional support regarding their socio-professional integration pathway from specific services.

The Flemish civic integration programme for newcomers (*“inburgering”*) includes a career orientation component. Depending on the educational and professional background of the refugee, he/she will be assisted in finding a job or starting a business or he/she will rather be advised to deepen his/her education. The staff of the *inburgering programme* collaborates with the Flemish public employment services.

In the Walloon Region and in Brussels, various actors (public/associative) recognized by the public authorities provide socio-professional integration support to which resettled refugees have access. These schemes and services help them assess their skills and address their needs accordingly.

### 13.9 Financial assistance

The persons who receive the refugee status in Belgium are entitled to social integration revenue/welfare benefits as any Belgian citizen with insufficient means of subsistence who does not have any other means to support him/herself. This revenue is a temporary solution that allows its beneficiaries to live a decent life until their socio-economic situation improves. The local CPAS/OCMW is responsible for conducting the social survey and providing the appropriate social assistance, including the social integration revenue.

### 13.10 Supplemental supports for refugees with specific needs

Refugees with specific needs will be redirected towards appropriate services accordingly. The NGOs involved in the programme have an expertise in specialized services which resettled refugees can benefit from. They can for instance refer them to psychological services for foreigners, tracing services, associations that help with family reunification, etc.

### 13.11 Mechanisms to share information with service providers; including details on expected populations, specific cases, and integration issues

Different channels are used to share information with the involved service providers:

**Resettlement Stakeholders Meetings (RSM)** are organized twice a year by CGRS and FEDASIL: their aim is to inform all actors involved in the field (national, regional and local actors, CPAS/OCMWs and NGOs, associations, international experts, etc.) on the programme, to share expertise with all of them and exchange on specific themes. International experts can be invited to these meetings to enrich the discussions.

**Website:** a website dedicated to the resettlement programme has been developed. Various information about the programme can be found: caseload profile, latest news, practical information for municipalities, etc. (see [www.resettlement.be](http://www.resettlement.be)).

Sessions are organized especially for the municipalities' CPAS/OCMWs to inform them about resettlement, the caseload and country profiles, the modalities of participation in the programme, etc.

Operational meetings are organized regularly (every 2 months) by FEDASIL and gather staff from the reception centres, social workers of the CPAS/OCMWs, and the staff from the partner NGOs. These actors also exchange on specific cases regularly. The involved CPAS/OCMWs and NGOs send regular feedback about the cases to FEDASIL to prepare the operational meetings.

A interdepartmental steering group gathering institutional actors (CGRS, FEDASIL, Immigration Office, Foreign Affairs, policy level, UNHCR and IOM) regularly meets to plan and follow up the successive resettlement operations.

## 14. Family Reunification of Refugees

### 14.1 National definition of family

In Belgium the term “spouses” is used for two people joined by the institution of civil marriage. In Belgium civil marriage and legally registered partnerships may take place between people of the opposite sex and, since the adoption of the law of 13 February 2003, between people of the same sex.

A foreigner with unlimited residence permit in Belgium **is entitled to be joined** by:

- **their spouse or registered partner** (legally registered partnership) if both persons are aged above 21 (or above 18 if the marriage/partnership was prior to arrival in Belgium or if the registered partners have cohabited at least 1 year prior to arrival in Belgium) (N.B.: only one spouse of a polygamous marriage can join her husband in Belgium)
- **their children or those of the spouse or the registered partner** if they are aged under 18 and are single
- **their disabled adult children or those of the spouse or the registered partner** if he/she is unable to support him/herself and is single
- **their mother or father** if the refugee is an unaccompanied minor (UMA).

Other family members can also apply for a residence permit in Belgium. In that case, as it is not a right, the Immigration Office can either accept or refuse the reunification.

### 14.2 Legislation regarding family reunification & eligibility

The article 10 of the Aliens Act of 15 December 1980 (Law on the entry, residence, settlement and removal of aliens) govern the family reunification policy for third country nationals with unlimited residence permit in Belgium.

Resettled refugees and persons who were granted asylum have the same right to family reunification as they all have an unlimited residence permit in Belgium. They can be joined by the above-mentioned family members **without delay** (contrary to other foreigners who have a residence permit in Belgium who must wait 12 months after the permit delivery before an application for reunification can be submitted).

### 14.3 Details on whether family reunification cases are counted within the resettlement quotas

The family members who join a resettled refugee through the family reunification process are not counted within the Belgian resettlement quota.

### 14.4 Routing of submissions

The applications have to be submitted at the responsible Belgian Embassy or Consulate of the country of origin or residence and are then forwarded to the Immigration Office in Belgium. If the applicant is already legally staying in Belgium under other conditions, he/she can, in some limited cases, apply at the municipal administration of the place of stay.

### 14.5 Case documentation

The application file must contain several documents such as a valid passport, a birth certificate, a marriage certificate (or proof of the registered partnership **and** of the stable and long-term aspects of the relationship), a recent medical certificate written by a doctor appointed by the Embassy/Consulate, the copy of the residence permit of the family member to be joined, etc.

All of the official documents have to be translated (in French, Dutch, English or German) and will have to be legalized (authentication of signature and quality of issuer) by both the issuing authorities and the Belgian authorities. Then, their validity will be addressed by the Belgian authorities.

Only if there is an impossibility to provide the required documents, “other valid proof” can be provided. The authorities will assess their validity. Interviews of the applicant and of the refugee to be joined can be done, as well as “any investigation deemed necessary” and “complementary analysis”.

Normally, the person to be joined in Belgium has to prove that he/she has stable sufficient revenue to support the family, that he/she benefits from a mutual insurance and that he/she has an adequate housing for the family members. However, these criteria are not applicable – unless the applicant is an adult disabled child - if the request for reunification is submitted **within the 12 months** following the granting of the refugee status **and** if the parenthood is prior to the arrival in Belgium.

The stable sufficient revenue condition is **never applicable** if it is the minor children who apply to join their parent(s).

#### 14.6 Processing times

The Immigration Office has 6 months to give its decision. In particularly complicated cases, the authorities can, twice, issue a reasoned decision to extend the time delay of 3 months.

The immigration authorities may refuse to deliver a residence permit if e.g. the application is based on incorrect information or false declarations of parenthood, if there is a risk for public security or health or if all required conditions are not met. In this case, an appeal can be submitted within 30 days before the Aliens Litigation Council.

#### 14.7 Entitlements for family members

No special arrangements are made for family members. On arrival, they receive a limited residence permit of one year. This permit will be renewed every year by the municipal authorities if the conditions of reunification remain unchanged (the said conditions are assessed by the Immigration Office). After three years, an unlimited residence permit will be delivered.

No travel allowance, travel assistance or specific assistance upon arrival is provided. The family members are however entitled to use specific services designed for newcomers and mainstream social services designed for Belgian citizens.

### 15. References/Resources

[www.resettlement.be](http://www.resettlement.be)

Immigration Office website (information on regularization, citizenship, family reunification) : <https://dofi.ibz.be/sites/dvzoe/en/Pages/home.aspx>