Kingdom of Belgium

The Secretary of State for Asylum and Migration

To the asylum seekers in the Kingdom of Belgium,

The massive influx of asylum seekers in Belgium puts great pressure on the Belgian asylum system, the consequences of which will be outlined below. This is vital information for all asylum seekers in Belgium. Read with care and contact your social assistant if further questions arise.

Long asylum-procedure

The large numbers of asylum seekers that have arrived in Belgium over the last months, vastly exceed the processing capacities of the Belgian administration. This leads, unfortunately, to significant and ever growing delays in the asylum-procedure. As of the 20th of October, new applicants may have to wait up to three months before being invited for the first interview at the Alien Office. Furthermore, it may take more than a year before asylum seekers will be interviewed at the offices of the Commissioner General for Refugees and Stateless Persons (CGRS) and a decision in their application is taken. The government undertakes all efforts to reinforce the administration as quickly as possible, but is currently unable to guarantee any maximum-term of your procedure.

For those of you that deem this period of waiting too long, the Belgian government grants assistance in voluntary return. The Belgian government can organize a return-trip within days and will cover the full expenses. Moreover, a significant financial stimulus is awarded. Ask your social assistant for more information.

No more indefinite resident permits

On the 23rd of October 2015, the Belgian government decided to make the asylum law more strict. Asylum seekers who receive refugee status will receive a residence permit valid for only 5 years. After those five years, the asylum authorities will re-investigate the actuality of the need for international protection. If this need is no longer deemed actual or necessary, the refugee status or subsidiary protection can be revoked, and an Order to Leave the Territory may be issued.

Collective housing

To cope with the rising number of asylum-seekers, the Belgian government has to seek for additional lodging outside the regular reception centers. In doing so, an absolute priority has been given to settle the asylum seekers in collective units. Most asylum seekers will therefore spend their entire procedure in vacant army barracks and other large complexes, where they will be lodged in shared

dormitories. During their procedure, asylum seekers will receive only shelter and food, but no financial allowance.

Systematic application of the Dublin procedure

Belgium will continue to apply the Dublin-procedure to the full for all asylum seekers, with no exceptions regarding nationality. This means the Belgium government can refuse to treat the asylum claims of asylum seekers that have registered EURODAC-fingerprints in another EU-member state. The Belgian state will undertake all necessary efforts to transfer such asylum seekers to the competent EU-member state.

Family reunion: long procedures

Concerning family reunion, it is important to note that a request may be filed only when, and only if, a positive decision is taken in your asylum application. As mentioned above, such a decision may take more than a year. Moreover, there are growing delays in the processing of the applications for family reunion. To cope with these delays, the government has decided to extend the maximum period of investigation. An definitive answer in an application may now take up to nine months. During this period, a rigorous investigation of identity-papers and marital status will be performed. If these papers contain any indication of fraud in identity and/or nationality on your behalf, this will result in the rejection of the demand for family reunion and the annulment of your refugee status or subsidiary protection.

Negative decisions will be enforced

In the event that you receive a definitive rejection of your asylum claim, you will be issued an 'Order to Leave the Territory'. This Order will be enforced. The Belgian government has decreed that there will be no collective regularization on humanitarian grounds. A return to your country of nationality will be the only outcome. The Belgium government grants assistance to rejected asylum seekers who wish to return voluntary. Those who fail to comply with the Order are liable for arrest and forced return to their country of nationality. To ensure a maximum of compliance, the Belgian government has decided to drastically enhance its capacity for forced return. To this end, the capacity in the detention centers for illegal migrants will be enlarged by one third by April 2016.

Theo Francken

State Secretary for Asylum and Migration

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