



WHAT IS THE SITUATION REGARDING THE "REFUGEE CRISIS"?

In 2015, Belgium suffered a major crisis regarding the reception of asylum seekers who had crossed our borders, illustrated by the image of hundreds of them sleeping in precarious conditions in Parc Maximilien in Brussels for several weeks. So what is the situation in 2016? While the number of arrivals has doubled in 2015 compared with 2014, there is no telling what the migrant influx will be like in 2016, and no-one wishes to speculate on the number of future asylum seekers in Belgium following the recently concluded agreement between the European Union and Turkey. In addition, the government has decided to close a number of temporary reception centres owing to the recent fall in applications, thus increasing the risk of a lack of available places if there is a mass influx. In any case, our country will certainly continue to see asylum seekers flooding in, fleeing war or persecution, and it will have to honour its international obligations in terms of reception and services as enshrined in the Geneva Convention.

WHO ARE THEY?

Referred to as refugees by the general public, we must first distinguish an asylum seeker from a refugee and a person under subsidiary protection. An asylum seeker has applied for asylum in Belgium but the authorities haven't yet decided on their fate. A refugee is someone who has fled persecution based on race, religion, nationality or a social group in their country while subsidiary protection is granted to persons who don't fulfil the conditions for obtaining refugee status but who would nevertheless be exposed to serious harm if they were to return to their country of origin, typically if the latter is at war'. In both cases, Belgium recognises their precarious situation and, on this basis and after analysis of their file, grants them the right to stay in Belgium. Behind these definitions lie tragic stories of families who once led a peaceful life and were forced into exile following the outbreak of war in their country. Hence, 70 % of refugees or persons under subsidiary protection² recently recognised in Belgium are from conflict zones (essentially Irag, Syria and Afghanistan), having left an often endless situation (for instance, according to UNHCR, 86 % of Syrian refugees have at least a high school certificate³). While many refugees are men who have left by themselves to "explore", conditions force women and children to also head for Europe and benefit from family reunification: we have seen an increasing number of women presenting themselves as asylum seekers and the number of unaccompanied minors has risen to 8 % of the total number of asylum seekers since the beginning of 2016, compared with 3 % in 2014; 15 % of them aren't even 13 years old.

¹ See glossary at the end of the document

² Recognised refugees and individuals under subsidiary protection

³ Survey conducted among 1,245 Syrians in Greece between April and September 2015 by the border services located in several places in Greece

HOW ARE THEY RECEIVED IN BELGIUM?

Between their first step in Belgium and obtaining refugee status, which guarantees them rights and the right to stay in our country, asylum seekers must go through several stages of procedures which involve navigating between Belgian agencies and institutions. Between administrative processes in a foreign language, long procedures, difficult conditions in centres and integration peppered with pitfalls, this process can be arduous and last several years. While Belgium has proven to be a model student in terms of reception in Europe, it could however do better to avoid these stumbling blocks.

ANALYSIS OF THE PROCESS CONCERNING ASYLUM SEEKERS IN BELGIUM BY THE GROUPE DU VENDREDI

The aim of the Groupe du Vendredi's report is to understand the process people arriving in Belgium today have to go through in order to improve the process for those arriving in the future. It illustrates the typical scenario of a young Syrian man whom we shall refer to as Adnan, who has fled his home town of Aleppo and come to Belgium alone to seek asylum. His age and the humanitarian and security crisis in his country are representative of the asylum seekers currently arriving at our borders. Every stage, from Adnan's arrival in Belgium up to his adaptation to Belgian society as a refugee, illustrates the problems encountered and the possible solutions that public and private stakeholders from civil society, or citizens on an individual basis, could implement. Together, these initiatives can change the lives of new asylum seekers and contribute to a reception and integration model worthy of the values our country claims to defend.

ADNAN, ONE ASYLUM SEEKER AMONG MANY OTHERS...

Adnan turned 28 last week. He celebrated his birthday with his friends in his home town, Aleppo, the second biggest city in Syria. Adnan teaches history at secondary school level. Although it remained unscathed at the beginning of the civil war in March 2011, Aleppo is now under fire. One day it is the government forces who are dominating the front, and the next day it is the armed rebels who have the upper hand, with the subsequent bombings killing one civilian an hour. Adnan's childhood friend, Hamed, was hit yesterday. The school has closed for security reasons. Adnan understands that the situation is unsustainable. Following his parents' advice, he collects EUR 4,000, which represents almost a year's salary, to flee the country and go to Europe. Adnan decides to take the route via Turkey, which seems to be the least perilous. He arrives in Kilis, a border town in Turkey, where 2.7 million other Syrians have arrived before him. Through a smuggler who demands EUR 2,000, he is taken by truck to the Turkish town Izmir, opposite Greece. He stays there for a few days in insalubrious accommodation with other migrants. He is awoken in the middle of the night by his smuggler and told to go to the beach and board an inflatable dinghy, which he has to share with more than 40 other migrants. He is lucky, the boat arrives safely in Europe, which isn't the case for everyone. He contacts another smuggler through social networks in order to get to Belgium, passing through Macedonia, Serbia, Hungary, Austria and Germany by train and bus, but mostly on foot. Adnan finally arrives in Belgium and wants to seek asylum. His journey lasted three months in total and he risked his life on several occasions. With his profile and according to the statistics, he has an almost 90 % chance of receiving the status of subsidiary protection and a residence permit at the end of the procedures that lie ahead of him. However, there will be a long way to go before obtaining this status.

KEY STAGES IN THE PROCESS ADNAN MUST GO THROUGH IN BELGIUM, PROBLEMS AND PROPOSED SOLUTIONS



ARRIVAL IN BELGIUM AND PRE-REGISTRATION

Adnan arrives in Belgium after an arduous journey. He doesn't know where to go. Other Syrians advise him to go to the Immigration Office (IO) to register as an asylum seeker. At the IO, he is "pre-registered", given a number, and his photo and fingerprints are taken. An association's information centre advises him to go to the Samu Social to find a place for the night.

REGISTRATION AS AN ASYLUM SEEKER

After three days' wait, Adnan can finally register at the Immigration Office (IO) as an asylum seeker. He is briefly questioned to understand his background and justify his application. He then receives a document giving him the status of asylum seeker⁴ and the right to stay in a public reception centre. Without consulting him, he is also informed that he will be supported French but that Arabic-speaking interpreter will be available.

⁴ This document is Annex 26. If the IO decides that Belgium isn't the first country of asylum or pre-asylum, it asks the first country of asylum to assume or reassume responsibility for the person – Adnan then receives Annex 26 Quater and enters into the Dublin procedure; this can last from 8 months to a year and aims to determine whether he must be placed in a closed centre while awaiting expulsion to his first country of asylum or if he can become an asylum seeker in Belgium.



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- The authorities don't have a dedicated reception desk to receive, inform and guide new arrivals such as Adnan.
- Despite pre-registration, migrants aren't yet recognised as asylum seekers and don't have any rights in the country, especially with regard to accommodation. The pre-reception structures such as WTC2 and 3 aren't structural, which means that new arrivals may find themselves without any accommodation.

SOLUTIONS





Set up a dedicated reception and structural information desk drawing inspiration from initiatives such as Startpunt organised by Vluchtelingenwerk.

Recognise asylum seekers at the pre-registration stage in order to offer them minimum accommodation, for instance, through "buffer" places in Fedasil's structural reception centres.



PROBLEMS

- With registration applications varying significantly in just a matter of months (having quadrupled)⁵, the IO is struggling to adjust its registration capacity when mass influx occurs.
- The registration procedure sometimes requires several visits, forcing asylum seekers to come back which can take several weeks.
- Asylum seekers can't be accompanied by a lawyer during the so-called "Dublin" interview aimed at determining the country responsible for dealing with the application, even though these are often complex cases.

SOLUTIONS





Increase flexibility in staff numbers at the Immigration Office, for instance, by training voluntary "reserve" officers who can provide extra support, and by arranging for the office to be open at weekends if necessary, as other European countries have done.

Push for procedures to be grouped together⁶ and a simplification of the registration procedure.

Improve information for asylum seekers on specialised law firms whose lawyers could attend the "Dublin" interviews with them.





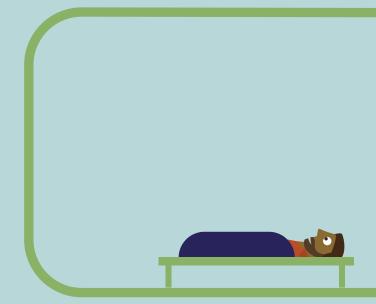


^{&#}x27;Hor instance, in 2015, there were 1,313 applications (first applications and multiple applications) in January, reaching 5,512 in September.

⁶ By this we mean grouping together registration at the IO and the questionnaire that the IO must fill in for the Commissioner General for Polymons and Statology Porsons (CGPS) (see story 1)

STAYING IN A RECEPTION CENTRE

Adnan must now register with the Federal Agency for the Reception of Asylum Seekers (Fedasil). He has to undergo a medical examination and then Fedasil will randomly allocate a place in a new centre in the province of Luxembourg. He goes there and stays several months while awaiting his interview with the Commissioner General for Refugees and Stateless Persons (CGRS). The conditions in the centre are sometimes difficult because he has to share a dormitory with several other asylum seekers. To help him understand the procedure and the status of his file, Adnan is supported by an extremely busy social worker; he can also take language classes. He has to wait four months before he can work, hasn't got much money to go outside the centre (he receives EUR 7 a week) and there are no activities which means that Adnan sometimes sees fights breaking out.



- Conditions can be difficult in the centres that aren't managed directly by Fedasil, especially the recently-opened emergency reception centres which have little or no experience in receiving asylum seekers7.
- Assistance is often suboptimal because the social workers and interpreters are overworked, with more files to manage than anticipated (according to standards, social workers should have approximately 40 files).
- With nothing to do, tensions mount and activities outside the centre are often financially out of reach. Asylum seekers without money are blocked in the centre where "community services" are paid at the rate of EUR 1 an hour.
- Language classes aren't systematically taught in all the reception centres - this is not part of Fedasil's mission.

SOLUTIONS







Harmonise the accommodation standards in non-structural centres, especially centres that are opening, and significantly increase the frequency of audits; encourage the conversion of reception facilities into individual reception structures⁸; allow residents to express themselves collectively through a residents' council.

Improve support and help with the integration of asylum seekers, for instance:

- Increase and make access to language classes systematic, and review their structure to make them immediately useful in the asylum procedure and the future search for employment
- Subsidise the development or completion of online portals accessible by smartphone, offering general information on the asylum procedure, language classes/translators and integration advice (like the 'Ankommen' application in Germany⁹)

As is the case in the Netherlands, formalise as a public mission and reinforce

- informal exchanges such as coaching/mentoring/sports activities between local volunteers and residents from the centres to allow cultural, linguistic and sporting exchanges (like the Singa Langue et Culture or Singa Sports initiative in France)
- the involvement of associations external to the centres to reinforce social support when necessary, and to deploy training workshops and fun activities

Support and deploy an employment platform ("Workeer" in Germany) so that residents from the centres are aware of local job offers and can apply for them as soon as they receive a work permit

Increase pay for community services in line with the hourly minimum wage

launched by the authorities, offers basic language classes, information on the asylum procedure, advice to find a job/vocational training, information on the

CGRS DECISION

Three months after his second interview, Adnan receives a letter informing him of the CGRS' decision: he has received subsidiary protection status and a temporary residence permit. Adnan is reassured. He asks the centre's social worker how to proceed. He goes to fetch his residence permit from the commune, which takes time because Adnan still has difficulty speaking French. He is also obliged to attend a free integration programme to help him acquire basic knowledge of how Belgian society works. This helps a lot.

1 DAY TO SEVERAL MONTHS

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INTERVIEW WITH CGRS DURING HIS STAY

After 4 months at the centre, Adnan receives notification of his hearing with the CGRS, at 08:30 in the morning in Brussels. He takes the train the night before and sleeps on the street in order to be on time. Adnan is questioned for four hours, with the help of an interpreter, about his origins and his journey to check whether he is eligible for refugee status or subsidiary protection. Once the interview has finished, he takes the train back to the centre. Because the CGRS considers that his statement is incomplete and therefore can't take a decision, he is summoned again by post to come to an additional hearing three weeks later.





- File processing times: the time between registration with the Immigration Office and the interview with the CGRS varies between three months and several years depending on the file, due to the massive backlog among other things (6,800 files in December 2015).
- Managing the notifications: the time of the hearings doesn't take into account the distance between the reception centre and the CGRS. The hearings start late because of double appointments. The asylum seeker can't find any accommodation for the night.
- There is significant rotation among the protection officers who carry out the hearings, eroding expertise within the CGRS.

SOLUTIONS



Improve management of the CGRS files by establishing a time limit between the first and second hearing and optimising the management of the hearings schedule.

Set up a task force to reduce the structural backlog once and for all.

Inform the asylum seekers and allow them to reside in existing reception centres if they have to spend the night in Brussels before a hearing.

Set up adapted staff management procedures within the CGRS in anticipation of extra workloads and manage departures within the CGRS through anticipation.



PROBLEMS

- The maximum time frame of three months between the last hearing with the CGRS and the decision isn't necessarily respected, sometimes leading to long waiting times.
- If the CGRS' decision is negative (refusal of refugee status or subsidiary protection), the asylum seeker often submits an appeal via an ad-hoc court: the French-speaking (CCE) or Dutch-speaking (RVV)¹⁰ Council for Alien Law Litigation. The final decision varies depending on the language used.
- Whatever the decision, this procedure can be long owing to the backlog of work at the court and the lack of dialogue, coordination and exchange of non-sensitive information (general information on the country, data, files) between the CGRS and these authorities.
- The language classes language being the first barrier to integration, aren't compulsory in Wallonia's integration programme".

SOLUTIONS



Stick to the maximum three-month time limit to pronounce the decision.

Define the interpretation of appeal more strictly to prevent major variations in the outcome of the appeal according to the language used.

Urge representatives from the CGRS and the CCE/RVV to agree on more efficient coordination mechanisms, share the information in the files and grant them the necessary credit provided there is no conflicting information.

Make language classes compulsory in the integration programme in Wallonia and Brussels and adapt them to immediate needs.

Le Conseil du Contentieux des Etrangers for French-speaking cases;
 De Raad voor Vreemdelingenbetwistingen for Dutch-speaking cases.
 Language training is part of the second phase of the integration programme in Wallonia, and isn't compulsory.

STARTING LIFE IN BELGIUM

Adnan is worried: after having received the positive decision from the CGRS, the centre informs him that he has two months to leave the centre and find private accommodation. He is forced to remain at the centre longer than authorised because he isn't able to find any accommodation: he still doesn't speak French very well, has no savings to pay for a rental deposit and doesn't understand how to go about it. He is told about the CPAS (social services provider), but the latter does not see him as long as he isn't registered as living in the commune. He accepts precarious temporary housing with people he knows in exchange for services. Starting a new life in Belgium is difficult: he isn't familiar with the bases of daily life in Belgium and is resigned to badly paid undeclared jobs.





- There is a legal void in support for housing: besides several existing support structures, refugees can neither ask for help from one of the centre's support workers since they are leaving it, nor can they benefit from support from the CPAS because they don't have an official place of residence. And yet the conditions and steps required to find accommodation make access to it almost impossible; hence, refugees spend more time in the centres despite pressure from the latter to leave them.
- Professional integration is made difficult: foreign diplomas aren't easily recognised in Belgium without certified proof despite the fact it generally takes a long time - or is even impossible - to send this from the country of origin. Companies apply strict criteria with regard to refugees or systematically require them to be bilingual in French and Dutch or have a European diploma, even if the job doesn't require this.
- There are very few subsidised social and community integration programmes besides the integration programme; and yet, creating social links with the Belgian community allows people to practice the language and find a job more quickly.

SOLUTIONS





Facilitate the transition from the status of asylum seeker to that of recognised refugee by publishing a "get started kit" in several languages, clarifying the first administrative steps and key resources. It should be included in, but not be exclusive to, the integration programme.

Facilitate the search for housing for refugees by institutionalising and subsidising rental deposit assistance and inviting the CPAS to help look for and access housing even if the refugee isn't yet officially registered as living in the commune; formalise the reception plan in the communes and ensure social support is provided by the CPAS during reception.

Financially maintain a platform for citizens that would arrange for refugees to meet with citizens who would like to offer accommodation, and inform the latter (such as the "Refugees welcome" initiative, the online platforms being developed by associations or the Caritas International housing campaign).

Create or extend a supervised reception network that would allow temporary immersion (maximum six months) for refugees who are badly housed or with no fixed abode (such as the CALM [Comme A La Maison] initiative in France); adopt the gastvrijegemeente.be and Pleegzorg Vlaanderen initiatives in Wallonia and Brussels in order to set up a network of host and support families in the communes.

Raise awareness in companies through the FEB and the VDAB about employing refugees, distribute complete information on job opportunities/mentoring for refugees and deploy platforms such as the VDAB's hiapp.be to put refugees in contact with employers and citizens.

Review the criteria and requirements regarding the recognition of diplomas for refugees, taking into account the situation in the country of origin and the difficulty of obtaining the required proof.

SEVERAL CONCRETE WAYS FOR CIVIL SOCIETY AND THE PRIVATE SPHERE TO BECOME INVOLVED

Would you like to spend time helping refugees? Here is a non-exhaustive list of options:

migrants by offering a human and individual response to their migration journey. Contact Caritas to volunteer in a reception centre or for activities concerning the integration and housing of refugees: http://www.caritas-int.be/fr/page/devenir-volontaire-pour-caritas
The not-for-profit association Ciré seeks to reinforce the rights of foreigners, the right to asylum and ensure that the policies in force comply with the principles of the Declaration of the Rights of Man through political action, raising public awareness and multiple actions (refugee reception service, French school, information service). This not-for-profit association offers several alternatives as a volunteer, including sponsorship of asylum seekers in individual housing to facilitate their integration (in partnership with the King Baudouin Foundation): http://www.cire.be/
☐ The not-for-profit association Convivial supports refugees, beneficiaries of subsidiary protection and asylum seekers throughout their integration, from getting them settled to their social and socio-professional integration in Belgium. You can join them as a volunteer in a series of initiatives: http://convivial.be/j-aide/
☐ The Belgian Red Cross offers several reception services for refugees and trains volunteers for some of their activities: http://www.croix-rouge.be/mengager/devenir-benevole/
Uluchtelingenwerk is devoted to and defends the rights of people fleeing war, violence and persecution in their country, through their team and an active network of volunteers. The association provides a list of the many opportunities to volunteer depending on how much time you have: http://www.vluchtelingenwerk.be/word-vrijwilliger
☐ Duo for Job (http://www.duoforajob.be/) puts young refugees actively looking for work in contact with people over 50 years old, so that the latter can support them in their job search.
☐ The Fedasil centres offer volunteers the chance to participate in the organisation of the centres and its activities: http://fedasil.be/fr/jobs/benevoles
Contact your commune to find out about local initiatives

Do you have accommodation to temporarily house a refugee?
Ocontact Fedasil, the Belgian Red Cross, Vluchtelingenwerk or Ciré to see if your accommodation would be suitable as an individual housing unit (subsidised)
Contact Caritas which is conducting a campaign for 10,000 temporary homes for refugees: http://www.caritas-int.be/fr/page/10000-refugies-cherchent-un-nouveau-logement or SafeSpace which puts homeowners in contact with refugees: https://safespaceinitiative.wordpress.com/
Do have money to lend or donate?
☐ Offer the not-for-profit association Convivial's loan fund a no-interest loan to allow refugees to pay for a rental deposit for their first home: http://convivial.be/je-prete/
☐ Make a donation to a not-for-profit organisation (Belgian Red Cross, Ciré ASBL, Vluchtelingenwerk, Caritas International)
Are you a private organisation who would like to facilitate the professional integration of refugees?
☐ Contact Vluchtelingenwerk to become a beta tester for the hiapp.be app to put refugees in contact with the labour market
☐ Contact one of the abovementioned associations for their "companies" programme

Term	Definition
A RECOGNISED (POLITICAL) REFUGEE	A person who has been granted refugee status by a third state because they were fleeing their country and couldn't return there, without the protection of the latter, through fear of persecution owing to their nationality, race, religion, political opinions or because they belong to a particular social group.
A BENEFICIARY OF SUBSIDIARY PROTECTION	A person who has been granted the status of beneficiary of subsidiary protection because they run a real risk of suffering serious harm or being the victim of blind violence if they return to their country of origin.
AN ASYLUM SEEKER	An individual seeking asylum. They will only be considered a refugee if their application is accepted.
AN IMMIGRANT	A person who settles in another country. Immigrants choose to move, while refugees are forced to flee.
AN ECONOMIC MIGRANT	A person who changes country in order to work or to have a better economic future. It is correct to use this term when the motivations are purely economic. However, the motivations of migrants are generally very complex and aren't necessarily immediately identifiable.
A STATELESS PERSON	A person who isn't considered a national by any state and therefore has no nationality. Some (but not all) refugees are stateless. Similarly, stateless persons aren't necessarily refugees.
AN UNDOCUMENTED MIGRANT	A person who hasn't received permission to stay in the country or who has remained there beyond their residence permit's period of validity. Persons who can be included in this term are those who have been penalised by failings in the system, such as asylum seekers whose application has been refused but who haven't been sent back owing to the state of generalised risk in their country of origin.
THE IMMIGRATION OFFICE (IO)	The Immigration Office is under the authority of the Federal Public Service Home Affairs to ensure the management of migration flows in collaboration with different partners. It is involved in issuing visas, short and long stays. It is responsible for registering asylum applications in Belgium. The Immigration Office also looks after voluntary returns and the removal of illegal residents.
THE COMMISSIONER GENERAL FOR REFUGEES AND STATELESS PERSONS (CGRS)	The Commissioner General for Refugees and Stateless Persons (CGRS) is an independent federal public service that offers protection to foreigners who risk persecution or serious harm if they return to their country. The Commissioner General first examines whether the asylum seeker can be recognised as a refugee. If this isn't the case, the file is examined to decide if the asylum seeker can receive the status of subsidiary protection.
FEDASIL	The Federal Agency for the Reception of Asylum Seekers (Fedasil) is a parastatal public interest organisation under the authority of the Secretary of State for Asylum Policy and Migration. It is responsible for receiving asylum seekers and other target groups, guaranteeing quality and compliance in different reception facilities and guaranteeing the coordination of the different programmes in terms of voluntary return.
THE COUNCIL FOR ALIEN LAW LITIGATION (CALL/CCE)	The Council for Alien Law Litigation is an independent administrative court. An appeal can be submitted to the Council against decisions of the Commissioner General for Refugees and Stateless Persons, against decisions of the Immigration Office and against any other individual decisions taken regarding access to the territory, stay, establishment and return of foreigners.

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