

# **European Migration Network**

Belgian Contact Point

Annual Statistical Report on migration and asylum in Belgium  
(Reference years 2004 and 2005)



Brussels, September 2007

Contact: [Benedikt.Vulsteke@dofi.fgov.be](mailto:Benedikt.Vulsteke@dofi.fgov.be)  
Tel.: (+32).(0).2/206.19.37  
Belgian Immigration Office  
Chaussée d'Anvers 59b, 1000 Brussels

## **Introduction**

For general background information on asylum and migration statistics we refer principally to the Statistical Report 2003 and the Belgian Policy Report on Asylum and Migration 2004-2005, both reports drawn up within the framework of the EMN.

The outlines of the Statistical Report 2003 – the conclusions and outlines of which are actually also valid for 2004 and 2005 – with the additional observations for 2004 and 2005 can be summarized as follows:

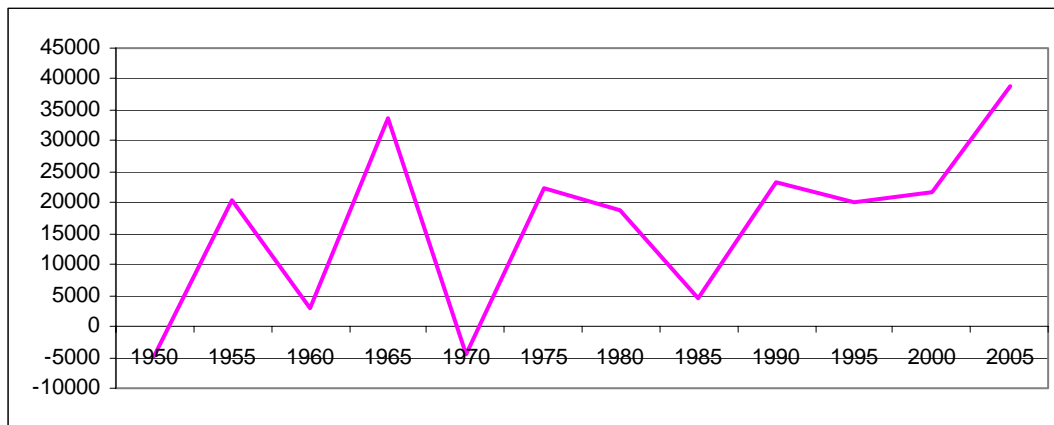
## **A. Migration Issues**

### ***A.1. Analysis and interpretation of the migration statistics***

#### **Migration flows**

The level of new immigration continues to rise and is more or less as high as during the period 1963-1966, while the emigration numbers are at a fairly low level historically speaking. As an obvious immediate consequence, Belgium observes higher levels of net migration:

Source: National Statistical Institute/Gédap



In terms of citizenship, there is a sharp difference between the Community and non-Community migration flows. The migration flows are quite high in both cases but the level of emigration is much lower in the case of non-Community nationals, or even negligible in some cases (Moroccan and Turks, for example). A number of Community nationals emigrate to Belgium only for a short period of time. Conversely, non-Community migrations much less frequently involve short periods. Consequently, the net migration balance for Community citizens should be understood quite often as the outcome of intense intra-European mobility. Non-Community migrations are more often not "definitive", but there are a number of exceptions.

Net immigration flows (migration balance) according to principal nationalities :

	2004	2005	Evolution compared to 2004
Morocco	7277	6303	-13,4%
The Netherlands	4655	5760	23,7%
Poland	2680	3929	46,6%
France	3250	3924	20,7%
Turkey	2551	2745	7,6%
Romania	1168	2039	74,6%
DR Congo	925	813	-12,1%
India	554	734	32,5%
Germany	869	726	-16,5%
Portugal	658	648	-1,5%
Bulgaria	551	632	14,7%
Russia	330	417	26,4%
China	558	316	-43,4%
Other	8772	9822	12,0%
<b>Total foreigners</b>	<b>34718</b>	<b>38952</b>	<b>12,2%</b>
<b>Of which EU</b>	<b>12089</b>	<b>16116</b>	<b>33,3%</b>
<b>Belgium</b>	<b>-7674</b>	<b>-8030</b>	<b>-4,6%</b>
<b>Share EU/ Total (%)</b>	<b>34,8</b>	<b>41,4</b>	

Source : SOPEMI report 2006/National Statistical Institute

### Population increase:

The total population increase between the end of 2003 and the end of 2004 was 0.48%. The migration balance of foreigners in particular contribute to the total population increase in Belgium, for example 70% in 2004.

Share of the natural increase and the migration balance to the total population increase in Belgium						
	Total Increase	Natural increase		Migration balance		Statistical adjustments
		Belgians	Foreigners	Belgians	Foreigners	
1990	100	28,12	20,38	-9,55	59,77	1,28
1991	100	38,11	22,39	-13,34	53,73	-0,89
1992	100	32,28	11,85	-3,34	58,15	1,06
1993	100	24,14	16,80	-9,00	67,61	0,45
1994	100	22,55	16,84	-14,16	73,05	1,72
1995	100	-	-	-	-	-
1996	100	26,46	14,29	-24,82	71,60	12,48
1997	100	36,72	18,01	-39,21	66,62	17,86
1998	100	28,95	16,16	-35,82	67,18	23,52
1999	100	21,50	12,31	-35,87	84,24	17,83
2000	100	30,10	10,93	-39,42	89,30	9,09
2001	100	17,99	5,17	-21,35	75,09	23,10
2002	100	9,12	2,98	-17,55	84,96	20,48
2003	100	8,50	4,09	-17,47	85,96	18,92
2004	100	23,18	4,47	-15,54	70,24	17,65

Source: SOPEMI report 2006/National Statistical Institute

(The statistical adjustments concern mainly 'changes of registers': f.i. asylum seekers from the so-called waiting register and who get only in the main population register after being regularised or recognised as refugees).

## Population by citizenship

870,862 foreigners were officially residing in Belgium on 1 January 2005 and 900,473 on 1 January 2006<sup>1</sup>. Foreigners therefore accounted for 8.6% of Belgium's population by this last date, a figure that is clearly above the European average (DG JLS, 2005).

### Population by main groups of citizenship, 2005

		1-01-2005
<b>Total Population</b>		<b>10.445.852</b>
Nationals		<b>9.574.990</b>
Other EU25-Nationals		<b>571.264</b>
Total Non-EU25 nationals		<b>299.598</b>
<i>Most important third country nat.:</i>		<b>186.124</b>
	Morocco	<b>81.279</b>
	Turkey	<b>39.885</b>
	DR Congo	<b>13.171</b>
	United States of America	<b>11.476</b>
	Algeria	<b>7.363</b>
	Serbia and Montenegro	<b>11.140</b>
	China	<b>7.283</b>
	Romania	<b>5.585</b>
	India	<b>4.750</b>
	Japan	<b>4.192</b>
Others		<b>113.474</b>

### Population by main groups of citizenship, 2006

		1-01-2006
<b>Total Population</b>		<b>10.511.382</b>
Nationals		<b>9.610.909</b>
Other EU25-Nationals		<b>603.383</b>
Total Non-EU25 nationals		<b>297.090</b>
<i>Most important third country nat.:</i>		<b>185.918</b>
	Morocco	<b>80.602</b>
	Turkey	<b>39.664</b>
	DR Congo	<b>13.454</b>
	United States of America	<b>11.180</b>
	Serbia and Montenegro	<b>7.781</b>
	Romania	<b>7.535</b>
	Algeria	<b>7.481</b>
	China	<b>7.452</b>
	Russia	<b>5.469</b>
	India	<b>5.300</b>
Others		<b>111.172</b>

Source: National Statistical Institute

As asylum seekers are excluded from the migration-specific statistics, developments in this area could have only a limited and indirect impact on changes in the foreign population.

<sup>1</sup> Asylum seekers (until their refugee status is recognized or they acquire another status) and foreigners residing in Belgium for less than 3 months excluded.

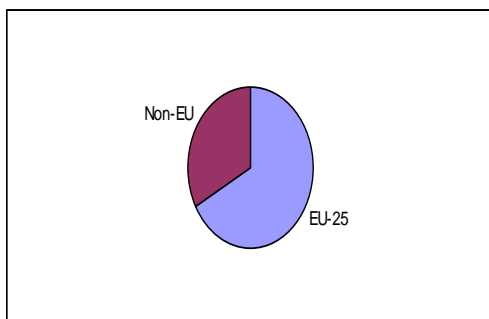
At the end of 2004, 15 nationalities represented altogether 84% of the foreign population in Belgium.

As N. Perrin explained in the statistical report 2003, the figures generally available make it a daunting task trying to analyse changes in the foreign population living in Belgium. In spite of the very obvious rise in the level of immigration over the last 20 years, in spite of the net migration balance and a positive natural balance, the size of the foreign population in Belgium has shrunk quite significantly over the same period of time. The fall in the number of foreigners is primarily attributed to the notable rise in the number of people acquiring or being granted Belgian nationality. Up until 1984, the country granted Belgian nationality to only a very small number of foreign nationals living in the country, but the situation changed thereafter in the wake of several key legislative developments. It has now become much easier to acquire Belgian nationality and the number of foreigners becoming Belgian has shot up.

To sum up, first of all, the size of the foreign population in Belgium is not comparable with the size of the foreign population in other European countries, where it is harder to become naturalized. The size of the foreign population is "inflated" owing to the tougher accession to citizenship laws. Secondly, changes in the foreign population should not be regarded as an approximation of changes in the population of foreign origin or the offspring of immigrants.

The entitlement to citizenship and its spin-offs since 1985 have no doubt had more of an impact on changes in the number of foreigners than the Belgian immigration policy as such.

If the population is considered in terms of citizenship, the percentage of Community citizens is a key feature of the foreign population in Belgium. Two-third of foreigners living in Belgium are citizens of one of the European Union countries (25 Member States).



The percentage of non-Community citizens steadily increased after 1960, but has tended to fall since the early 1990s. The number of Community entrants has risen slightly since the early 1990s. Unlike non-Community citizens, Community ones are not affected by the aforementioned massive rush to obtain Belgian citizenship. It is mainly non-Community citizens who opt in such large numbers to adopt Belgian nationality.

Moroccans and Turks form by far the largest group of non-Community citizens. Immigration from these two countries got underway in the 1960s and early 1970s as a replacement for Mediterranean European workers. The process continued after 1974 as a result of people migrating in the context of family reunifications. The Turkish and Moroccan populations are decreasing owing to the widespread trend in these two groups to acquire Belgian nationality. The number of people obtaining Belgian citizenship now exceeds the migratory and natural growth in the two groups.

Another fact is the rapid growth of Indian and Chinese nationals and people from Serbia-Montenegro, even though the size of the relevant populations is still quite small. Whereas in the case of the Indians (increasing) labour migration is partially involved (+ 300 cases in 2005 compared to 2003), the number of Chinese coming to Belgium for study purposes is rising (in 2004 and 2005, 683 and 584 student visas respectively were issued to Chinese) and, as for Serbia-Montenegro, largely chain migration combined with political and/or humanitarian reasons (persecution of Kosovo Roma) occurs.

The continuing instability in DR Congo may offer – seen together with the historical and social ties of course – an explanation for the constantly high level of Congolese arrivals and the low rate of returns.

A partial explanation of the increase in the number of Polish nationals (during the reference years) is of course the fact that they came out of illegality after Poland's entry into the EU.

### **Age and gender**

The foreign population mostly falls in the age category of 25-50 years, more than the Belgian population itself. In comparison with Belgians, the foreign population has relatively less young people and older people.

About 49% of them are women (end of 2004). There are considerable differences in male/female ratio between nationalities. Thus the Algerian population group has only 42% women, as against 58% women among the Polish (see also residence permits).

### **Residence permits**

The information presently available about residence permits is still fairly incomplete, in the sense that it is currently impossible to produce statistics in the light of the reasons for issuing a residence permit, or to be more clear, the reason for migration (family reunification, studies, employment, ...). There are also other limitations to be borne in mind. For example, Belgium has a system of granting a temporary residence document (registration certificates) to newcomers seeking the right to long-term residence or asylum. This means that a proper assessment of the status of newcomers would involve excluding registration certificates.

On top of that, it is technically quite complex to produce numbers of the valid and new residence permits.

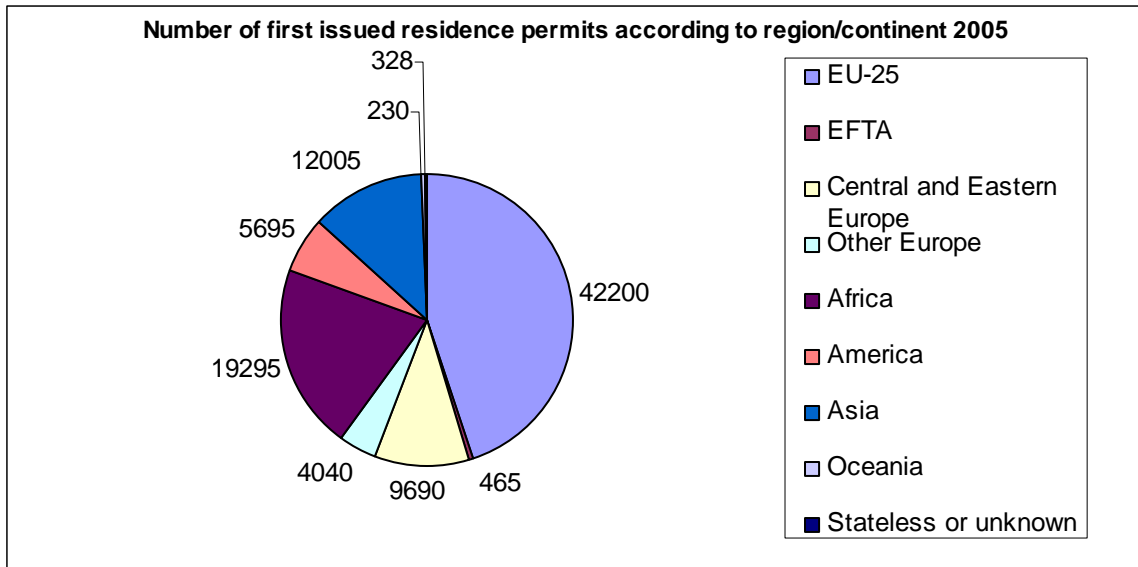
Number of issued residence permits during the reference years:

<b>2004</b>	Male	Female	<b>Totals</b>
EU-25	18584	19189	37773
Non EU	25550	24938	50488
<b>Totals</b>	<b>44134</b>	<b>44127</b>	<b>88261</b>
<b>2005</b>	Male	Female	<b>Totals</b>
EU-25	21010	21190	42200
Non EU	26482	25266	51748
<b>Totals</b>	<b>47492</b>	<b>46456</b>	<b>93948</b>

Source : Immigration Office

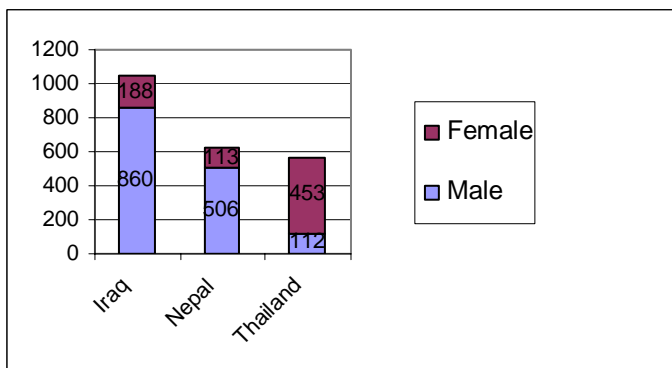
Top 10 2005	
France	10061
Netherlands	9666
Morocco	7254
Poland	4938
Turkey	4040
Germany	3213
Romania	2811
DR Congo	2530
USA	2378
Russian Federation	2321

Source: Immigration Office



Source : Immigration Office

Although the new residence permits are more or less equally distributed among the both sexes, the differences in male/female ratio can be quite striking in view of individual nationalities. Some examples (2005):



Source: Immigration Office

## A.2. Contextual interpretations

We refer mainly to the Policy Analysis Reports 2004 and 2005.

Except for the entry of ten new member states and the transition period regarding the access to the labour market for nationals of these countries, no other important policy developments have taken place that could influence migration flows and stocks. As a result of the enlargement of the EU from 10 to 25 member states, the stock of third-country nationals obviously decreased compared to 2003.

There have been some important developments in the legislative arena, such as the coming into operation of the Guardianship Service (for UMAs) and the policy of compulsory civic integration (in the Flemish Region), but these developments can hardly have had any effect on the migration flows, if at all. On the other side, it is true though that important measures taken a few years before – for example, relaxing the legislation on nationality (2000), launching a large-scale regularization campaign (2000-2002) and rationalizing the asylum procedure (see below: cutting off financial aid and applying the LIFO-principle) – still produced an effect in 2004 and 2005 (for example, increase of family reunifications because of the number of new Belgians and regularized people, decrease of asylum applications and increase of the number of recognized refugees).

### **Categories of admission and non-admission**

As outlined above, Belgium still does not have an adequate system in order to know the reasons for the new migrations. An indication is of course the number of long-term visas issued by the Belgian embassies and consulates, although this is in no way sufficient, since it is possible in some cases to obtain an authorization to reside after arrival in Belgium, by means of a tourist visa, for instance.

In 2004, 18,394 long-term visas have been issued. In 2005, 22,855. For 2002 and 2003, the numbers were respectively 23,844 and 25,398. No doubt the enlargement of the EU also caused (at least partially) the decrease in 2004.

Both in 2004 and 2005, almost half of the visas issued were related to family reunification, 25% to study purposes, 10% to employed persons and 4% to self-employed persons. The other visas were granted for different reasons (adoption, trainee period, cohabitation, etcetera).

No specific information is available as for non-admission.

## **B. Asylum issues**

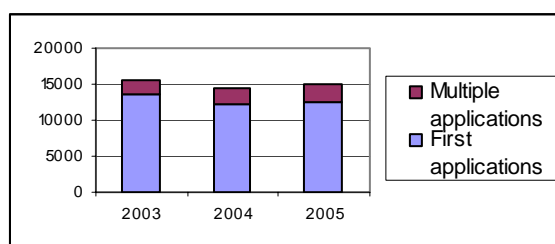
### ***B.1. Analysis and interpretation***

Unfortunately, asylum numbers available in Belgium tend to diverge up to now. This is mainly caused by the fact that different databases are involved and that sometimes the persons but in most cases the files (without the accompanied children) are counted. In addition, the Immigration Office database is “dynamic”, in the sense that data fluctuate (are being adapted) as time goes by, while this is obviously not the case with the number of people presenting themselves at a counter.

The reason why there are several databases on asylum is, among others, the fact that different bodies are responsible for the implementation of the (successive stages of the) asylum policy.

At any event, the numbers regarding asylum decisions vary less than the numbers of the applications. Therefore use is made, in the statistical report, of numbers coming from different databases, in order to be as correct and complete as possible.

The total number of asylum applications dropped in 2004 compared to 2003 yet rose again in 2005 (almost) to the level of 2003. The rise in 2005 compared to 2004 can partially be explained by an increase in multiple applications (+15%; source: database Immigration Office: 2,085 in 2004 and 2,445 in 2005). In other words, the number of first asylum applications was roughly stable in 2005 compared to 2004 but down compared to 2003.



Source: database Immigration Office

The main trend to note since 2000 was the continuing decline, at least until 2003, in the number of asylum requests made. The earlier decline in the amount of applications is mainly related to amendments to the legislation and the Belgian asylum procedure. First of all, the decision was announced in the year 2000 to replace the financial support for asylum seekers with material support. The way processing activities were undertaken was also subject to assessment. A new principle, "LIFO" (last in – first out), was applied: fresh requests are dealt with as a matter of priority so as to provide newcomers with an answer as soon as possible about the admissibility of their requests. It may be reasonably assumed that the new case processing procedures have helped to speed up the system and discourage a number of unjustified requests.

### **Origin of asylum seekers**

In short, most asylum seekers originated from the following regions and countries:

- Africa (2004: 39%), mainly the Great Lakes and a number of West-African countries;
- Caucasus (mainly Chechnya, but also Armenia, Azerbaijan and Georgia);
- Serbia-Montenegro;
- Iran and Turkey;
- Slovakia (minorities).

The arrival of Congolese asylum seekers is obviously due to the close ties between Belgium and this African country. Belgium has long been a popular destination for Congolese migrants, particularly migrants seeking asylum. The arrival of Russian asylum seekers is attributed to the fact that Belgium is home to one of the largest Chechen communities in Western Europe. As for Serbia-Montenegro, the precarious situation of the Kosovo Roma plays a main role.

On the other hand, according to the Office of the General Commissioner for Refugees and Stateless Persons, many African countries showed a considerable decline in the number of asylum seekers in 2005, thanks to the improving political situation, such as Liberia (– 40%), Angola (– 20%), Mauritania (– 31%) and Burundi (– 35%).

### **Number of recognized refugees**

As cohort studies are still not available, the only way to determine the refugee recognition rate is to divide the number of positive decisions (Convention relating to the Status of Refugees) by the total number of final decisions in the same year.

According to this calculation, the number of recognitions considerably increased: from 1,348 in 2003 to 2,374 in 2004 and 3,748 in 2005.

Several reasons can be put forward to explain this.

Increase in the number of decisions on the merits which, in principle, also concern “better files” (asylum applications more in accordance with the Convention on Refugees and/or coming from very problematic regions). It was possible to make more decisions on the merits because the backlog in the admissibility stage was almost caught up<sup>2</sup>. This is owed, among others, to the continuation of the case management introduced in the beginning of 2001 (LIFO: Last In – First Out) and a reinforcement of staff. Since the second half year of 2004, besides LIFO almost exclusively backlog in files on the merits is being worked on. The productivity per processing official has also increased strongly since 2001-2002.

The change in course (reversal of policy) of the asylum bodies as regards asylum seekers from Chechnya.

In the annual report of the CGRS a number of (concise) explanations is given for the increase in asylum applications (and recognitions) for some African countries (Rwanda<sup>3</sup>, Togo and Ivory Coast) and Serbia-Montenegro (very vulnerable situation of the Roma people from Kosovo, combined with a high degree of positive decisions by the Belgium asylum bodies as a result of implementing the UNHCR Directives).

Notable is also the increase of the number of recognitions by the Permanent Refugee Appeals Commission (183 in 2003; 99 in 2004; 689 in 2005).

The refugee recognition rate was 16% in 2005, to 12.7% in 2004 and 6% and 4.9% in 2003 and 2002 respectively.

---

<sup>2</sup> In 2001 only 10% of the decisions made related to the merits (at the CGRS), which percentage rose to 25% in 2003, 40% in 2004 and finally to 53% in 2005.

<sup>3</sup> In Rwanda the military regime and the uncertainty about the functioning of the so-called Gacaca Tribunals are said to be responsible for the increase in the number of asylum seekers.

41% of the recognitions in 2005 by the CGRS concerned persons coming from the Russian Federation, 14,5% Rwandans. In 2004 these countries had 33% and 22% respectively.

Until the introduction of the qualification directive (10 October 2006), it was better not to compare statistics about positive and negative decisions in Belgium with other countries, unless the comparison is confined solely to refugee status within the meaning of the Geneva Convention. The reason for this is that information about the number of residence permits granted to (refused) asylum seekers on humanitarian grounds is rather sparse.

### **Gender and age:**

Persecutions for reason of gender, sexual orientation and traditional practices are more and more advanced by asylum seekers as reasons to seek protection in Belgium. In both 2004 and 2005, about a third of the asylum seekers was female; 45% of the recognized refugees was female in 2005.

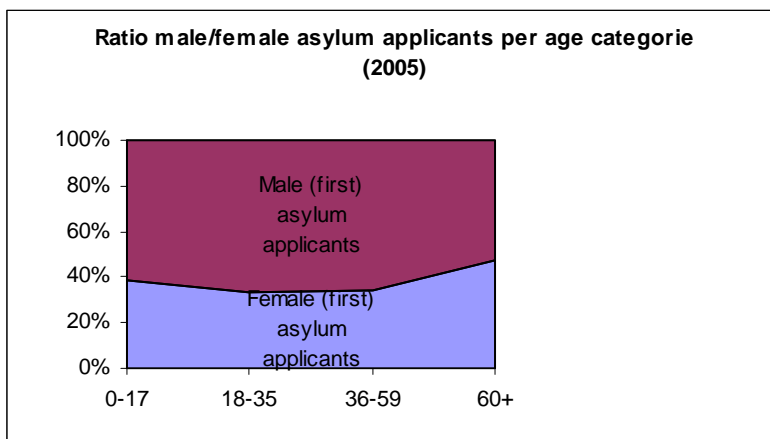
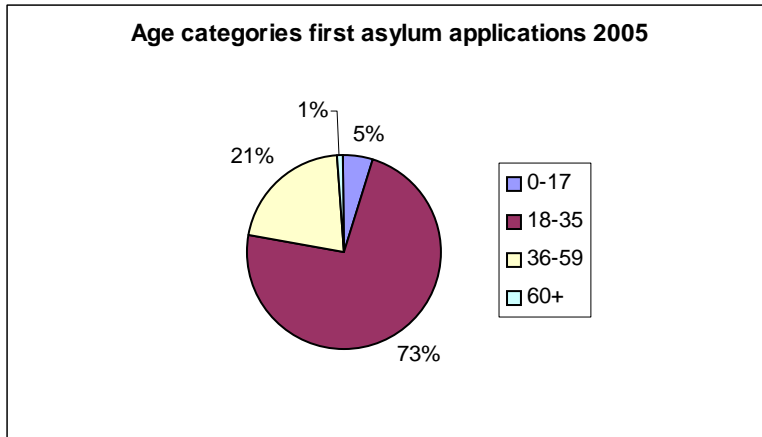
#### **New asylum applications by age group and sex, 2004**

<b>age groups</b>	<b>male</b>	<b>female</b>	<b>total</b>
<b>Total</b>	<b>8.147</b>	<b>4.253</b>	<b>12.400</b>
0-17	395	216	611
18-35	6.060	2.984	9.044
36-59	1.639	977	2.616
60+	53	76	129

#### **New asylum applications by age group and sex, 2005**

<b>age groups</b>	<b>male</b>	<b>female</b>	<b>total</b>
<b>Total</b>	<b>8.327</b>	<b>4.246</b>	<b>12.573</b>
0-17	372	236	608
18-35	6.105	3.006	9.111
36-59	1.761	924	2.685
60+	89	80	169

Source: IO database



Source: Immigration Office

### Unaccompanied minor aliens

2004 has been a hinge year for the UMA issue. On May the 1<sup>st</sup> a guardianship system has come into force for each individual under the age of 18 years who is a national of a non-EEA state and is not accompanied by a person who exercises parental or guardianship authority over him. In a first stage the main problem was the lack of guardians, in consequence of which the applications of minors threatened to pile up.

### Asylum applications by unaccompanied minors, 2004

age groups	male	female	total
<b>Total</b>	<b>401</b>	<b>183</b>	<b>584</b>
0-10	NA	NA	29
11-15	NA	NA	127
16	NA	NA	163
17	NA	NA	263
Age unknown	NA	NA	2

## Asylum applications by unaccompanied minors, 2005

age groups	male	female	total
<b>Total</b>	<b>360</b>	<b>206</b>	<b>566</b>
0-10	NA	NA	16
11-15	NA	NA	122
16	NA	NA	156
17	NA	NA	270
Age unknown	NA	NA	2

Source: Immigration Office

In 2005 the CGRS made 684 decisions on the merits concerning UMAs. One fourth were recognitions, while 11.6% was cancelled because the UMAs concerned were regularized. In 2004 36.2% of the final decisions were recognitions. In 2004 as well as in 2005 the greater part of the minor candidate refugees came from DR Congo (12.8 to 14.4%), Guinea, Afghanistan and Rwanda (5 to 6,8%). A relatively important increase in 2005 was Iraq (6.7%).

## B.2. Contextual interpretations

See also above.

The consequences of the actions taken in the beginning of 2001 (abolition of direct financial support and implementation of the LIFO principle) can still be felt today.

Of some importance for the asylum procedure was also the coming into force of a new Article 55 of the Aliens Act. This article says that an asylum application filed by an alien who in the meantime is authorized to reside in Belgium for an indefinite period, is cancelled, unless he requests the continuation of the examination within sixty days after the issuing of the residence permit (mostly after a regularization). This increased substantially the number of non-status decisions (and caused a reduction in the backlog).

In January 2004 a number of Royal Decrees have been published which should provide more procedural guarantees for asylum seekers. This could be the reason why the number of decisions per employed person has dropped.

Law of 16 March 2005 amending Article 57/12 of the Aliens Act (Belgian Official Gazette of 10 May 2005). This law reverses the processing of an asylum application by the Permanent Refugee Appeals Commission. From now on the principle is applied that a president sitting singly handles the appeal (he may refer the case to a chamber of three members if he judges that the case raises questions of principle).

## **C. Illegal entry**

The statistics on illegal migration should be treated with the utmost caution, because they are the outcome of law enforcement and administrative approaches that may involve priorities. This means that the figures have the potential to reflect the changes in approach as much as the trend in illegal immigration or residence in itself. This is particularly the case for the number of apprehensions, to a lesser extent for the number of refusals and removals.

### **a. Refusals**

In 2004 en 2005, 3 and 7 protocol agreements (MOUs) respectively have been entered into with the carriers by virtue of Article 74/4 b of the Aliens Act of 15 December 1980. This legal provision holds that administrative fines may be imposed on carriers who transport to Belgium passengers not in possession of the required travel documents. Carriers with a MOU put in more efforts to diminish the transporting to Belgium of passengers without the required travel documents.

The use of such protocol agreements is just one reason for the decreasing number of illegal entries at the border, in spite of the increasing transport of passengers. The most important factor causing a decrease of the number of (attempted) illegal entries is the shift of control to the United Kingdom as from 1 April 2004 for entries with the Eurostar (no more checks at the Eurostar border in the railway station of Brussels-Zuid). As a consequence, attempts to enter the country illegally are almost entirely detected at the air borders, about 90% of which at the airport of Brussels-National.

The most frequent grounds for refoulement in 2004 were the lack of data in support of the travel motive and the fact of being reported in SIS. In 2005, the most frequent grounds were false or falsified travel documents and unclear travel motive.

In 2004 the following high-risk airports have been identified by the Border Inspectorate of the Immigration Office: Abidjan, Banjul, Douala and Kinshasa.

#### **Refused aliens by main country of citizenship, 2004**

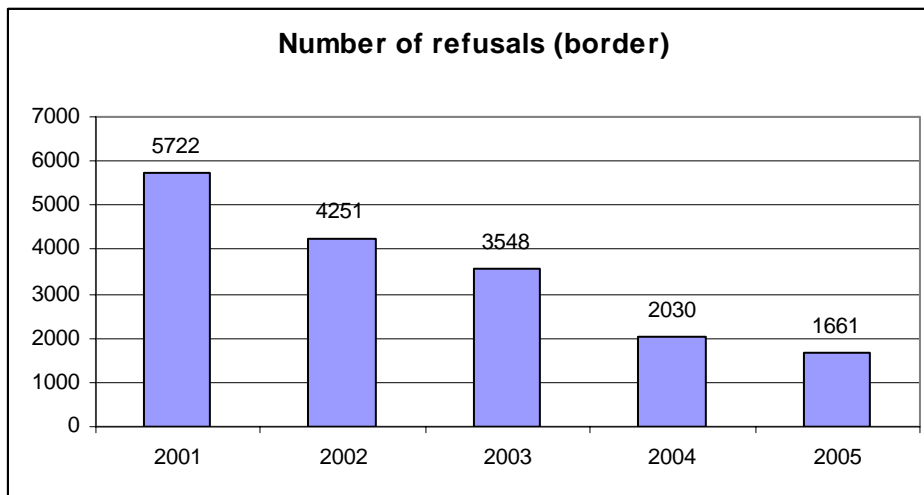
	<b>Total</b>
<b>TOTAL</b>	<b>2.030</b>
Unknown	671
DR Congo	164
Senegal	124
Bulgaria	109
Romania	104
Turkey	103
Poland	79
Guinea	67
Cameroon	65
Angola	41
Others	503

**Refused aliens by main country of citizenship, 2005**

	<b>Total</b>
<b>TOTAL</b>	<b>1.661</b>
Unknown	591
Bulgaria	164
Romania	148
DR Congo	101
Cameroon	96
Turkey	94
Angola	42
Senegal	40
Cote d'Ivoire	38
Rwanda	31
Others	316

(Source: M1 tables provided by the Immigration Office to Eurostat)

There was a sharp decline though in the number of refoulements and removals to the border during the reference years:



Office

Source: Immigration

**b. Apprehensions**

Slightly more than 30,000 administrative apprehensions were made in 2004. Of this number 9,676 persons (32%) were released, 14,370 persons (47%) received an order to leave the territory, 4,626 persons (15%) were immediately repatriated and 1,756 persons (6%) were detained (see Annual Report of the Immigration Office). In 2005, 34% of the 27,856 administrative apprehensions was released, 43% received an order to leave the territory, 6% was detained and 16% was immediately repatriated.

So (at least) 18,400 interceptions of illegal aliens have been made in 2005 and 20,754 in 2004 (2003: 22,627). Note that it is possible that one and the same person has been intercepted 2,3,4, etc times.

**Apprehended aliens illegally present by main countries of citizenship, 2004**

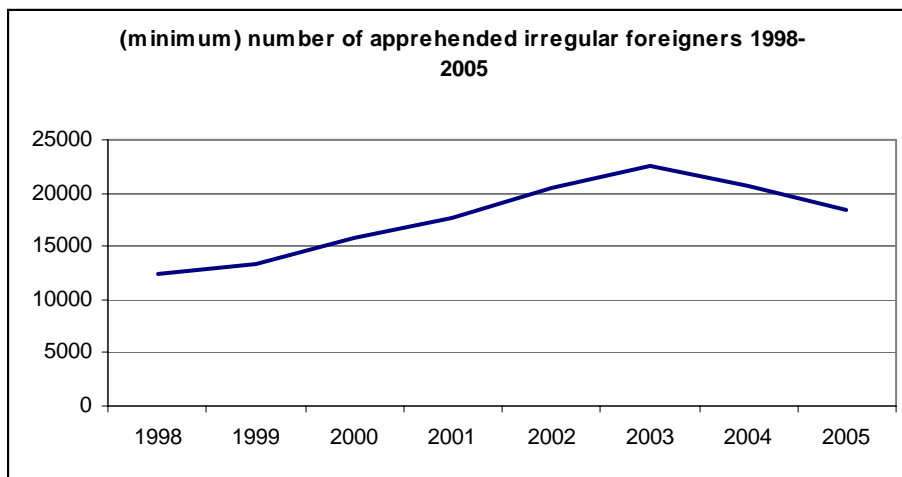
	<b>Total</b>
<b>TOTAL</b>	<b>20.606</b>
Morocco	2.197
Algeria	1.846
India	1.692
Poland	1.457
Romania	1.372
Bulgaria	1.289
Brazil	563
Turkey	480
Iraq	429
Moldova	414
Others	8.867

**Apprehended aliens illegally present by main countries of citizenship, 2005**

	<b>Total</b>
<b>TOTAL</b>	<b>18.400</b>
Morocco	2.148
Algeria	1.649
India	1.509
Romania	1.315
Poland	1.233
Bulgaria	1.153
Brazil	674
Iraq	564
Serbia and Montenegro	469
Turkey	384
Others	7.302

Source: Immigration Office

Note: “illegally apprehended EU-citizens”: mainly people who were intercepted while working without the necessary labour and/or residence documents.



Source: Immigration Office

## C. Returns

The number of repatriations carried out immediately by the Immigration Office was down slightly in 2004 and 2005 from the figures reported in 2002 and 2003.

As for voluntary returns, a slight increase can be noted: in 2004 and 2005 respectively 3,275 and 3,755 people voluntarily left Belgium through the IOM.

The trend in voluntary returns is an increase in the length of time immigrants stay before deciding to return to their home countries.

### Total removed aliens by main countries of citizenship, 2004

	<b>Total</b>
<b>TOTAL</b>	<b>9.647</b>
Romania	1.422
Bulgaria	1.374
Poland	1.013
Brazil	1.008
Albania	367
Morocco	326
Slovak Republic	318
Ukraine	295
Turkey	277
Russia	270
Others	2.977

### Total removed aliens by main countries of citizenship, 2005

	<b>Total</b>
<b>TOTAL</b>	<b>10.302</b>
Romania	1.409
Bulgaria	1.331
Brazil	1.196
Slovak Republic	933
Poland	872
Ukraine	425
Russia	379
Morocco	292
Albania	288
Serbia and Montenegro	277
Others	2.900

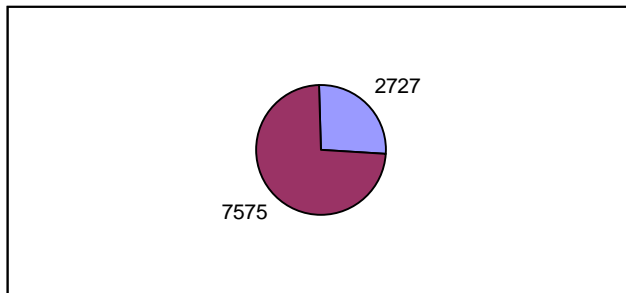
(Source: M5-tables provided by the Immigration Offices to Eurostat)

The total number of people from all categories<sup>4</sup> leaving the country was 11,783 in 2004 and 12,266 in 2005. Most of the returnees (voluntarily or otherwise) went back to Romania, Bulgaria, Poland, Brazil and Albania.

---

<sup>4</sup> Removals, refoulements, Dublin cases, takings to the border and escorted voluntary returns.

About 1/4<sup>th</sup> left or had to leave to one of the other EU-(24) countries in 2005:



The cause of the lower number of removals in 2004 is the fact that in the beginning of the year forced removals could no longer be carried out because it appeared to be expedient to evaluate once again the means of coercion used, after a judgment in December 2003. The enlargement of the EU could also be an explanation for the decrease in removals, besides the fact that fewer places were available in the closed centres due to different reasons (problems of infrastructure, staff shortage, agreements with unions after incidents involving residents).

The number of removals to the border did rise considerably in 2005 because the follow-up of the Dublin cases was given priority.

In 2005 13 secured flights were organized (16 in 2004). The criteria for organizing such flights remained unchanged (security or the large number of illegal aliens to be deported to one single destination). A number of "new" destinations was put in, such as Armenia, Belarus and DR Congo. In the same year Belgium also organized or participated in 9 joint flights.

Law of 22 December 2004 amending Article 74/4 of the Aliens Act (Belgian Official Gazette of 18 January 2005): concerns an extension of the field of application of the obligation to repatriate imposed on the carriers (including the obligation to pay for the accommodation expenses in the closed centres).

The Treaty of Prüm (Benelux, France, Austria, Germany and Spain), signed on 27 May 2005, cannot yet be subject to assessment.

In March 2004 the first removal at Benelux level took place. In 2005 further arrangements were made between the Benelux partners.

Also in 2004 and 2005 progress was made as regards removal agreements with third countries, both at Belgian and international (Benelux, EU) level.

On 5 May 2005 the Committee of Ministers of the Council of Europe (Strasbourg) adopted 20 basic principles on escorted returns (Guidelines on Forced Return). These guidelines, intended to ensure forced returns, are consistent with human rights.

The coming into force of the Guardianship Act for UMAs on May the 1<sup>st</sup> of 2004 also had consequences for the Border Inspectorate, for example with regard to age determination, informing the Guardianship Service, informing the guardian of the decisions that have been taken, etcetera. The most frequent nationality among UMAs arriving at the border is Congolese (Kinshasa).

Finally, in 2005 an agreement was made between Fedasil (FPS Social Integration) and the Immigration Office (FPS of the Interior) about the removal of (rejected) asylum seekers.

## References:

Belgian Contact Point for the European Migration Network, Policy Analysis Report on Asylum and Migration 2004 and 2005

Commissioner General for Refugees and Stateless Persons, Annual Reports 2004 and 2005

FOD Werkgelegenheid, Arbeid en Sociaal Overleg (Federal Ministry of Labour), De immigratie in België (aantallen, stromen en arbeidsmarkt (SOPEMI report 2006)

Immigration Office, Annual Reports 2004 and 2005

Perrin N, Annual Statistical Report on Asylum and Migration 2003 (made on behalf of the Belgian NCP of the EMN)

Website from the Permanent Appeal Commission for Refugees: <http://www.cpr.fgov.be/>