

You are recognised as a refugee in Belgium

YOUR RIGHTS AND OBLIGATIONS

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More information about the CGRS in general and on the asylum procedure in particular is available at www.cgrs.be.

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This brochure is also available in Dutch and French.

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INTRODUCTION

Dear Sir

Dear Madam

You have been granted refugee status in Belgium. This gives you many rights, comparable to those of Belgian citizens, but also imposes a number of obligations.

You will doubtless be asking yourself what the future holds in store for you as a refugee in Belgium. In the following pages you will find a variety of information that I trust will answer your questions. If in doubt, please check with the departments mentioned in the following pages.

This brochure gives you basic information. It is impossible to go into every detail and aspect. If you experience any difficulties with regard to your rights and obligations, please consult a lawyer, a legal service or one of the services mentioned in the annexes. You can also contact your municipal office for questions about obtaining Belgian citizenship and identity documents, the Public Social Welfare Centre (CPAS/OCMW) for questions about social issues (integration...) or income support. The Immigration Department can advise you on visas, residence permits and family reunification.

The Office of the Commissioner General for Refugees and Stateless Persons is also at your service to deal with your questions.

I hope that your integration into Belgian society will proceed as smoothly as possible.

Dirk Van den Bulck

Commissioner General for Refugees and Stateless Persons

1. RESIDING IN BELGIUM

Once you have been recognised as a refugee, you have the right to reside in Belgium for a period of five years, starting from the day you applied for asylum. After this period of five years, you will be given permanent residence.

With the refugee certificate handed to you by the CGRS, you have to go to the municipal office of your town and ask to be registered in the 'Register of foreign nationals'.

The municipal office will then give you an identity document: an electronic A-card: proof of registration in the Register of foreign nationals - temporary residence.

After a period of five years starting on the day you applied for asylum, you will receive an electronic B-card: proof of registration in the Register of foreign nationals: unlimited residence.

Make sure that the word 'refugee' appears under the heading 'nationality'. Ask the municipal office to correct this if necessary.

The electronic card for foreign nationals is valid for 5 years. It is your responsibility to ask for an extension or a renewal of your card.

Loss or theft of your identity document must be reported to the police.

2. WORKING IN BELGIUM

As a recognised refugee, you do not need a work permit to work in Belgium. You have access to the labour market under the same terms as Belgian citizens.

As a recognised refugee, if you want to be self-employed, you do not need a card certifying that you belong to a particular profession.

You can obtain information about your rights and obligations in relation to your job situation (health insurance, child benefit...) from a social service, from the Public Social Welfare Centre (CPAS/OCMW) in your town or from a trade union.

These organisations can also provide information about income support (unemployment benefit, etc.) if you are out of work.

3. RESPECTING BELGIAN LAW

As a recognised refugee, you are no longer subject to the law of your country of origin and must respect Belgian law.

This means that you must respect the same laws as Belgian citizens, for example in matters related to:

- the age of legal majority;
- marriage;
- divorce;
- parental authority over children;
- custody over children in case of divorce;
- recognition of paternity;
- ...

You can obtain further information from a lawyer, a notary, a legal service, a social service in your municipality, etc.

4. TRAVELLING ABROAD

You have the right to travel abroad, but you risk losing your refugee status if you return to your country of origin (see page 12).

You can no longer ask for a passport at the embassy of your country of origin. If you do so, you risk losing your refugee status.

To travel abroad, you need a valid electronic card for foreign nationals and a 'refugee travel document', also known as 'blue passport'.

You always have to take this 'blue passport' with you to travel abroad, even when travelling to another country of the European Union. Every member of your family who is a recognised refugee in Belgium must carry their own 'blue passport'.

This 'blue passport' has to be obtained from the municipality where you are officially registered (from the municipality of your province).

Documents needed to obtain a 'blue passport'

1. your identity card;
2. one identity photo;
3. if there are one or more children under the age of 18 in your household, a family declaration form which you can obtain from your municipal office;
4. if you live in the Brussels-Capital Region, a certificate of family composition (which you must ask at your municipal office).

Always ask the embassy or consulate of the country you want to travel to about visa requirements (even for EU member states).

If you have problems abroad, Belgian embassies and consulates can give you consular (administrative) assistance.

Staying abroad for a long time and returning to Belgium

If you intend to stay abroad for up to 3 months maximum, you are under no special obligations regarding the Belgian authorities. If you have a valid residence permit when leaving Belgium, you will not lose your right to reside in Belgium.

Even if the validity of your residence permit expires during your stay abroad, you will not lose your right to reside in Belgium. However, to avoid problems, it is recommended to ask your municipal office for an early extension of your residence permit.

If you plan to travel abroad for more than 3 months, you keep the right to return to Belgium for a period of 1 year after your departure.

In this case, some administrative requirements have to be met:

- Before your departure, you have to inform your municipal office about your intention to travel abroad and to return to Belgium afterwards. If necessary, you will have to ask for an extension of your residence permit, because you need a valid card for foreign nationals when you return to Belgium.
- After your return in Belgium, you have to go within a period of 15 days to your municipal office with your valid residence permit.

If you follow these requirements, the municipal office will renew your registration in the Register for foreign nationals.

If you stay abroad for more than a year, your return to Belgium is no longer guaranteed and you will need a 're-entry permit' (if your 'blue passport' is no longer valid, you have to contact the Belgian diplomatic representation in the country where you are staying; the possibility to grant you the right of re-entering Belgium will then be examined).

If you plan to leave Belgium for more than a year, you have to ask at your municipal office about the administrative requirements you will have to fulfil.

If you would like to settle in another country, you must of course fulfil the visa and residence requirements of that country. Ask for information at the embassy or consulate of the country where you intend to settle.

Transferring your refugee status to another country

You are advised to inquire about the possibility of 'transferring' your refugee status to the country where you intend to live. When the authorities of this country accept a 'transfer' of your refugee status, they can deliver a travel document for refugees and other documents, and the CGRS will no longer be competent to do so.

Travelling to your country of origin

Your refugee status does not allow you to travel to your country of origin. You have been recognised as a refugee because you fear persecution in your country. Your refugee status could therefore be reconsidered if you travel to that country.

5. REQUEST FOR DOCUMENTS AT THE CGRS

Your refugee status does not allow you to have any contact with the embassy of your country of origin. At the CGRS, the Helpdesk Recognised Refugees and Stateless Persons can issue documents that you can no longer obtain from the authorities of your country of origin:

- birth certificates;
- marriage certificates if both spouses are in Belgium;
- divorce certificates;
- certificates of widowhood;
- refugee certificates;
- certificates of renunciation of refugee status.

The Helpdesk Recognised Refugees and Stateless Persons is open Monday to Friday between 8.30 and 10.00 am.

You can send your request by fax (02 205 52 01),
by e-mail (CGRA-CGVS.Documents@ibz.fgov.be)

or by post (CGRS – Helpdesk Recognised Refugees and Stateless Persons, WTC II, Boulevard du Roi Albert II, 26 A, 1000 BRUSSELS). Please enclose with your request a copy of your identity document and your refugee certificate if you have one.

The Helpdesk Recognised Refugees and Stateless Persons can be reached at the following phone number: 02 205 50 09.

6. OBTAINING REFUGEE STATUS FOR YOUR CHILDREN

If you arrived with your children in Belgium, they are also recognised as refugees if you requested this during the asylum procedure (they must be registered on your annex 25 or 26).

Children born in Belgium after you were recognised as a refugee will not automatically be granted refugee status. You can ask for your children born in Belgium to be granted refugee status:

- If both parents have been recognised as refugees in Belgium, send your request to the Helpdesk Recognised Refugees and Stateless Persons, WTC II, Boulevard du Roi Albert II, 26 A, 1000 BRUSSELS.
- If one of the parents is not a recognised refugee in Belgium, make your request at the Immigration Department (DVZ/OE), Asylum Bureau, at the following numbers: telephone (Dutch) 02 793 90 83 or 02 793 90 78, telephone (French) 02 793 90 97 or 02 793 90 86. E-mail address : (Dutch) asiel.administratie@ibz.fgov.be, (French) asile.administration@ibz.fgov.be.
- If paternity has not been legally established, the mother of a child born in Belgium can also apply to the Helpdesk Recognised Refugees and Stateless Persons but she must submit a recent copy of the child's birth certificate.

Any of your children who arrive in Belgium after recognition of your refugee status must report to the Immigration Department (DVZ/OE). For further information, contact the Asylum Bureau of the Immigration Department, at the following numbers: telephone (Dutch) 02 793 90 83 or 02 793 90 78, telephone (French) 02 793 90 97 or 02 793 90 86. E-mail address : (Dutch) asiel.administratie@ibz.fgov.be, (French) asile.administration@ibz.fgov.be.

7. FAMILY REUNIFICATION

If you have been recognised as a refugee in Belgium, the members of your immediate family can obtain the right to reside in Belgium through the family reunification procedure.

If the members of your immediate family are not in Belgium, they can ask for a 'family reunification visa' at the Belgian diplomatic or consular representation in the country where they live. If they are already in Belgium, they have to start the family reunification procedure at the municipal office of the town where they are staying.

Requests for family reunification are handled by the Immigration Department. This takes normally 9 months but this delay can be extended in some cases.

The following persons are eligible for 'family reunification':

- Your spouse or registered partner, if you are both at least 21 years old. If your marriage or partnership was concluded before your arrival in Belgium, you have to be at least 18 years old.
- Your children under 18 who live alone and are dependent on you or on your spouse or partner.
- Your disabled child over 18 who lives alone, or that of your spouse or partner, on condition that a doctor approved by the Belgian diplomatic or consular representation issues a certificate stating that your child cannot provide for itself.
- Your parents, if you are under 18 and arrived in Belgium without being accompanied by an adult who is responsible for you.

Your spouse, registered partner or children, or your spouse or partners children must not constitute a danger for public health, public order or national security and have to stay with you in Belgium.

There are additional conditions to be met, in terms of housing, health insurance and sufficient, stable and regular means of subsistence. These conditions vary, depending on the kind of family member and the date at which family reunification is requested.

It is recommended to contact a lawyer to start the family reunification procedure. Some social services can give you more detailed information about family reunification. You will find a list of social services in the annex. Information about family reunification can also be obtained from the Immigration Department and your municipal office.

Members of your family who have the right to stay in Belgium under the family reunification scheme will receive a residence permit limited to 5 years. After 5 years, they will receive unlimited residence right if they still fulfil all the conditions for family reunification.

Tracing

Note that the Red Cross offers a tracing service which can help you to get in touch with relatives you have lost contact with. You will find the address of the Red Cross ('Rode Kruis Vlaanderen' and 'Belgian Red Cross') in annex 2.

8. CONFIRMATION OF REFUGEE STATUS

It is important to note that a person recognised as a refugee in another country cannot reside in Belgium for a long period of time and is subject to the general rules regarding long-term visas and residence permits (temporary residence, residence for study purposes, residence for unlimited duration and family reunification).

A refugee recognised in another country of the European Union, is allowed to stay in Belgium for a maximum of 3 months if he holds a 'refugee travel document' issued by the host country. A refugee recognised in a country which is not a member of the European Union is also allowed to stay in Belgium for a maximum of 3 months. A tourist visa will usually be necessary to enter Belgium.

To stay in Belgium for more than 3 months, a residence permit issued by the Belgian embassy or consulate in the host country will be necessary.

Confirmation in Belgium of a refugee status granted by another country (whether in the EU or not) can be requested at the CGRS under the following conditions:

- legal stay in Belgium without interruption for at least 18 months and
- the duration of the stay in Belgium has not been restricted for a specific reason.

Copies of the following documents must be added to this request:

- your residence card or residence permit
- the travel document issued by the country which granted refugee status.

The Commissioner General can decide to confirm refugee status if all these conditions are met.

Confirmation of refugee status obtained in another country makes one eligible for the benefits linked to refugee status in Belgium. Prior to this confirmation, only the country which recognised refugee status can provide or extend a 'refugee travel document'. The CGRS can in this case provide no documents.

9. BECOMING BELGIAN

There are two procedures to obtain Belgian nationality: a declaration of nationality, and naturalisation. If you obtain Belgian nationality, you will lose your refugee status.

Declaration of nationality

The conditions to become a Belgian citizen through a declaration of nationality are too numerous to be listed here. You can find the legal conditions (in Dutch and French) on the website of the Ministry of Justice: <http://www.justice.belgium.be> via the menu on the left-hand side 'Personen en gezinnen / Personnes et familles' – 'Nationaliteit / Nationalité'.

You make a declaration of nationality before the civil registrar at your municipal office. The registrar will give you the necessary information about the documents that are required.

You can ask the Helpdesk recognised refugees and stateless persons of the CGRS for the birth certificates and refugee certificates which are needed for your declaration of nationality (see page 13).

Naturalization

Conditions

You have

1. to be at least 18 years old,
2. to be in Belgium legally,
3. to show 'exceptional merits' in science, sports or the sociocultural domain,
4. to prove that it is hardly possible for you to obtain Belgian nationality through a declaration of nationality.

More information can be obtained from the municipal office of your place of residence. The Helpdesk recognised refugees and stateless persons of the CGRS issues the birth certificate needed for your application for naturalisation (see page 13).

More information about 'Becoming a Belgian citizen' can be found on the website of the Ministry of Justice: <http://www.justice.belgium.be> and on the website of the Ministry of Foreign Affairs, Foreign Trade and Development Cooperation: http://diplomatie.belgium.be/en/services/services_abroad/nationality/

10. VOLUNTARY RENUNCIATION OF REFUGEE STATUS

If you believe that the reasons which caused you to flee your country no longer exist (as a result of a change in the political situation or changes in your personal situation), you can renounce your refugee status.

Procedure:

- You have to go in person to the Helpdesk recognised refugees and stateless persons of the CGRS with your foreigner's card, 'blue passport' (refugee travel document) and your refugee certificate or green card if you have one (this document was issued by the CGRS until 17 February 2003).
- You sign a document declaring that you are voluntarily giving up your refugee status. You will then receive a 'certificate of renunciation of refugee status'. If you handed in your passport at the CGRS, it will be returned to you.
- You must then go with this certificate to the municipal office, which will amend your foreigner's card: the mention 'refugee' will be replaced by your nationality.

Note: to make this amendment, the municipal office will ask you to show a valid national passport issued by your embassy.

Consequences: you will then be subject to the rules which apply to foreign nationals residing legally in Belgium. These rules concern residence, long-term stay abroad, removal orders (public order), etc. This means also that upon request of the Immigration Department, your municipal office can withdraw or refuse to extend your residence permit.

You will be able to travel to your country of origin with your national passport.

11. CESSATION OR WITHDRAWAL OF REFUGEE STATUS

If new evidence or facts necessitate a re-examination of the validity of your refugee status, the CGRS will examine if your status has to be withdrawn or ended.

The validity of your refugee status may also be re-examined by the CGRS at the request of the Minister or his delegate.

1. The CGRS decides refugee status ceases to apply

A decision to the effect that your refugee status ceases to apply puts an end to your refugee status. Such a decision can be taken when protection is considered to be no longer necessary because of your personal conduct or a change in the circumstances on account of which refugee status was granted to you:

- You voluntarily re-availed yourself of the protection of the country of your nationality.
- You voluntarily re-acquired your nationality after having lost it.
- You acquired a new nationality.
- You voluntarily resettled in the country where you feared persecution.
- The circumstances which led to recognition of your refugee status no longer exist (for example if there have been significant and permanent changes in your country of origin).

If this is the case, the CGRS may invite you for an interview at which you will have the possibility to explain why your refugee status should be maintained, or the CGRS may ask you to give these reasons in writing.

If the CGRS decides to end your refugee status, you can still lodge an appeal against this decision. This appeal has to be made before the Council for Alien Law Litigation.

When refugee status ceases to apply during the first 5 years of your legal residence in Belgium, the Immigration Department can also notify to you an order to leave the territory, thereby ending your right to stay in Belgium. After 5 years of legal residence, your right to stay in Belgium can only be ended by a removal or deportation order.

2. The CGRS withdraws refugee status

The CGRS will withdraw refugee status which should never have been granted:

- If you constitute a danger to society because you have been sentenced for a particularly serious crime or when there are reasonable grounds to consider that you constitute a danger to national security.
- If you should have been or have to be excluded from refugee status.
- If recognition of refugee status was based on inaccurate or fraudulent evidence, or on false or forged documents.
- If your personal behaviour indicates afterwards that you do not fear persecution.

If a decision to withdraw your status is being considered, the CGRS will invite you for an interview at which you will have the possibility to explain why your refugee status should be maintained.

In some decisions to withdraw refugee status, the CGRS also renders an advice on the possibility of deportation.

If you receive a decision to withdraw refugee status, you can still lodge an appeal with full jurisdiction before the Council for Alien Law Litigation.

When refugee status is withdrawn during the first 5 years of your legal residence in Belgium, the Immigration Department can also notify to you an order to leave the territory, thereby ending your right to stay in

Belgium. After 5 years of legal residence, your right to stay in Belgium can only be ended by a removal or deportation order.

If the decision to withdraw refugee status is taken because you should have been or have to be excluded from refugee status, because refugee status was based on inaccurate or fraudulent evidence, or on false or forged documents, or because your personal behaviour indicates afterwards that you do not fear persecution, the Immigration department can at any time withdraw your residence permit and give you an order to leave the territory.

12. CONCLUSION

As it is impossible to go into every detail and aspect in this brochure, do not hesitate to ask for additional information at:

- the authorities listed in annex 1 (CGRS, Immigration Department, Council for Alien Law Litigation)
- your municipal office (about ID cards, the procedure to obtain Belgian nationality)
- the Public Social Welfare Centre (CPAS/OCMW) of your town (about social matters, income support...)
- legal services (lawyers, providers of legal assistance)
- non-governmental organisations:

Vluchtelingenwerk Vlaanderen vzw, Rue Botanique 75, 1210 BRUSSEL, T 02 274 00 20, F 02 201 03 76,

www.vluchtelingenwerk.be

CIRE (Coordination et initiatives pour réfugiés et étrangers), Rue du Vivier 80/82, 1050 BRUSSELS, T 02 629 77 10, F 02 629 77 33,

www.cire.be

Annex 1

ANNEX 1: BELGIAN AUTHORITIES

**Office of the Commissioner
General for Refugees and
Stateless Persons (CGRS)**

WTC II

Boulevard du Roi Albert II, 26 A

1000 BRUSSELS

T 02 205 51 11

F 02 205 51 15

www.cgrs.be

Immigration Department

WTC II

Chaussée d'Anvers, 59 B

1000 BRUSSELS

T 02 793 95 00

Helpdesk (visas, residence permits,
family reunification)

T 02 793 80 00

www.dofi.fgov.be

www.ibz.fgov.be

Council for alien law litigation

Laurentide

Rue Gaucheret, 92-94

1030 BRUSSELS

T 02 791 60 00

F 02 791 62 26

www.rvv-ccle.be

**The Federal Public Service
(SPF) Foreign Affairs,**

**Foreign Trade and
Development Cooperation**

Rue des petits Carmes, 15

1000 BRUSSELS

T 02 501 81 11

www.diplomatie.belgium.be

www.dgcd.be

Annex 2

ANNEX 2: SOCIAL SERVICES

Flanders

Rode Kruis Vlaanderen (Flanders Red Cross)

Motstraat 40
2800 MECHELEN
T 015 44 35 40
info@rodekruis.be
www.rodekruis.be/wat-doen-we/hulp-wereldwijd/opvang-asielzoekers/

Protestants Sociaal Centrum

Lange Stuivenbergstraat 54-56
2060 ANTWERPEN
T 03 325 34 05
F 03 272 20 85
www.pscantwerpen.be

CAW Vluchtelingendienst (nieuwe naam Adviescentrum Migratie)

Lange Stuivenbergstraat 54-56
2060 ANTWERPEN
T 03 328 20 20
www.cawantwerpen.be

CAW Waasland

Prins Albertstraat 35
9100 SINT-NIKLAAS
T 03 776 82 71
www.cawoostvlaanderen.be

CAW Oost-Brabant Vluchtelingenonthaal

Redingenstraat 6
3000 LEUVEN
T 016 46 49 61
www.cawoostbrabant.be

CAW Transithuis

Oude Houtlei 124
9000 GENT
T 09 267 85 10
www.cawoostvlaanderen.be

CAW De Viersprong

Spinolarei 10 A
8000 BRUGGE
T 050 44 37 78 (72)
www.caw.be

CAW Sonar

Ursulinenstraat 7
3800 SINT-TRUIDEN
T 011 68 86 00
www.cawlimburg.be

Wallonia

CAP Migrants

Rue de Fétille 98
4020 LIÈGE
T 04 222 36 16
F 04 342 47 77

Social services for foreign nationals (Service social des étrangers)

Rue Lambert-le-Bègue 8
4020 LIÈGE
T 04 223 58 89

Immigrants Centre Namur-Luxembourg (Centre des immigrés de Namur-Luxembourg)

Rue Borgnet 9
5000 NAMUR
T 081 22 42 86
Tuesday: between 9.00 am and 1.00 pm
Thursday: between 1.30 pm and 4.30 pm

Espace Didier 42
6700 ARLON
T 063 43 00 30
Monday: between 1.30 pm and 4.30 pm

Place aux Foires 21 (2ème étage)
6900 MARCHÉ EN FAMIENNE
T 084 45 68 08
Wednesday: between 9.00 am and 12.00 am →

Help for displaced persons (Aide aux personnes déplacées) :

Mons :

Rue d'Havré, 98
7000 MONS
T 0478 021 990
Monday and Wednesday :
between 9.30 am and 12.00 pm
apd.anneroulet@gmail.com

Braine-le-Comte :

Le Sylvius
Rue Adolphe Gillis, 11
7090 BRAINE-LE-COMTE
T 0478 021 990
Thursday, between 9.00 am and 11.30 am
apd.anneroulet@gmail.com

Liège :

Rue Jean d'Outremeuse, 93
4020 LIÈGE
T 04 342 14 44
F 04 340 00 90
Monday, Wednesday, Thursday and Fri-
day, between 9.00 am and 12.30 pm
contact@aideauxpersonnesdeplacees.be

Brussels-Capital region

Huy :

Rue du Marché 33
4500 HUY
T 085 21 34 81
F 085 23 01 47
Friday, between 9.00 am and 12.00 pm

Namur :

Rue Saint-Nicolas, 84 (First floor)
5000 NAMUR
T 0492 73 19 75
Wednesday, between 9.00 am and
12.30 pm, or by appointment :
d.bouchat@aideauxpersonnesdeplacees.be
www.aideauxpersonnesdeplacees.be

Reception and promotion of immigrants (Accueil et promotion des immigrés)

Rue Léon Bernus 35
5000 CHARLEROI
T 071 31 33 70

Belgian Red Cross

Rue de Stalle 96
1180 UCCLE
T 02 371 31 58
T 02 371 31 63
F 02 371 31 45

Caritas International

Rue de la Charité 43
1210 BRUSSELS
T 02 229 36 11
F 02 229 36 25

Social services - socialist solidarity

Rue de Parme 28
1060 BRUSSELS
T 02 537 95 45

Protestant Social Centre

Rue Cans 12
1050 BRUSSELS
T 02 512 80 80



OFFICE OF THE COMMISSIONER GENERAL FOR REFUGEES AND STATELESS PERSONS

WTC II
Boulevard du Roi Albert II, 26 A
1000 BRUSSELS
T 02 205 51 11
F 02 205 51 15
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