

Belgium

With above-average growth in GDP and employment in 2007, compared to that observed on average over the last ten years, Belgium saw an increase in permanent-type migration from about 36 000 to a little over 40 000 from 2006 to 2007. This was accounted for essentially by an increase in free-circulation movements, which now amount to almost 60% of permanent-type migration.

In parallel, the number of seasonal workers almost doubled to 16 500 in 2007, and the number of other temporary workers increased by almost 75% to reach 13 500. Again, most of the increase was attributable to entries of workers from enlargement countries, especially Poland, Romania and Bulgaria.

Asylum seeking continues to decline in Belgium, with a little over 11 100 requests received in 2007, covering some 14 100 persons. Applications are about one fourth the level they reached in 2000. The recognition rate stood at about 21%, with an additional 3% granted subsidiary protection.

The foreign-born population now stands at close to 13% of the total population. Net migration of foreign nationals now accounts for some 60% of population growth.

2008 saw the transposition into Belgian law of a number of EU directives. The first concerns the stay of European citizens and family reunification with a Belgian citizen or an EU citizen. The granting of a residence permit now takes place in two steps: a first three-year phase in which the right to stay can be revoked if the conditions for stay are not respected; and a second phase, when the right to stay becomes permanent. The second directive concerns foreign citizens who have been granted the right to long-term stay and who can, under certain conditions, receive the right to stay for more than three months in another member state of the EU.

In 2008, a new federal government established, for the first time, a Ministry of Migration and Asylum Policy. The Ministry exercised control over the Immigration Department, the General Commissariat for Refugees and Stateless Persons and the Aliens Litigation Council. Because the Ministry did not have exclusive competence over any single domain, the Minister cooperated to arrive at a global migration policy. In July 2009, these competences were transferred to the Prime Minister, who is currently in charge of coordinating migration and asylum policy.

At the same time, the government now recognises the possibility of economic migration from third countries to fill labour market shortages. Restrictions on free movement have been lifted. A service for economic migrants has been set up within the Foreign Nationals' Office, whose main objective is to expedite visas and residence permits for business or work reasons.

Other measures taken by the government include granting labour market access to asylum seekers six months after the introduction of their request, and stricter conditions concerning resources required for family reunification and for obtaining Belgian nationality. Irregular migrants face new expulsion measures, with priority nonetheless being given to voluntary return.

A regularisation programme for irregular migrants began in late 2009, with applications accepted from 15 September through 15 December 2009. Eligible persons include persons residing in Belgium since 2007 and able to present a work contract or prove that they are self-employed; asylum seekers waiting for a decision and having lived in Belgium for 4 years (3 years for women with children); and asylum seekers having lived more than 5 years in Belgium and having appealed to the State Council. It is estimated that some 25 000 persons will be covered.

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