

You are recognized 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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1. INTRODUCTION

Dear Sir

Dear Madam

You have been granted refugee status in Belgium. It gives you numerous rights, comparable to those of a Belgian citizen, as well as 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 basic information only. It is impossible to go into every detail and aspect. If you experience any difficulties with regards to your rights and obligations, please consult a lawyer, a legal service or one of the services mentioned in the annexe to the brochure. You can also contact your municipality for

questions about obtaining Belgian nationality and identity documents, the Public Social Welfare Centre (CPAS/OCMW) in your municipality for questions about social issues (integration, etc.) or income support. The Immigration Office can advise you about visas, residence permits and family reunification.

The Office of the Commissioner General for Refugees and Stateless Persons is also available to deal with your questions, in so far as it is able to do so.

I hope that your integration into Belgian society is as smooth as possible.

Dirk Van den Bulck
Commissioner General for
Refugees and Stateless Persons

1. RESIDING IN BELGIUM

Being granted refugee status gives you the right to reside in Belgium indefinitely.

You must ask to be entered in the “foreign nationals register” of the municipality where you live.

Go to your municipality and show the certificate given to you by the Office of the Commissioner General for Refugees and Stateless Persons (CGRS).

The municipality will provide you with an identity document:

- Either, in most cases, a type B electronic card for foreign nationals (gives right of residence);
- Or a type C electronic card for foreign nationals (gives right of establishment).

Make sure that the word “refugee” appears under the heading “nationality”. Ask the municipality to correct it if necessary.

The CGRS has not issued the refugee certificate, also known as the “green card”, since 17 February 2003. It is essential, therefore, that your refugee status is shown on your identity document. Since that date, the CGRS has only provided certificates of refugee status.

The electronic card for foreign nationals is valid for 5 years. It is your responsibility to ask for it to be extended or renewed.

If you report that you have lost your residence permit or that it has been stolen, you must make a declaration to that effect to the police in the location where the loss or theft was reported.

2. WORKING IN BELGIUM

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

As a recognized refugee in Belgium, you do not need a card certifying that you belong to a particular profession if you want to work as a self employed person.

You can obtain information from a social services department, the Public Social Welfare Centre (CPAS/OCMW) in your municipality or from a trade union about your rights and obligations in relation to your work (health insurance, child benefit, etc.).

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

3. RESPECTING BELGIAN LAW

You are subject to Belgian law, not to the law of your country of origin.

You must respect the same laws as all Belgians, for example in matters related to:

- The age of majority;
- Marriage;
- Divorce;

- Parental authority over minors;
 - Custody of children in the event of separation;
 - Recognition of paternity;
- etc.

You can get further information from a lawyer, a notary, a legal service, a social support department 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.

If you had a passport on arrival in Belgium, you should send it to the CGRS. You cannot ask for a new passport at the embassy of your country of origin. If you do so, you risk losing your refugee status.

The only passport you can use is the “refugee travel document”, also known as the “blue passport”. You must have this “blue passport” even if you wish to travel in another country of the European Union, and every member of your family who is recognized as a refugee in Belgium must carry his/her own “blue passport”.

You can obtain information about the visas required (even for a European country) from the embassies or consulates of the countries you wish to travel to.

In the event of problems abroad, Belgian embassies and consulates can provide you with consular assistance (administrative).

ADDRESSES FOR OBTAINING A “BLUE PASSPORT”

IF YOU LIVE IN:

the Brussels-Capital region

Passport office,
Rue des Colonies 56
1000 BRUSSELS
Monday to Friday,
between 9.00 am and 11.45 am
T 02 507 99 11
F 02 507 99 21

Province of Brabant Wallon

Passport office,
Chaussée de Bruxelles 61
1300 WAVRE
Monday to Friday,
between 9.00 am and 12.00 pm
and between 2.00 pm and 4.00 pm
T 010 23 67 20
F 010 23 67 30

Province of Hainaut

Passport office,
Rue Verte 13
7000 MONS
Tuesday and Thursday,
between 9.00 am and 12.00 pm
T 065 39 64 75
F 065 84 87 32

Province of Liège

Passport office,
Centre Nagelmaekers
Place Cathédrale 16
4000 LIÈGE
Monday to Friday,
between 10.00 am and 12.00 pm
and between 2.00 pm and 4.00 pm
T 04 220 60 12 or 13
F 04 220 60 20

Province of Luxembourg

Passport office,
Place Léopold I, 1st Floor,
6700 ARLON
Monday to Friday,
between 2.00 pm and 4.00 pm,
or by appointment,
T 063 23 10 74
F 063 21 99 09

Province of Namur

Passport office,
Place Saint-Aubin 2
5000 NAMUR
Monday to Friday,
between 8.45 am and 11.45 am
T 081 25 68 64
F 081 25 68 96

Province of Vlaams-Brabant

Passport office,
Provincieplein 1
3010 LEUVEN
Monday and Friday,
between 10.00 am and 1.00 pm
Wednesday,
between 10.00 am and 12.00 pm
and between 1.00 pm and 3 pm
T 016 26 71 30 or 016 26 27 28
F 016 26 78 17

Province of Limburg

Passport office,
Universiteitslaan 1
3500 HASSELT
By appointment made by telephone,
T 011 23 80 05
F 011 23 80 09

Province of Antwerpen

Passport office,
Jan Van Rijswijcklaan 28
2018 ANTWERPEN
Monday to Friday,
between 8.30 am and 12.00 pm.
T 03 240 64 38
F 03 240 64 79

Province of West-Vlaanderen

Passport office,
FAC Kamgebouw
K. Albert I-laan 1/5 box 6
8200 BRUGGE
Monday to Friday,
between 9.00 and 11.45 am,
afternoons: by appointment
T 050 30 16 11
F 050 30 16 00

Province of Oost-Vlaanderen

Passport office,
Kalandeberg 1
9000 GENT
Monday to Friday,
between 9.00 am and 12.00 pm
T 09 267 88 10
F 09 267 88 19

DOCUMENTS YOU MUST PROVIDE IN ORDER TO OBTAIN A 'BLUE PASSPORT'

1. Your identity card;
2. Two identity photos;
3. If there are one or more children under the age of 18 in your household, a "composition de ménage" (document giving details of your family) which you can obtain from your municipality.
4. If you live in the Brussels-Capital region, a "composition de ménage" (document giving details of your family) which you can obtain from your municipality.

Some countries require a visa. Check with the embassy or consulate of the country you want to travel to.

Long stay abroad

If you intend to stay abroad for a long time you have to inform the authorities of your place of residence. They will give you information and extend your residence permit beforehand, if necessary.

If you would like to settle in another country you must of course conform to the visa and residence regulations of that country. Contact beforehand the embassy or consulate of the country where you intend to settle.

Return to Belgium

If you stay abroad for a long time you may be removed from the municipal register. Some problems may arise from this when you return to Belgium.

You should pay special attention to the following:

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

Transfer of refugee status to another country

You are advised to inquire about the possibility to obtain a 'transfer' of your refugee status in the country where you intend to live. If your refugee status is 'transferred', the authorities of this country will deliver a travel document for refugees and other documents. In that case the CGRS will no longer be competent.

Travel in your country of origin

Your refugee status does not allow you to visit your country of origin. You have been recognized as a refugee because of the fear of persecution which you explained before being recognized as a refugee: travelling to your country of origin could result in your status being changed.

However, in certain exceptional cases, you may visit your country of origin for a short time (maximum one month). You must give your reasons to the CGRS and obtain their agreement in advance. If the CGRS agrees, it will set the conditions for this visit. You should send your request to:

**Documents department
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 42

F 02 205 52 01

CGRA-CGVS.Documents@ibz.fgov.be

5. REQUEST FOR DOCUMENTS AT THE OFFICE OF THE COMMISSIONER GENERAL FOR REFUGEES AND STATELESS PERSONS

The CGRS can issue certain documents that you cannot obtain from the authorities in your country of origin. Your refugee status does not allow you to have any contact with the embassy of your country of origin. The Documents department of the CGRS can issue the following documents:

- Birth certificate;
- Marriage certificate if both spouses are in Belgium;
- Divorce certificate;
- Certificate of widowhood;
- Refugee certificate;
- Certificate of end of status.

The Documents department is open Monday to Friday between 8.30 am and 10.00 am.

Office of the Commissioner General for Refugees and Stateless Persons

WTC II

Boulevard du Roi Albert II, 26 A,
1000 BRUSSELS

You can send your request by:

fax to 02 205 52 01,

by e-mail:

CGRA-CGVS.Documents@ibz.fgov.be

or by post. Please enclose with your request a copy of your identity document and your refugee certificate if you have one.

The Documents department can be reached on the following telephone numbers:

T 02 205 50 09

6. OBTAINING REFUGEE STATUS FOR YOUR CHILDREN

Your children who arrived at the same time as you are recognized as refugees if you requested this during the procedure (the children must have been entered on your annexe 25 or 26).

However, children born in Belgium after recognition of your refugee status are not automatically eligible for refugee status. You can ask for these children to be given the same status as you:

- If both parents are recognized as refugees in Belgium, send your request to the Documents department of the CGRS, WTC II, Boulevard du Roi Albert II, 26 A, 1000 BRUSSELS.
- If one of the parents is not recognized as a refugee in Belgium, send your request to the Immigration Office, registration and administration section of the Asylum Bureau, tel: 02 793 90 73 or 02 793 90 71.

if paternity has not been legally established, the mother of a child born in Belgium may also apply to the Documents department but she must produce a recent copy of the child's birth certificate.

Any of your children who arrive in Belgium after recognition of your refugee status must be declared to:

Immigration Department

World Trade Center, tower II
Chaussée d'Anvers 59 B
1000 BRUSSELS

For further information, contact:

the Asylum Bureau of the Immigration Office

T 02 793 90 73 (French)
T 02 793 90 71 (Dutch)

7. FAMILY REUNIFICATION

Because you are authorized to reside in Belgium, the members of your immediate family may request a “family reunification visa” from the Belgian diplomatic post in their country of residence. This request is processed by the Immigration Office visa department of the Federal Public Service of the Interior.

The following are eligible for this “family reunification”:

- your spouse or partner;
- your dependent children under the age of 18.

If you are under the age of 18 and are in Belgium without being accompanied by an adult who is responsible for you, your father and mother may be eligible for family reunification.

In order for your immediate family to be eligible for family reunification, you must prove that :

- you have adequate accommodation to house the member(s) of your family who are asking to join you (the municipality will give you full details and provide you with the certificate) ;
- you have health insurance covering the risks for you and your family in Belgium; e.g. you are contributing to a health insurance scheme. Your municipality can give you information about this.

These two conditions do not have to be met if the parental relationship existed prior to your entry into Belgium and if the request for family reunification was made in the year following the decision recognizing your refugee status.

If you have dependent children who are disabled and over the age of 18, they may also be eligible for family reunification, but in this case you must still prove that you have adequate accommodation and health insurance.

Members of your family who are granted residence under the family reunification scheme will receive residence permit limited to 3 years. After 3 years, the right to residence is unlimited.

Certain social services may give you more detailed information about family reunification and assist with the steps you need to take in order to bring a member of your immediate family from your country of origin to Belgium. You will find the list of social services in the annex to this document.

Note that the Red Cross offers a tracing service which will help you to find your relatives and put you in touch with them if you have no information about them. You can find the addresses of the Red Cross in the annexe (“Croix-Rouge de Belgique” and “Rode Kruis Vlaanderen”).

8. TRANSFERRING OR CONFIRMING REFUGEE STATUS

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

If a member of the family is recognized as a refugee in another country of the European Union, he may remain in Belgium for a maximum of 3 months if he holds a “refugee travel document” issued by his host country. To stay longer, he requires a residence permit issued by the Belgian embassy or consulate in his host country.

If a member of your family is recognized as a refugee in a non-European country, a tourist visa is normally required to travel to Belgium (information should be obtained from the Belgian

embassy or consulate). Application should also be made to the Belgian embassy or consulate for a long-term permit.

To request transfer or confirmation in Belgium of recognized refugee status in another country, even if in the European Union, you need:

1. A family reunification residence permit issued by the Belgian embassy or consulate (note: a temporary residence permit for studying in Belgium, for example, does not allow transfer of status), to be registered with the municipality and to hold a “yellow card” (identity card for foreign nationals) or a (type B, C, F or F+) electronic card for foreign nationals;
2. To have been properly resident in Belgium without interruption for at least 18 months;

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3. To be granted residence indefinitely (family reunification gives entitlement to limited residence for the first 3 years: during this period of limited residence, the law does not allow transfer (confirmation) of refugee status);
 4. To request confirmation of refugee status from the CGRS and to attach to the application:
 - A copy of the “yellow card”, the residence card or the residence permit;
 - And of the travel document issued in the country which recognized the refugee status.
 5. The Commissioner General may then take a decision about the request for confirmation of refugee status.
- Transfer or confirmation of recognized refugee status in another country, enables you to be eligible for the benefits associated with recognized refugee status in Belgium. Before this transfer, only the country which recognized your refugee status may prolong or provide a “refugee travel document”, and the CGRS cannot provide any document.

9. BECOMING BELGIAN

There are several procedures. The two most common procedures are: naturalisation and declaration of nationality. By acquiring Belgian nationality, you automatically lose your refugee status.

Naturalisation

Conditions:

1. You must be at least 18 years old.
2. You must be legally resident in Belgium for at least 2 years.

Procedure:

1. Ask your municipality for a naturalisation application form.
2. Fill it in and send it either to your municipality or to the:

Chamber of Deputies

Naturalisation Department
Rue de Louvain 48
1000 BRUSSELS

You should attach:

- a “birth certificate”, which you should request from the Documents department of the CGRS;
- a “refugee certificate”, which you should request from the same department;
- an extract from the registers of the population or of foreign nationals proving your continuous main residence for 2 years;
- a double-sided photocopy of your residence document; you must ask your municipality to certify that the photocopy is a “true copy”.

Declaration of nationality

You must be legally resident in Belgium for 7 years to become Belgian by declaration of nationality. This procedure is also possible under other conditions.

Being married to a Belgian does not automatically give you Belgian nationality. You can also acquire Belgian nationality by “declaration” through marriage to a Belgian after three years living together (or 6 months in certain cases).

Your municipality can give you information about these procedures.

When you become Belgian, any children under the age of 18 over whom you have parental control also become Belgian.

10. ENDING THE REFUGEE STATUS

The refugee status may be ended in several ways:

1. You can give up refugee status voluntarily

You can give up your refugee status if you believe that the reasons which caused you to flee your country no longer apply (as a result of a change in the political situation or changes to your personal situation).

Procedure:

- You must go in person to the Documents department of the CGRS with your “blue passport” (refugee travel document), your refugee certificate if you have one, and your identity document. You must sign a declaration that you are giving up your status and the Documents department will give you an “end of status certificate” and your passport if you had one.

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- You must then go to the municipality with this certificate. The municipality will amend your identity document: the reference “refugee” will be replaced by reference to your nationality.

Note : to make this amendment, the municipality will require a valid national passport provided by the embassy of your country.

In this instance:

You will be able to continue to reside in Belgium. You will then be subject to the same rules as other foreign nationals with authorized residence in Belgium. These rules concern residence, prolonged absence abroad, removal orders (public order), etc.

You will use the same passport as your compatriots.

You will be able to travel and reside in your country of origin without authorization from the CGRS. You must take care, however, to notify the municipality in the event of prolonged residence outside Belgium.

2. Certain actions will result in the loss of refugee status

- If you acquire a new nationality.
- If you travel to your country of origin without authorization from the CGRS.
- If you settle in your country of origin once again.
- If you obtain a passport of your country of origin.
- If the circumstances which enabled your refugee status to be recognized no longer exist (for example in the event of significant and long-term changes in your country of origin).

If you find yourself in one of these situations, you can give up refugee status (see above).

However, in these situations, the CGRS may also consider canceling the status.

In this case,

- You will be invited to the CGRS for a meeting, at which you will be able to give a full explanation of your reasons for wanting to continue to be eligible for refugee status.
- A decision to cancel the status will be taken if your status no longer corresponds with the reality of the situation and if you do not give up the status.
- An appeal is possible before the Council for alien law litigation.

A decision to cancel has the same effect as giving up refugee status.

3. The CGRS may withdraw your refugee status

- If recognition of refugee status was based on inaccurate or fraudulent evidence, or
- If your behaviour indicates that you do not have the fear of persecution that you claimed.

If a decision to withdraw recognition of refugee status is contemplated,

- You will be invited to the CGRS for a meeting, at which you will be able to give a full explanation of the new evidence brought to the attention of the CGRS,
- A decision to withdraw the status will be taken if the evidence is such as to justify doing so,
- An appeal is possible before the Council for alien law litigation.

If a decision is taken to withdraw refugee status, the Immigration Office may, in certain cases, issue an order to leave the territory and thus terminate your right of residence.

11. CONCLUSION

It is difficult to go into every detail and aspect. If necessary, you can get more information from the departments mentioned below (see also annexes).

Either from:

CIRE

(Coordination and initiatives for refugees and foreign nationals)

Rue du Vivier 80/82,

1050 BRUSSELS

T 02 629 77 10

F 02 629 77 33

Vluchtelingenwerk Vlaanderen vzw

Gaucheretstraat 164

1030 BRUSSELS

T 02 274 00 20

F 02 201 03 76

Or from:

Legal services (lawyers, legal services)

Your municipality (procedure for acquiring Belgian nationality, identity documents)

the Public Social Welfare Centre (CPAS/OCMW)

in your municipality (social problems, income support, etc.)

the Immigration Department (ID) (questions regarding visas and residence permits)

T 02 793 80 00

F 02 274 66 91

www.dofi.fgov.be

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

T 02 205 51 11

F 02 205 51 15

www.cgra.be

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.cgra.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

F 02 274 66 91

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-cce.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: SOCIAL SERVICES

WALLONIA

Social services - aumônerie des étrangers

Rue des Anglais 33
4000 LIÈGE
T 04 223 39 10
F 04 221 16 09

Social services for foreign nationals

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

Help for displaced persons

Rue Jean d'Outremeuse 93
4020 LIÈGE
T 04 342 14 44

Help for displaced persons aslb

Rue Père Damien 14
7090 BRAINE-LE-COMTE
T 067 55 59 67

Namur-Luxembourg immigrants centre

Rue du Beffroi 15
5000 NAMUR
T 081 22 42 86

Namur-Luxembourg immigrants centre

Rue du Vicinal 7
6800 LIBRAMONT
T 061 29 25 18

Immigrant reception and support

Rue Léon Bernus 35
5000 CHARLEROI
T 071 31 33 70

FLANDERS

Rode Kruis Vlaanderen (Flanders Red Cross)

Motstraat 40
2800 MECHELEN
T 015 44 35 25
F 015 44 36 19

Protestant Social Centre

Lange Stuivenbergstraat 54-56
2060 ANTWERPEN
T 03 325 34 05

CAW De Mutsaard

Maurits Sabbelaan 57
2020 ANTWERPEN
T 03 247 88 20

CAW Leuven

Diestsesteenweg 42
3010 LEUVEN
T 016 46 49 61

CAW Waasland

Prins Albertstraat 35
9100 SINT-NIKLAAS
T 03 776 82 71

CAW Transithuis

Oude Houtlei 124
9000 GENT
T 09 267 85 10

CAW De Viersprong

Spinolarei 10 A
8000 BRUGGE
T 050 44 37 78

CAW Sonar

Ursulinenstraat 7
3800 SINT-TRUIDEN
T 011 68 86 00

ANNEX 2: SOCIAL SERVICES (Continuation)

BRUSSELS-CAPITAL REGION

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







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
cgrs.info@ibz.fgov.be
www.cgrs.be



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