

ANNUAL REPORT

Reception of asylum seekers and Voluntary return 2012



fedasil
FEDERAL AGENCY FOR THE
RECEPTION OF ASYLUM SEEKERS



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Foreword from the State Secretary for Asylum and Migration

Dear Reader,

The turning-point or the bend in the curve; breathing room or a calmer working atmosphere – the year 2012 will always remain etched in our memory as the year in which we made the difference.

It was the year in which the staff of Fedasil, together with other asylum authorities, got the reception crisis under control by motivated and creative work. And the year in which every asylum seeker with a right to material assistance again received a place in the network. The situation is now more humane than was previously the case, for asylum seekers as well as for the staff members of Fedasil and the reception partners.

Also in 2012, 5,656 people – a record number – returned home with the help of Fedasil and its partners. I am extremely pleased about this because voluntary return is and remains the best option for working towards a prosperous future.

This past year Fedasil was able to welcome Jean-Pierre Luxen as its new Director-General, and in early 2013 the Management Committee was finally completely filled in. As I have already written: 2012 was a memorable year and I am convinced that everyone who reads this annual report from Fedasil will confirm this.

2013 also looks like it will be an exceptional time. The challenge for the policy area of asylum, migration and reception and for all Fedasil staff is undoubtedly to reaffirm the turn of 2012.

But we must go further. We must ensure, by being equally motivated and by working just as hard, that our reception system obtains the requisite flexibility so that we can handle a sudden, heavy influx of asylum seekers in the near as well as the distant future. My staff and those of Fedasil are working very intensively on this and are doing everything possible to reach this objective.

In addition, the moment has come in which Fedasil can again concentrate on improving the quality of reception for all asylum seekers, but particularly for specific groups that have special needs.

I would like to sincerely thank the entire staff of Fedasil for their efforts in the previous and coming years. During my visits to the reception centres, or for instance to the dispatching and return office at the start of 2012, I have seen with my own eyes that the asylum crisis has demanded much energy from the personnel. At the end of 2012, I noticed that the new situation has created breathing room that benefits everyone: staff members and asylum seekers. I can only wish the same for 2013!

Wishing you much reading pleasure,
Maggie De Block



Preface by the Director-General of Fedasil

A new momentum is driving Fedasil, following the so-called 'reception crisis', a period which has shaken up the entire Agency, its partners and the majority of its staff.

The fact that we no longer have to work to tight deadlines and in haste, means that the Agency is now able to return to the professional serenity essential for ensuring quality of service and a decent reception in line with the realistic ambitions which Belgium aims to realize.

The renewed control over reception enables us (at last) to highlight the projects which the crisis did not allow us to promote and which will be pursued over the coming years: European programmes, the specialisation of reception, support for specific target groups and, in particular, unaccompanied minors, and a constructive and ambitious voluntary return programme, including the reintegration initiatives in the countries of origin.

Looking to the future also means providing Fedasil with a new management plan, in line with legislation for all public authority managers this has to happen within six months of taking up a new position. The Agency now has a complete Management Committee and is working actively to implement the 2012-2018 management plan. We wanted to formulate a new vision, or at least an updated vision, as well as the resulting values. The guiding thread running through this vision is to ensure that Fedasil is a key player in the application of the government's policy and to assume our final responsibility in the frame of a reception network adapted to demand.

By the time you receive this annual report, Fedasil will have rescaled its reception network in order to bring it into line with a demand which has been in constant decline since the middle of 2012 and a period of stay which has dramatically decreased. The occupancy rate in reception structures is decreasing. The challenge for the coming months will be to reorganise the reception structure with our partners in order to build a structural network, that can manage unplanned arrivals.

Talking about reception and no longer the reception crisis, will be the guiding line for our approach over the coming years.

All annual reports contain figures, but we have tried to limit these and to keep only those which are essential. But, these figures must not, in any way, hide the often difficult process for asylum seekers throughout their migratory journey.

Jean-Pierre Luxen

ABOUT FEDASIL

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The Federal Agency for the reception of asylum seekers (Fedasil) is a public interest organisation created in 2002. Fedasil is in Belgium in charge of the reception of asylum seekers and other target groups. Fedasil guarantees quality and conformity within the different reception structures. Fedasil also guarantees the coordination of different voluntary return programmes from Belgium.

At the end of 2012, 1,129.5 full-time equivalents were working at Fedasil (namely 1,293 people), divided up between the 19 reception centres (in total 902.1 full-time equivalents) and its head office, the Dispatching service and the four regional offices (all together 207.4 full-time equivalents).

In 2012, Fedasil's revenue was €394.4 million. Expenditure was €381.6 million. Subsidies paid by Fedasil to its partners to organise the reception of asylum seekers represent the main item of expenditure (€268 million).

EUROPEAN PROJECTS

The European Union is working on the development of a common European asylum system by 2014. Naturally, Fedasil is involved in different European projects concerning reception, voluntary return and support for reintegration into countries of origin, or the reinstallation of refugees in Belgium.

Fedasil is a member of Enaro (European Network of Asylum Reception Organisations) and EPRA (European Platform of Reception Agencies) which bring together reception organisations from different European countries. These two programmes are complementary. Enaro focuses on exchanges of good practices between field workers. EPRA is a forum centred on strategic reception aspects designed to enrich national and European policies.

In the field of reintegration into countries of origin, Fedasil participates in the ERI (European Reintegration Initiative) project, which started in the middle of 2012 for a period of 18 months. The five participating Member States are working towards the joint management of support for reintegration in several countries (Republic of Russia, Azerbaijan, Afghanistan, Pakistan, Iraq, Nigeria and Morocco) and a standardisation of European return programmes.



Reception centre in Florennes © Fedasil/Layla Aerts

RECEPTION OF ASYLUM SEEKERS

Arrivals, Reception capacity, Occupation, Unaccompanied minors

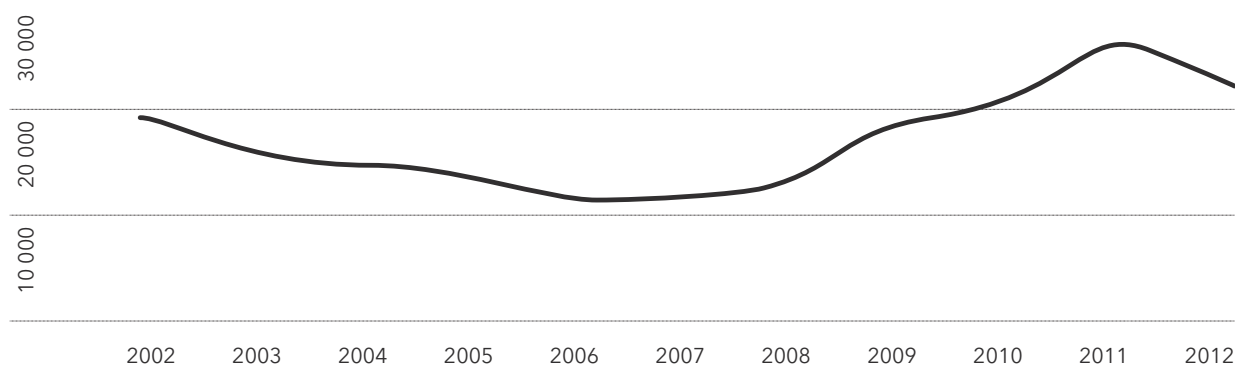
ARRIVALS

21,461 asylum applications were made in Belgium in 2012 (one application may correspond to one person or to a family with children), i.e. a 16% decrease compared to 2011. It is the first annual decrease in numbers observed since 2007, even if the number of arrivals remains high compared to previous years. However, an increase in multiple applications has been noted (namely applications submitted by people who have already received an asylum decision for an earlier application): almost 30% of applications made in 2012 were multiple applications. Further information: www.cgrs.be.

In 2012, 29,975 people presented themselves at the Fedasil Dispatching service (Brussels), which is in charge of allocating them a reception place. 22,589 people were referred to a Fedasil or partner reception structure. 7,073 people were 'no show' asylum seekers. These people do not want to be accommodated or have applied for asylum a second time or more and are no longer entitled to reception. At the start of 2012, some newly arrived asylum seekers did not receive a reception place owing to a lack of available places (regular network and emergency reception). Since the end of January 2012, all asylum seekers entitled to reception got a place.

Evolution of asylum applications (files) in Belgium

Source: CGRS



RECEPTION CAPACITY

The reception network for asylum seekers in Belgium had 23,989 places at its disposal at the end of 2012. Therefore, the reception capacity has stabilised after several years of the capacity being extended in view of the reception network's saturation since 2008.

Fedasil is the manager of this reception network. The Agency directly manages 5,281 places (22% of the total capacity). The organisation of other places is entrusted to partners through conventions: Public Social Welfare Centres (local reception initiatives), the Red Cross (French-speaking and Dutch-speaking), NGOs (Ciré and Vluchtelingenwerk Vlaanderen) and other partners.

At the end of 2012, the network comprised 22,328 regular (or 'structural') places spread between 60 reception centres and a large number of individual housing structures (each representing 50% of the reception capacity). The network also had 1,361 emergency (or 'transit') places and 300 'open return places'.

2012 marked the end of reception at hotels. In 2009, asylum seekers were accommodated in low-cost hotels owing to the lack of available places in the regular network. At the height of the 'asylum crisis', 1,200 people were accommodated there. At the start of 2012, there were still about one hundred people accommodated at hotels (mainly unaccompanied young people when there was a doubt about their age and while waiting for the results of the age test). At the end of December 2012, Fedasil was able to put an end to this type of reception.

The reception system in Belgium provides for a 2-step process: asylum seekers start by staying in a collective reception structure (a centre), then, after a four-month stay, they are able to request a transfer to individual housing, subject to availability, which offers them greater autonomy. After 2011, owing to the constant saturation of the reception network, this model was reviewed, with newly arriving asylum seekers firstly welcomed

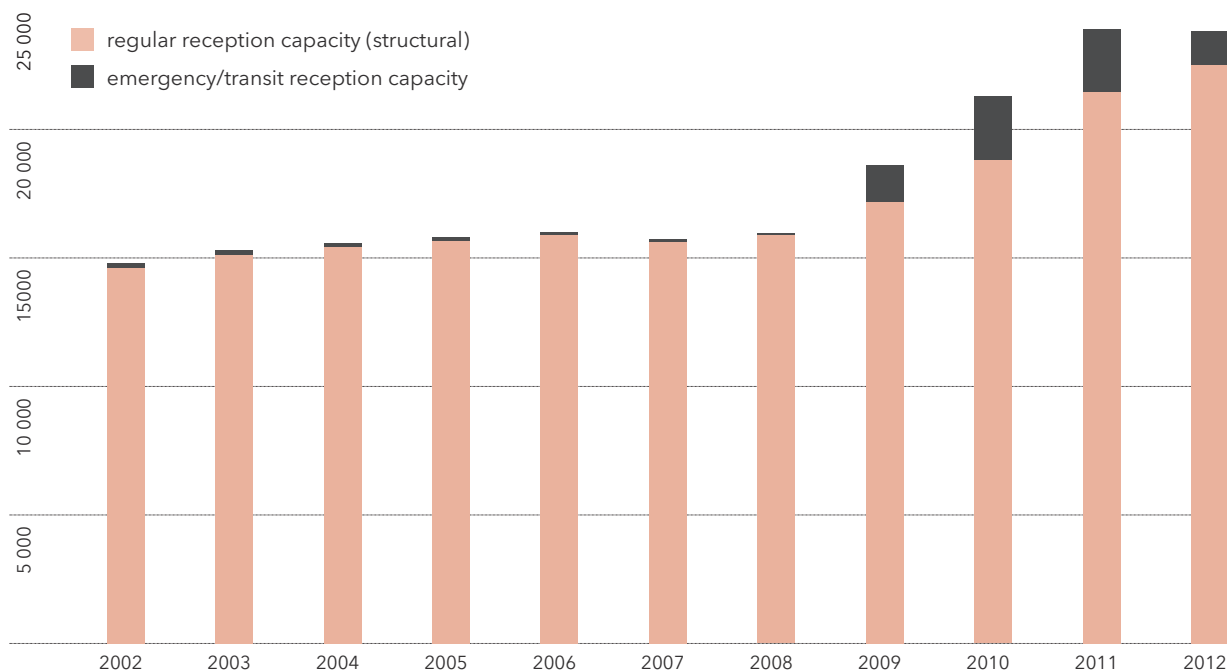
temporarily in emergency reception centres, then, when a place became free, transferred to a collective centre. From a two-step process, we moved to a three-step process. The decrease in arrivals and the reduction in the period that residents stayed, enabled Fedasil to gradually close emergency places in 2012 and to return to a two-step reception model. Emergency reception should be stopped for good in 2013. Furthermore, following the introduction of a 'return journey', a third reception phase was set up in 2012 with the reception of people who had received an order to leave the territory in 'open return places' (see also p. 18).

CHANGES IN THE LAW

The Act of 12 January 2007 concerning the reception of asylum seekers and other categories of foreigners (called 'Reception Act') constitutes the reference for reception in Belgium. It provides material assistance, comprising accommodation, meals, clothing, medical, social and psychological assistance, the provision of a daily allowance, as well as access to legal aid, and services such as interpretation and training. Material aid applies when the asylum application is submitted and is effective throughout the entire asylum procedure. If the procedure results in a negative decision, material aid comes to end once the deadline for the order to leave the territory has expired.

The 'Reception Act' underwent major changes in January 2012. These changes mainly concern the limitation of the right to reception from the 2nd asylum application, the deadlines for leaving the reception structure (end of material aid) and the conditions for prolonging the right to material aid. The legislation also introduces a 'return journey' in order to encourage voluntary returns among asylum seekers.

Evolution in reception capacity *(situation at end of December of every year)*



2012: Including the 300 open return places

Reception network: contribution of partners *(situation end of December 2012)*

OPERATOR	PLACES	%
Public Social Welfare Centre (local reception initiatives and emergency reception)	9 308	38,8
Fedasil (regular and emergency centres, OOC, return places)	5 281	22,0
French-speaking Red Cross (regular and emergency centres)	4 537	18,9
Dutch-speaking Red Cross (regular and emergency centres)	2 177	9,1
NGOs (Ciré & Vluchtelingenwerk Vlaanderen - individual housing)	2 012	8,4
Samu social (emergency reception)	400	1,7
Other partners (centres)	274	1,1
TOTAL	23 989	100

OCCUPANCY

During 2012, 22,589 people entered the reception network (IN) and 24,231 people left the network (OUT), namely a negative balance of 1,642 people (IN/OUT).

At the end of 2012, 21,382 people were accommodated in the reception network, i.e. an occupancy rate of 89.1% (the occupancy rate compares the capacity to the number of people received). For the first time since 2008, the occupancy rate passed below the threshold of 94%, which corresponds to a critical situation: full advantage is never taken of the total capacity because there are always places which are temporarily unusable following arrivals and departures, works, or because a family of four people, for example, live in a room with 5 beds.

In 2012, the average duration of stays for people in the network was estimated to be 11.2 months.

More than a hundred nationalities are represented in the reception network and correspond to the main countries or regions of origin for asylum seekers present in Belgium: Afghanistan, Guinea, Caucasias, Congo, Balkans. An increase has been noted in the number of Afghan citizens (16% of people received), mainly single men (young adults or minors).

In terms of the composition of households, Fedasil and its partners mainly received families (56% of residents), although, as in 2011, the number of single men received in the network increased (31% of residents at the end of 2012). One resident out of every three is under 18 years of age (minor in a family or unaccompanied).

MANAGEMENT OF INCIDENTS

Unfortunately, 2012 was marked by a series of serious incidents at reception centres. A total of 351 incidents were recorded in the 19 federal centres, 88 of which were considered to be serious. Although this figure is comparable to previous years, these incidents have a direct impact on the well-being of staff and residents. In order to deal with this problem, at the end of 2012, Fedasil launched an incident management plan. The objective is to limit the number of incidents and guarantee security at centres.

This action plan provides for a series of measures applied throughout the entire reception network. In particular, a new approach concerning residents who have undergone a series of disciplinary transfers, standardised monitoring of incidents and an adaptation of the regulatory framework of sanctions.

Furthermore, measures specific to Fedasil centres have been taken: staff training in incident management, improvements in equipment (walkie-talkies), etc. In 2012, 56 stress team members (2 to 3 per centre) were also available to support their colleagues who had been victims of or witnesses to a shocking event.

UNACCOMPANIED MINORS

Minors arriving in Belgium without a parent or a legal guardian ('unaccompanied foreign minors' or MENA), benefit from a specific reception plan and support.

The 'Guardianship service' is informed as soon as a MENA enters into contact with the Immigration Office or the police. This service is responsible for identifying young people and appointing a guardian. The reception plan for MENA is organised in three phases. In the first phase of their reception, MENA (whether they are asylum seekers or not) are welcomed for between 2 and 4 weeks in an observation and orientation centre. There are three centres of this type, directly managed by Fedasil (total of 115 places).

If the minor applies for asylum, he is transferred to a reception structure in the Fedasil network (2nd phase, total of 1,000 places). Reception and supervision are provided there in wings designed specifically for MENA. Some places are reserved for more independent young

people, generally 17 years old and/or with sufficient autonomy. In the third phase, the young asylum seeker may be oriented towards a more individual style of reception centre organised by a Public Social Welfare Centre or a partner association (total of 145 places). If the minor does not apply for asylum, the law also provides for appropriate reception which, as a priority, depends on the Communities.

At the end of 2012, Fedasil and its partners offered a total of 1,310 reception places adapted for MENA. 1,177 young people were accommodated there, namely an occupancy rate of 90%. The profile of MENA received has been much the same over the years. Most of them are boys (84% of young people received in 2012), often 16 or 17 years of age. Afghans remain, by far, the most represented (54% of young people) ahead of Guineans (14%). The other MENA received in the network are mainly from Congo (4%), Morocco (3%) and Somalia (2%).



Reception centre in Morlanwelz © Fedasil/Layla Aerts

VOLUNTARY RETURN

Returns, Aid for reintegration, Funding, Support for the return, Return procedure

RETURNS

Fedasil is responsible for the 'voluntary return programme' from Belgium. This programme is designed for people without a fixed resident's permit, whether asylum seekers or immigrants living illegally in our country, who have never applied for asylum. It offers aid for migrants who have to or want to leave the country, but do not have the necessary financial or logistical resources. If the voluntary return project is realistic for the migrant, it becomes a credible alternative to a (generally illegal) stay in Belgium.

The International Organisation for Migration (IOM) is in charge of the practical organisation of the return journey. The return journey is generally by plane. Returns by bus are organised to several Balkan countries.

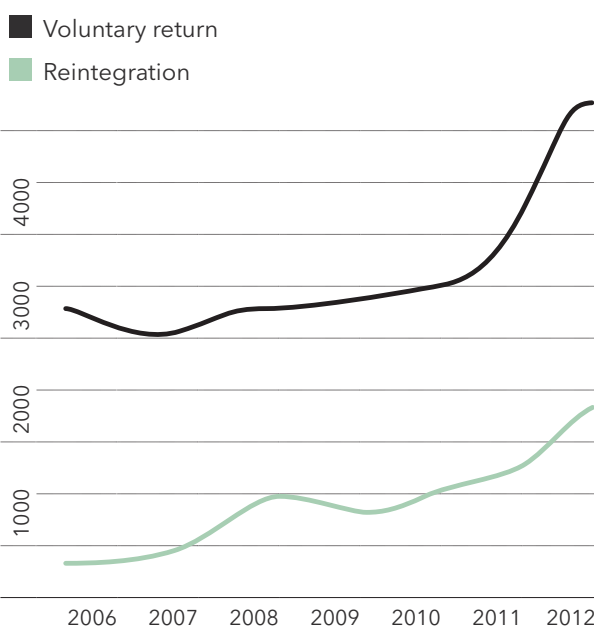
The voluntary return programme has gained ground in recent years. 2012 may be considered as a record year, with 4,694 returns organised by Fedasil and its partners. Compared to 2011, this is an increase of 1,336 people (+40%). If we add voluntary returns organised by the Immigration Office (962 returns), we arrive at a total of 5,656 people who voluntarily returned to their country of origin in 2012.

We have seen a great change in the profile of people who choose a voluntary return. The programme is now mainly used by asylum seekers in the middle of the procedure, or whose application has been denied. In 2012, they represented 61% of returns, compared to 39% of immigrants without legal permission. In 2011, the proportion was 50% for each group. This change may be explained by better information and the professionalisation of support for return in the reception network.

The main destination countries remain Brazil, Russia, Ukraine, Iraq and Balkan countries. An increase has been observed in returns to Russia, Ukraine, Iraq, Serbia, Mongolia and Kazakhstan. Returns to Brazil, Kosovo and Macedonia are on the decrease. The profile of the people who participated in the voluntary return programme in 2012 is as follows: 41% were women and 59% were men. 54% of returns concerned families and 46% concerned single people. One person out of every four was a minor.

Evolution in voluntary returns from Belgium (number of people)

Source: Fedasil and IOM



AID FOR REINTEGRATION

The voluntary return programme includes a section on reintegration into the home country. Reintegration helps to overcome problems which migrants may encounter on their return, whilst also enabling social workers to offer concrete solutions: development of a micro business, renovation or rental of housing, search for employment, medical costs, etc.

Access to reintegration is dependent on the migrant's status: his home country, administrative status in terms of asylum, situation in Belgium, vulnerability. When applying for a voluntary return, the return advisor analyses the migrant's specific situation and defines his reintegration opportunities. Aid for reintegration involves material assistance provided by local partners. This assistance comprises several levels:

- the basic level corresponds to material aid of 700 EUR accessible to nationalities which require a visa for Belgium and provided that the period following the order to leave the territory does not exceed 12 months.
- to this may be added a complementary level of aid corresponding to 1,500 EUR (European Return Fund), accessible to asylum seekers during their return procedure or during the 30-day period following the order to leave the territory.
- In parallel, medical and psychological assistance for reintegration, corresponding to a sum of 500 to 1,500 EUR, accessible to all people following a voluntary return procedure and fulfilling the vulnerability criteria. For example, people taken into account include pregnant women, people with health problems, victims of slavery, etc.

Fedasil collaborates with the IOM and Caritas for the implementation of reintegration projects. The IOM and Caritas benefit from a network of partners in different regions of the world. At least once before his return, the migrant enters into contact with the partner present in his country of origin which will ensure the good organisation and monitoring of his professional project. Indeed, reintegration allowances are not given in cash but instead in the form of material aid via the local partner and must be used within the twelve months following the return. During this one-year period, the partners of IOM and Caritas monitor the projects.

In 2012, 1,990 people benefited from an aid for reintegration, namely 42% of returns, an increase compared to previous years. The main countries in which reintegration projects have been carried out are Russia, Iraq, Kosovo and Armenia. Fedasil has noted an increase in projects in Russia, Iraq and Kazakhstan, and a decrease for Kosovo and Brazil. The IOM ensured 68% of reintegration cases, with Caritas ensuring 32% of cases.

FUNDING

The structural costs of the voluntary return programme are included in the budget earmarked for Fedasil and, therefore, are financed by national resources. These costs cover travel expenses, the return allowance, allowances for partners, etc. Basic aid for reintegration is also taken from Fedasil's budget.

The European Return Fund provides additional resources designed for a complementary level of reintegration aid. This fund, created by the European Union for the 2008-2013 period, supports Member States in developing a return policy.

SUPPORT FOR THE RETURN

The voluntary return is a social aid programme. Social workers are on the frontline when it comes to informing migrants about this subject. There is a large network of social partners throughout Belgium (NGOs, support services, local authorities, etc.). The programme is designed to be accessible: whatever the migrant's situation, his decision to return must be taken into account. However, he is free to go back on his decision.

A team of Fedasil advisors was set up in 2006 and extended in 2012 in order to inform and support migrants. Since June 2012, migrants wishing to return to their country of origin may also contact the Return Desk located at Fedasil's Dispatching service (Brussels), in particular via a specially created toll-free telephone number.

Return advisors are in charge of informing migrants, registering and assessing their applications, and also organising the actual return in collaboration with the IOM for the practical aspects. The advisors also examine their opportunities for accessing reintegration.

THE RETURN PROCEDURE

The 'return procedure' was one of the main new changes made to the Reception Act in January. This procedure offers personalised support to all asylum seekers received by Fedasil and its partners. The aim is to continuously inform asylum seekers, in a clear and coherent manner, about the voluntary return programme and the solutions which it represents.

The return procedure provides for two main phases:

- Support in reception structures during the asylum procedure (from the arrival in the centre to the confirmation of a negative decision)
- Continued support in the 'return places' provided in four federal centres. The length of the stay is determined according to the order to leave the territory.

Open return places are located in four reception centres managed by Fedasil (300 places in total). The priority is to convince residents of the advantages of the voluntary return. The 'open' nature of the reception centres is guaranteed since no residents will be removed while awaiting the order to leave the territory (generally 30 days) and residents can always leave the centre when they wish.

The 2012 figures concerning returns in open places cover a short period (mid-September to December). In total, 31% of people admitted to return places presented themselves at these centres (namely 435 people out of a total of 1,384 allocations). Out of these, 17% actually chose the voluntary return, namely 74 people for the last quarter of 2012. It is important to note that almost half of these returns occurred during the first week of the stay.



Reception centre in Sint-Truiden © Fedasil/Layla Aerts

www.fedasil.be

All about reception