

Global Compact on Migration Action Plan 2022

Belgium

On the 19th of December 2018, the General Assembly of the United-Nations formally adopted the Global Compact for Safe, Orderly and Regular Migration (GOM) in its resolution 73/195 by a vote of 152 States in favour (including Belgium), 5 against and 12 abstentions.

The

notes the Belgian State Secretary for asylum and migration presented to the Federal Parliament. The government aspires to translate the GOM into concrete actions and has elaborated this action plan to guide those actions.

The current Action Plan builds on the regional review of the GOM which took place in 2020. At that time, Belgium submitted a state of play regarding the implementation of the 23 objectives under the GOM. The Belgian voluntary contribution reiterates the particular institutional context of Belgium and the distribution of competences between the different policy levels. Belgium is a federal state with competences divided between the federal level and regional level (Communities and Regions). This equally reflects in the organization of the Migration and Asylum policy, with different levels and actors independently wielding powers. There is no central government body exclusively competent for migration . The main departments on Migration and Asylum, as well as the most relevant law (Aliens Act of 15 December 1980) are a federal competence. Integration is primarily the responsibility of the



and well-managed migration policies. Good governance is an overarching and cross-cutting guiding principle in Belgian migration policy and regulation.

migration policy are those linked to labour

migration (SDG 8.7 and 8.8), as also reflected in the 6^{th}

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transparent migration policy and debunks myths and fake news. It also facilitates government control and accountability.

Belgium is till date committed to the collection of data and information on migration, with a number of actors being involved. It has an independent Federal Migration Centre (Myria) that is mandated to collect data and to inform the authorities about the nature and extent of migratory flows. Likewise, Belgian federated entities collect administrative and statistical data on migrants. In addition, the Interfederal Equal Opportunities Centre UNIA and the National Employment Office (RVA/ONEM) analyse the situation of migrants in terms of employment, work, and social conditions. Statbel (the national Institute of Statistics) published for the first time the effective population living in Belgium



nonetheless the government was never able to confirm this number, which certainly complicates targeted actions to reach this group. Moreover, data are not always easy to consult in one or two (national) languages solely and, as result, access to information is sometimes limited. More transparency and better structuring of information should help remedy this. limited



t according to their origin. The monitoring aims to help improve the situation of migrants and their access to decent work and to combat discrimination. Smilar initiatives exist at other government levels.

Fedasil, the Federal Agency for the Reception of



Further investing in the activation of asylum seekers and providing opportunities for further
personal and professional development, regardless of the outcome of the procedure.

Human trafficking and smuggling of migrants endanger the lives and security of migrants, and in particular of the most vulnerable people. Human trafficking and human smuggling are a multibillion-dollar business with international ramifications, while taking advantage of the weak position of victims.

In Belgium, the fight against smuggling and trafficking is coordinated by an Interdepartmental Coordination Unit that operates in a multidisciplinary approach, bringing together Departments responsible for justice, home affairs, foreign affairs, prosecutors and magistrates, the federal police, social inspection services, and the Immigration Office. Belgium has adopted specific legislation and specialized magistrates are appointed for all judicial districts for trafficking in human beings and human smuggling. There is also a Specialized Human Trafficking Unit of the Federal Judicial Police.



Belgium supports transnational judicial and police investigations. The Federal Judicial Police is involved in the European Multidisciplinary Platform Against Oriminal Threats (EMPACT), more specifically in the European action plans on Facilitated Illegal Immigration and Trafficking in Human Beings. In this context, international information is shared between the Belgian investigation units and European partners, be it other Member States or European agencies (EUROPOL, FRONTEX and EUROJUST). The Federal Police supports and coordinates Operational Task Force (OTF), Joint Investigation Team (JT) and Joint Action Days (JAD) projects. In the framework of EMPACT, Belgium assumes a leadership role in developing



To develop a policy aimed at strengthening the protection of those that could become future victims of human smuggling and trafficking, paying attention to capacity building and strengthening different forms of protection (protection in the region and legal pathways for migration);

To further implement dedicated action plans against human trafficking and human smugglingssist the r4(8871 In the context of EMPACT, to further assume a leading role in reaching out to third state partners to define, together with EUROPOL and FRONTEX, how to improve or strengthen the collaboration between the EU Member States and third countries.

Not all migrants who come to Belgium will receive a permanent right of residence. Those who do not obtain a residence status will be asked to return. The Belgian government invests in programmes to inform, guide, coach, and assist the returnees to return and to reintegrate into their country of origin. An example of such programmes is the The Fedasil-Reach out-project that aims at increasing - stranded migrants and

migrants in transit. Through the project cities are encouraged to develop a comprehensive approach

facilities. As such, the project contributed to the development of a sustainable community of practice on issues of counselling and return for undocumented migrants.

Belgium has clear legislation on voluntary/assisted and forced return. A government assisted return is favoured whenever possible. However, a forced return is possible when the person concerned refuses to comply with an order to leave the Belgian territory. In June 2021, Belgium created a department within the Immigration Office to implement and promote alternatives to detention in such cases.

The Belgian Immigration Office is responsible for the return of migrants in an irregular situation. There are bilateral, multilat14(ce 30(a)12(re)7(1)-7a 5.32 841.41.92 fTQq0.000008871 0 58wQqg14(m)-4(ee(the)]Tnts)-5(f)



can be drawn from the PARERBA project in Senegal or other projects in Guinea, Niger and Gambia that received EUTF funding.

Notwithstanding the significant efforts already undertaken, through diplomatic contacts, official visits,



Belgium is committed to increase international and regional cooperation to accelerate the implementation of the 2030 Agenda for Sustainable Development. The implementation of the GOM is an integral part of this goal, as it will improve the economic and social situation of those aspiring to migrate or having migrated.

The EU and its member states have already invested in their relations with third states, and continue to further build on this experience, as it is showcased in the proposed EU Pact on Migration and Asylum presented by the European Commission on 23 September 2020. Rightfully so, cooperation with third countries is marked an essential element of any coherent and efficient migration policy. In the new Pact, the external dimension thus receives considerable attention, among others in a section

cooperation can also be found throughout its other parts.

Within the EU, Belgium consistently advocates for a sustainable reform of the common asylum and migration system. Recently, Belgium strengthened its cooperation with Luxembourg and the Netherlands in the context of the Dublin Regulation procedure. It has for a clear policy objective the better administrative management and faster processing of applications for readmission, which will also lead to a better information management.



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