



European Migration Network

Annual Statistical Report

**on migration and asylum in Belgium
(Reference year 2003)**

Met opmaak

Brussels, April 2006

Disclaimer

This report has been produced as part of Belgium's contribution to a broader survey designed to offer the European public a clearer picture of migratory trends in each of the European Union Member States. The statistical indicators presented had to be comparable so as to ensure some sense of consistency in all the 25 national reports. Consequently, some of the indicators shown in this European context reflect "European" definitions, which differ from those used in Belgium. This means the information in this study may differ from that available at Belgian level in some cases.

Contact:

Author of this report: **Mr Nicolas Perrin**
Catholic University of Louvain (Louvain-la-Neuve)
Gédap
Place Montesquieu, 1 bte 4
B-1348 Louvain-la-Neuve

Tel +32.10.47.41.32
Email : perrin@sped.ucl.ac.be

Belgian contact point of the European Migration Network
Federal Public Service Interior, Immigration Office
59 b, ch. d'Anvers / Antwerpsesteenweg
1000 Brussels

Mr Alain Schmitz, tel +32.2.206.19.20 – alain.schmitz@dofi.fgov.be
Mr Benedikt Vulsteke, tel +32.2.206.19.37 – benedikt.vulsteke@dofi.fgov.be

Belgian Annual Report on Migration Statistics (Reference Year 2003¹)

A. Migration Issues

1) Analysis and interpretation of the migration statistics

a) *Migratory Flows, 2003*

The level of foreign immigration² in 2003 was slightly down on 2002. However, this observation is relevant solely in the short term because the years 2001, 2002 and 2003 are "record years" for immigration. Such high numbers of non-nationals entering the country have not been reported since the 1963-1966 period or the era just after the Second World War (figure 1). These were times when Belgium was organising large-scale campaigns to recruit foreign workers (Italians just after the Second World War, followed by Southern Europeans during the 1950s, and, lastly, non-Europeans and specifically Moroccans in the 1960s).

The current situation is the outcome of a long-term historical process. In the wake of the first oil price shock, the Council of Ministers decided, in 1974, to call a halt to the flow of migrant workers entering the kingdom. The number of incomers tailed off quite significantly to start with, but in the middle of the 1980s, the level of immigration resumed its upward trend and shot up quite considerably. The high-on steady increase since 1983 is attributed to several factors. First of all, the migratory trends surrounding family reunifications have resulted in the arrival of families of immigrants already settled in Belgium. The fact that immigrants have maintained strong ties with their countries of origin has also given rise to the development of migrations for marriage purposes. Between 1980 and 1990, Brussels' role as the capital of Europe intensified. Already a popular destination for citizens from bordering countries, Belgium has seen more and more Europeans (in the broad sense of the term) settling within its borders. The 1990s were hallmarked by an unprecedented wave after wave of asylum seekers in Belgium (1992-1993, 1999-2000). Lastly, Belgium announced in the year 2000 a plan to organise a campaign to legalise the situations of various non-nationals unlawfully residing in this country. Hitherto, more than 50 000 people have benefited from this policy, which has clearly helped to revive the family reunification process. All these factors taken together explain the resumption of the upward trend in foreign entrants and the continuing high number of such arrivals.

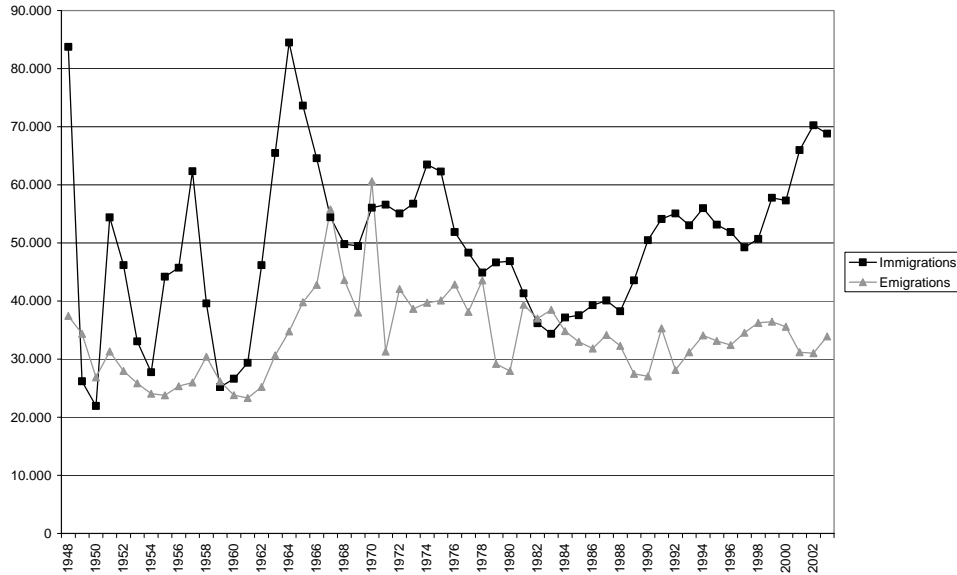
For the sake of completeness, it should be stressed that the number of foreign emigrations is at a fairly low level historically speaking, one that has hardly changed since the middle of the 1970s. In the short term, the number of departures by foreigners residing lawfully in the country did, admittedly, increase in 2003, compared with 2002 and 2001 but this is still quite low in the light of the levels reported over the last decade (figure 1). The continuing sharp differences in living standards in the main countries of origin of immigrants living in Belgium (Morocco and Turkey in particular) does explain this low level of returns to some extent. The small numbers of people emigrating or non-nationals residing lawfully in Belgium but deciding to return to their countries of origin is one of the untoward consequences of the emigration obstacles that emerged in 1974, with people contemplating returning to their countries of origin being seriously discouraged by the lack of opportunities for returning to Belgium later on. Lastly, the low level of returns is attributed not only to immigrants who arrived a long time ago now being settled in Belgium, but also to the offspring of these foreign born people.

¹ This report covers the year 2003, featuring statistics relating to "events" that occurred in 2003 (immigration, emigration, asylum requests, asylum procedure decisions, issuance of residence permits, refusals, apprehensions, removal of illegal foreigners ...). However, the document does seek to paint a picture of the end-of-year situation: 1 January 2004. This is why references are made to 2003, when speaking of events but the reference date is January 2004 when stock is taken of the foreign population.

² This report generally deals with foreign migratory flows (arrivals and departures). The information shown does not include the migration of Belgian nationals, as these are normally included in the overall migratory figures available nationwide or internationally. However, it is not an easy task comparing the reasons and circumstances surrounding these migrations with the migration of foreigners, particular third-country nationals, on which this report is focused.

An immediate consequence of the higher level of arrivals and stagnation in the level of growth in departures is higher levels of net migration. Once again, 2003 was a year when the level of net migration was a tiny bit lower than in 2002 but a higher or similar level has been reported only four times since 1948 (1948, 1964, 1965, 2002). In the history of the last 50 years, 2003 is quite outstanding in terms of the level of net migration and the number of foreign arrivals.

Figure 1. Immigrations and emigrations of foreigners in Belgium, 1948-2003³



Source : National Register / Statistics Belgium

In terms of citizenship, there is a sharp difference between the Community and non-Community migratory flows. The migratory flows are quite high in both cases but the level of emigration is much lower in the case of non-Community nationals, or even negligible in some cases (Moroccan and Turks, for example). A number of Community nationals emigrate to Belgium only for a short period of time. Conversely, non-Community migrations much less frequently involve short periods. Consequently, the net migratory balance for Community citizens should be understood quite often as the outcome of intense intra-European mobility. Non-Community migrations are more often than not "definitive", but there are a number of exceptions. In the Community category, the French and Dutch, who account for most of the Community immigration to Belgium, very often settle in Belgium for a long period and the net migratory balance of these citizenships is broadly positive (for the year 2003 under consideration, net migration was 4,365 in the case of the Dutch and 2,703 for the French).

³ Starting from 1 February 1995, in the wake of a legislative change, asylum seekers have been excluded from the migratory flow statistics. As a result, it is difficult to compare Belgian migratory figures with those of other European countries, where, in keeping with international recommendations, asylum seekers are counted as immigrants when they stay one or more years in the country, or where they are recorded subsequent to an acknowledgement of their refugee status or their arrival within the territory.

Table1. Immigration and emigration levels by main groups of citizenship, 2003⁴

Citizenship	Immigration levels	Emigration levels ⁵	Net migratory balance
Total	81,913	54,123	27,790
Nationals	13,113	20,202	-7,089
Foreigners	68,800	33,921	34,879
Other EU-Nationals	30,457	21,659	8,798
Total Non-EU nationals	38,343	12,262	26,081
<i>Highest third country nat.:</i>			
Morocco	8,444	586	7.858
Turkey	3,828	481	3.347
United States of America	2,483	2,552	-69
Poland	2,086	641	1.445
China	1,575	523	1.052
Congo, the Dem, Rep, Of	1,134	178	956
India	1,101	489	612
Romania	998	235	763
Japan	938	780	158
Algeria	732	75	657
Others	15,024	5,722	9,302

Source : National Register / Statistics Belgium

b) Population by citizenship, 1.1.2004

860,287 foreigners were officially residing in Belgium on 1 January 2004. Foreigners therefore accounted for 8.3% of Belgium's population by this date, a figure that is clearly above the European average, as this percentage of non-nationals is reported only in Luxembourg, Estonia and Latvia (owing to the huge percentage represented by Russians unable to acquire Estonian or Latvian citizenships), plus Germany and Austria (owing to legislation considerably slowing down the process for becoming naturalised) (GéDAP and BIVS, 2006).

The figures generally available make it a daunting task trying to analyse changes in the foreign population living in Belgium. In spite of the very obvious rise in the level of immigration over the last 20 years, in spite of the net migratory balance and a positive natural balance, the size of the foreign population in Belgium has shrunk quite significantly over the same period of time (figure 2). This represents quite a historical turning point because the number of foreigners had continued to rise steadily up to the 1980s. The fall in the number of foreigners is primarily attributed to the notable rise in the number of people acquiring or being granted Belgian citizenship (figure 3). Up until 1984, the country granted Belgian citizenship to only a very small number of foreign nationals living in the country, but the situation changed thereafter in the wake of several key legislative developments. It has now become much easier to acquire Belgian citizenship and the number of foreigners becoming Belgian has shot up. The period of time a non-national has to reside in Belgium before being considered for naturalisation is currently the shortest period of any European country (3 years in general cases, 2 years for refugees). There are several facilitated procedures for acquiring or granting Belgian citizenship (declaration or option-based procedures) and the conditions that have to be met are easier than in many other European countries. The legislative changes of 1984, 1991 and 1999, in particular, have made a major impact, as is underscored by the upsurge in the number of citizenship changes in 1985, 1992 and 2000 (figure 3).

To sum up, first of all, the size of the foreign population in Belgium is not comparable with the size of the foreign population in other European countries, where it is harder to become naturalised. The size of the foreign population is "inflated" owing to the tougher accession to citizenship laws. Second, changes in the foreign population should not be regarded as an approximation of changes in the

⁴ The citizenships shown individually are the 10 citizenships most represented in terms of immigration (excluding Community nationals).

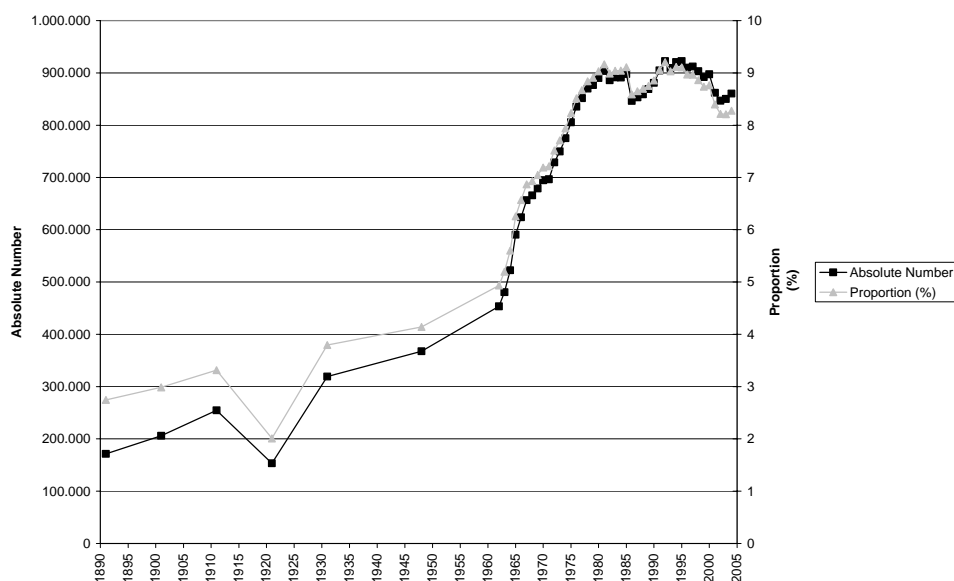
⁵ Including foreigners who do not declare their departure but are removed from the registers retrospectively "automatically removed").

population of foreign origin or the offspring of immigrants. The statistics on the foreign population apply solely to this population (i.e. people who are not Belgian citizens), while alternative definitions have to be used to try determine the population of foreign origin in statistical terms. Part D of this report features alternative estimates of the population of foreign origin so that changes of citizenship do not create an obstacle to understanding the dynamics of the population of immigrant stock.

The main statistical source used in Belgium to investigate the foreign population is the population register ("National Register"). In methodological terms, it should be stressed that the figures do not include a number of categories, thereby reducing the size of the foreign population, but making it harder to compare the figures available at international level. Those excluded are⁶ :

- illegal aliens
- asylum seekers (until their refugee status is recognised or they acquire another status)
- foreigner residing in Belgium for less than 3 months and therefore having no residence permit or document valid for over 3 months.

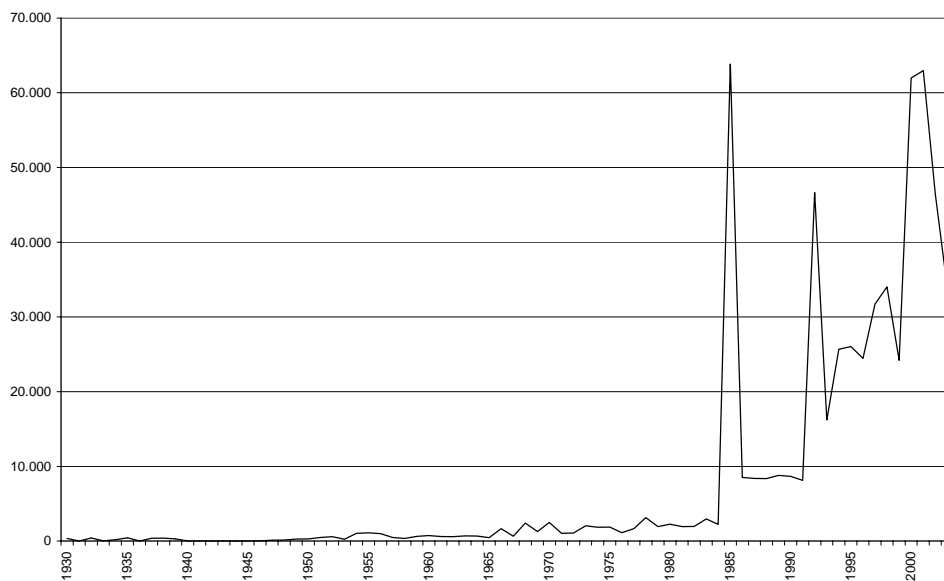
Figure 2. Foreigners in Belgium, 1891-2004 (absolute numbers and percentages)



Source : Censuses and National Register / Statistics Belgium

⁶ For further details see the report for Belgium produced within the context of the THESIM project (Perrin and Poulain, 2006).

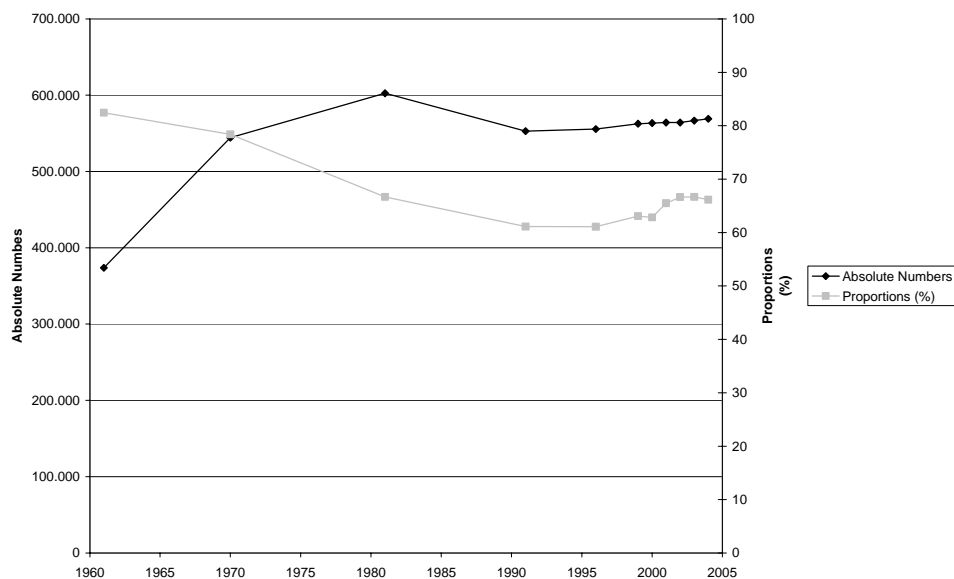
Figure 3. Foreigners acquiring or being granted Belgian citizenship, 1930-2003



Source : National Register / Statistics Belgium

If the population is considered in terms of citizenship, the percentage of Community citizens is a key feature of the foreign population in Belgium (figure 4). Two-thirds of foreigners living in Belgium on 1 January 2004 were citizens of one of the European Union countries (15 Member States at the time). In decreasing order of importance, the Community citizens were Italians (183,021), French (114,943), Dutch (100,700), Spanish (43,802), Germans (35,530), Portuguese (26,802) and British (26,183). Consequently, non-Community citizens account for only one-third of the foreign population. The percentage of non-Community citizens steadily increased after 1960, but has tended to fall since the early 1990s. The number of Community entrants has risen slightly since the early 1990s. Unlike non-Community citizens, Community ones are not affected by the aforementioned massive rush to obtain Belgian citizenship. It is mainly non-Community citizens who opt in such large numbers to adopt Belgian citizenship.

Figure 4. European citizens in Belgium, 1962-2004
 (absolute numbers and percentage of the foreign population)
 (EU on 1 January 2004, i.e. EU 15 / excluding Belgian citizens)



Source : Censuses and National Register / Statistics Belgium

c) *Third country nationals, 1 January 2004*

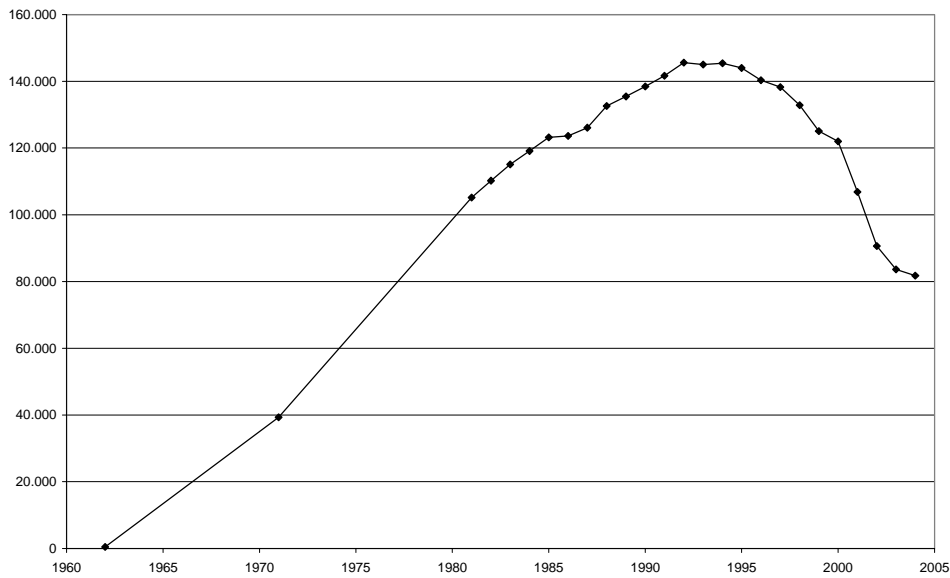
Moroccans and Turks form by far the largest group of non-Community citizens. Immigration in these two countries got underway in the 1960s and early 1970s as a replacement for Mediterranean European workers. The process continued after 1974 as a result of people migrating in the context of family reunifications. However, over the last 10 years or so, the number of Moroccans and Turks living in the country has fallen sharply (figure 5 and 6). In the space of 10 years, the number of Moroccans has been divided by 1.8 and the number of Turks by 2.1. The decrease should not be regarded as the hypothetical outcome of a large number of these people returning to their homelands or the result of a political encouragement to return. The number of Moroccan and Turkish arrivals has grown over the last 20 years, mainly because of the higher number of people migrating to marry a spouse living in Belgium. At the same time, the amount of people leaving is quite stable. The Turkish and Moroccan populations are decreasing owing to the widespread trend in these two groups to acquire Belgian citizenship. The number of people obtaining Belgian citizenship now exceeds the migratory and natural growth in the two groups.

Table 2. Population living legally in Belgium by main groups of citizenship, 1.1.2004 (EU=EU15)

Total Population	10,396,421
Nationals	9,536,134
Foreigners	860,287
Other EU-Nationals	569,011
Total Non-EU nationals	291,276
<i>Most important third country nat.:</i>	
Morocco	81.763
Turkey	41.336
Congo, the Dem, Rep, of	13.823
United States of America	11.582
Poland	11.570
Algeria	7.336
Serbia and Montenegro	7.052
China	6.883
Romania	4.617
India	4.363
Others	100,951

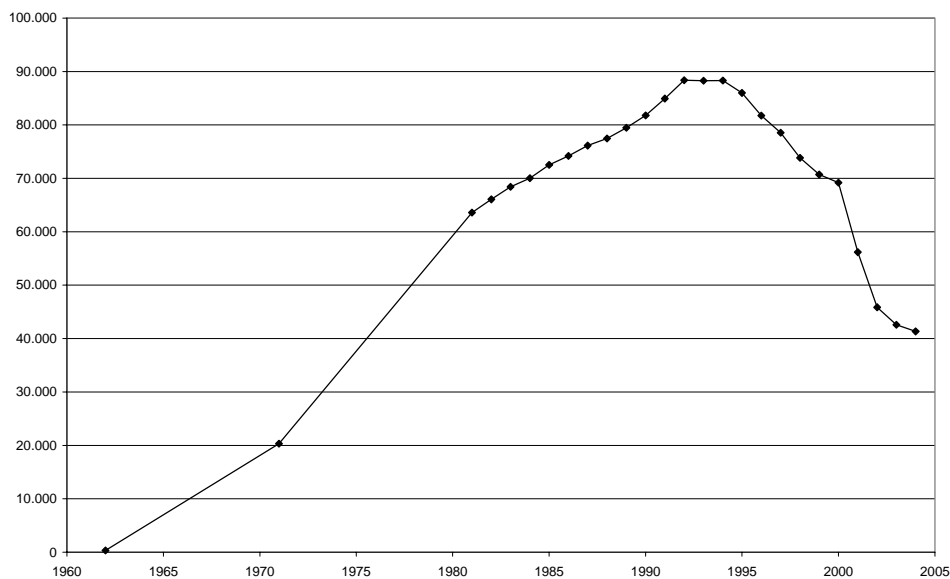
Source : National Register / Statistics Belgium

Figure 5. Moroccans in Belgium, 1962-2004



Source : Censuses and National Register / Statistics Belgium

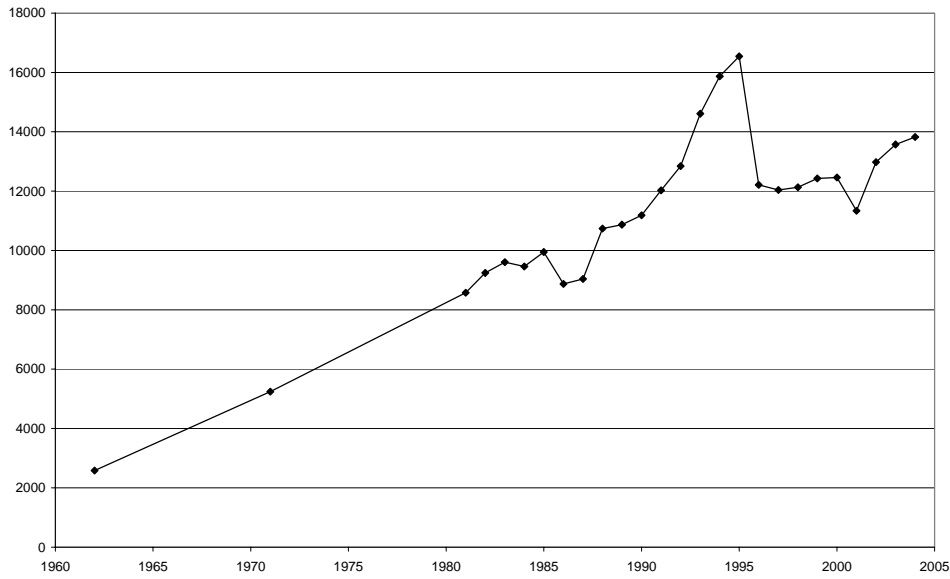
Figure 6. Turks in Belgium, 1962-2004



Source : Censuses and National Register / Statistics Belgium

Among the other immigrant groups in Belgium, the case of the Congolese people (Democratic Republic of Congo) in Belgium deserves a special mention owing to the fact that Congolese migration to Belgium goes back a long way and owing to the historic ties between Belgium and Congo, which used to be a Belgian colony. The number of Congolese people living in Belgium has risen sharply over the last two decades in spite of a large number of this group's members opting for Belgian citizenship (see D). The 9,457 Congolese citizens recorded in 1984, rose to 13,823 in 2004, up 46% in the space of 20 years. The number of Congolese citizens dropped sharply in 1995, but it should be stressed this was mainly the result of a change in definition. No large numbers of Congolese people were reported to be returning to Congo in 1995. A great many members of the Congolese population are asylum seekers, hence in 1995, subsequent to a legal decision, asylum seekers were excluded from the official statistics, thereby mechanically creating a significant decrease in the number of Congolese people recorded as living in Belgium (figure 7).

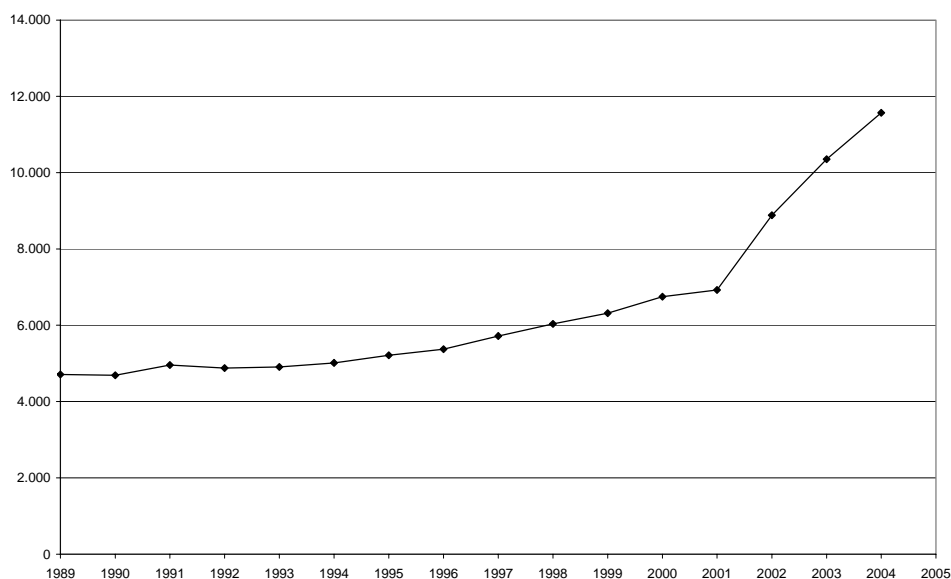
Figure 7. Congolese (from the Democratic Republic of Congo) in Belgium, 1962-2004



Source: Censuses and National Register / Statistics Belgium

Amongst the other fast growing groups, the Poles stand out because of the scale of their recent arrivals. The number of Poles in Belgium is 2.3 times higher than 10 years ago (figure 8). By 1 January 2004, when their country joined the European Union, Polish citizens in Belgium were the 5th biggest non-Community population. Most of this migration is not reflected in the statistics, however, as Polish migration is generally undocumented (Kuzma, 2003 ; Vulsteke, 2005). Legal Polish migrants are unusual insofar as most of them are women (60%) and young women in particular. This feminisation is explained by the types of migration allowing people to enter Belgium legally: migration for marriage. More than one Polish woman in two lawfully residing in Belgium is married to a Belgian national or a citizen of one of the 15 pre-enlargement EU Member States (Perrin and Rajabaly, 2005). The number of Polish people registered may continue to be on the low side, but this migration represents the sole significant legal long-term migratory flow from a country joining the European Union on 1 May 2004 (Centre for Equal Opportunities and Opposition to Racism , 2006).

Figure 8. Poles in Belgium in Belgium, 1989-2004



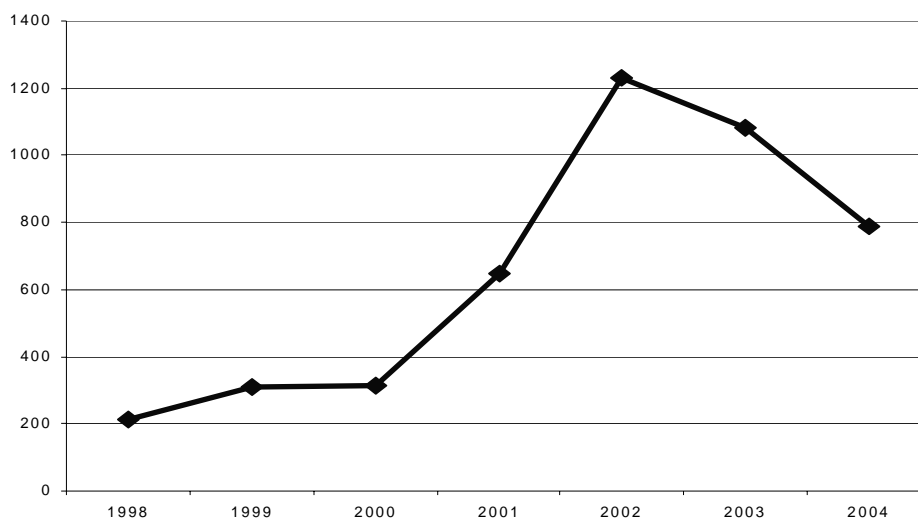
Source : National Register / Statistics Belgium

The instability created by the break-up of the former Yugoslavia led to a large number of refugees arriving in the early 1990s. As a result of these asylum flows various populations settled in Belgium, most of them from the present Serbia-Montenegro (particularly Kosovo). Nonetheless people have also been arriving from Macedonia and Bosnia-Herzegovina, albeit on a small scale. In spite of the significant number of returns in recent years, the bulk of these people seem to have settled definitively in the country, where they represent quite sizeable populations.

This could not hope to be a comprehensive account of trends amongst populations originating in European countries that have not yet joined the European Union without stressing the dynamism of the Romanian population legally settled in Belgium.

Apart from these mainly European flows and the migration from Morocco and Turkey now dating back a long way, we are also seeing Indian nationals settling here and, more importantly, Chinese people, whose numbers are increasing rapidly, even though the size of the relevant populations is still quite small. The Chinese population increased significantly after 2002 owing to a considerable rise in the number of students arriving. This appears to be one of the spin-offs of the tougher reception policy in the United States in the wake of the 11 September 2001 terrorist attacks. The number of student visas being requested by Chinese people rose sharply in 2001 and 2002, with China soon becoming the key country of origin for applicants for this kind of visa (figure 9). By way of example, in 2003, Chinese people represented the main community of students attending courses at the Catholic University of Leuven (Katholieke Universiteit Leuven, Dutch-speaking), the biggest university in the country (Chin Lin Pang, 2005). Finally, we have to consider the population of Algerian origin, even though the size of this group is decreasing rapidly owing to the percentage of people acquiring Belgian citizenship within this group.

Figure 9. Number of visa requests for Chinese students during the 1998-2003 period



Source : Immigration Service reproduced from Chin Lin Pang (2005)

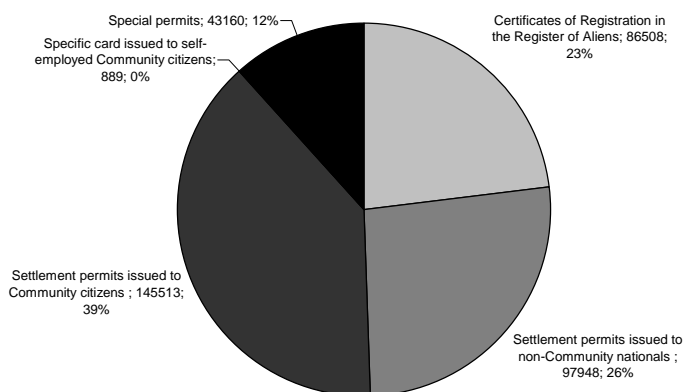
d) Residence permits issued in 2003

The information presently available about residence permits is fairly incomplete. It is currently impossible to produce statistics in the light of the reasons for issuing a residence permit (family reunification, studies, employment...).

Consequently, the figures available are of limited interest only. Belgium has a population register it can use to assess migratory flows, unlike certain countries where records showing the number of permits issued represent a resource that makes up for the lack of information about migratory flows. The figures currently available about the permits issued are valuable solely insofar as they provide an estimate of the number of foreigners living within the territory or the number of immigrant foreigners in the country according to the status and the length of stay allowed by the residence permits. However, the quite serious limitations have to be borne in mind. For example, children are excluded as they do not receive a personal residence permit until they reach the age of 12. Belgium also has a policy of granting a temporary residence document (the so-called *registration certificate*) on a global basis to newcomers seeking the right to long-term residence (establishment permit) or asylum. This means that a proper assessment of the status of newcomers would involve excluding *registration certificates* from the analysis, in order to consider the status of the newcomers.

567,040 residence permits or documents were issued in 2003 but only 374,018 of them are regarded in Belgium as actual residence permits. 193,022 temporary residence documents (*registration certificates*) were issued pending a review of an establishment or asylum request, but they are not considered as fully-fledged residence permits. In the fully-authorized residence permits category (figure 10), most of them are establishment permits issued to Community citizens (39%), followed by establishment permits issued to non-Community nationals (26%). As a result, nearly 65% of the permits issued are establishment permits. This is a reflection a) of migration to Belgium going back a long way and b) of the impact of the European population. The Certificates of Registration in the Register of Aliens, which are fixed-term residence permits (generally 12 months), account for only 23% of residence permits. Lastly, owing to the presence of so many international organisations and foreign representations, the number of "special permits" issued to the members of these organisations and representations is fairly high (12%).

Figure 10. Residence permits issued in Belgium in 2003 by type (not including residence documents or registration certificates)



Source: Immigration Service

Solely 47,762 of the 567,040 residence permits or documents issued in 2003 were first residence permits or documents (8%). These were primarily (in 51% of cases) temporary residence permits issued pending a review of a establishment or asylum request (registration certificate)⁷.

2) Contextual interpretations (legal, political and international factors)

a) Main trends and most important developments in the area of migration

At this point we will review key developments during the period under consideration that might have affected changes in the foreign population present in Belgium. First of all consideration has to be given to the legalisation campaign, which was launched in 2000 and continued throughout the period. In this respect, there was a net short-term increase in the number of decisions in 2003. These legalisation measures also apparently led to a new and significant upward trend in the number of family reunification procedures. The legalisation campaign explains to some extent the increase in the size of the foreign population lawfully residing in the country.

Root-and-branch changes were also made to the asylum procedure (affecting the way the case follow-up system is organised, social assistance to migrants) against the background of a changing international context, resulting in a lower level of asylum seekers. However, as asylum seekers are excluded from the migration-specific statistics, developments in this area could have only a very limited and indirect impact on changes in the foreign population. Consequently, they will be considered in the section of this report specifically dealing with the asylum issue.

During the May 2003 federal elections, immigration and integration issues were central to the debates. The government agreement reached in July 2003 paid special attention to these matters and in particular seeks to:

- tackle abuses of the immigration procedures,
- boost, towards this end, international cooperation, while creating a legal framework for gathering, storing and communicating biometric information,

⁷ Unlike the estimates usually made by the National Statistics Institution, as featured in part A of the report, asylum seekers have been included in statistics on the issuance of residence permits and documents. This is attributed to the fact that the number of initial residence permits exceeds the immigration levels recorded by the National Statistics Institute.

- transpose the European Directive on family reunification and the long-term residence of third country nationals
- develop a humane and realistic asylum policy,
- promote an open and multicultural society,
- intensify and facilitate the integration of foreigners, particularly newcomers,
- avoid conflicts and strains that might arise between communities of various origins,
- step up the fight against racism.

However, it is not apparently easy to imagine that these political declarations, appearing so soon after the year covered by this report, could make any major impact in terms of the statistics available about the legal residence of foreigners. Practical changes have been able to take place but it will be along time before their implications become apparent.

b) Categories of admission in 2003

Notwithstanding the failure to adopt any proactive immigration policy after 1974, a number of situations and categories may offer grounds for admitting foreigners into the territory: 1. a family reunification 2. freedom of movement for European citizens 3. foreigners studying in Belgium 4. refugees and asylum seekers 5. some specific categories of foreign workers (when there is no opportunity to find a skilled job within a reasonable period of time on the local labour market; highly skilled workers; researchers or invited professors, expert technicians appointed for a specific task; students in training ; certain types of self-employed people...).

c) European and international factors explaining certain recent changes/continuity

The European and international situation is obviously a key factor for explaining the background to migratory flows, as underscored in the earlier analysis of migratory flows.

We could therefore show the impact of the political situation in various regions of the world. The continuing instability in Congo (DRC) may thus offer an explanation for the constantly high level of Congolese arrivals and the low rate of returns. Conversely, the stabilisation process in the former Yugoslavia may help to clarify the returns to that part of the world. Turning to another theme, the higher number of Chinese citizens residing in Belgium may be attributed to the tougher American policy on allowing entry to students in the wake of the "events of 11 September". Brussels claim to be the capital of Europe may even explain the increased Brussels-bound mobility within Europe, particularly in the case of the Member States that joined the European Union on 1 May 2004 .

However, separating the impact of international factors from a broader description of these movements might seem a bit contrived and could end up exaggerating the role they play in some cases. Highlighting these factors should not overshadow the need to stress just how impossible it is to assess how these factors affect the statistics in practice. Readers would be best advised to refer to part A.1 to understand how European or international factors affect changes in migratory flows or the foreign population in Belgium when these effects are obvious. Lastly, as it is a bit of a struggle at times, or even impossible, to highlight the European situation or legislation in statistical terms, interested readers are invited to consult the " policy report " published by the Belgian Contact Point of the European Migration Network, 2005a).

B. Asylum Issues

1) Analysis and interpretation of the asylum statistics

a) Trends in first-time asylum applications

Just under 13.585 new requests were made for asylum in 2003 (table 3)⁸. The main trend to note in 2003 is the continuing decline in the number of asylum requests made, in spite of the fall being slower, thereby suggesting the situation could become stabilised in the short term (figure 11). Against the background of the international situation and in particular the Kosovo crisis, the number of requests for asylum shot up in 1999 and 2000. The earlier decline in the amount of applications is related to two factors : 1/ the change in the international situation; 2/ amendments to the legislation and the Belgian asylum procedure. First of all, the decision was announced in the year 2000 to replace the financial support for asylum seekers with material support (resulting in particular in people being offered reception facilities in specialist centres). A review was also undertaken of the way processing activities were undertaken. A new principle, "LIFO" ("Last In –First Out") was applied: fresh requests are dealt with as a matter of priority so as to provide newcomers with an answer as soon as possible about the admissibility of their requests. It may be reasonably assumed that the new case processing procedures have helped to speed up the system and discourage a number of unjustified requests. However, it is difficult to balance the impact the new procedures have on the fall in the number of requests against the impact of the changes in the international situation (particularly the stabilisation of the situation in the former Yugoslavia).

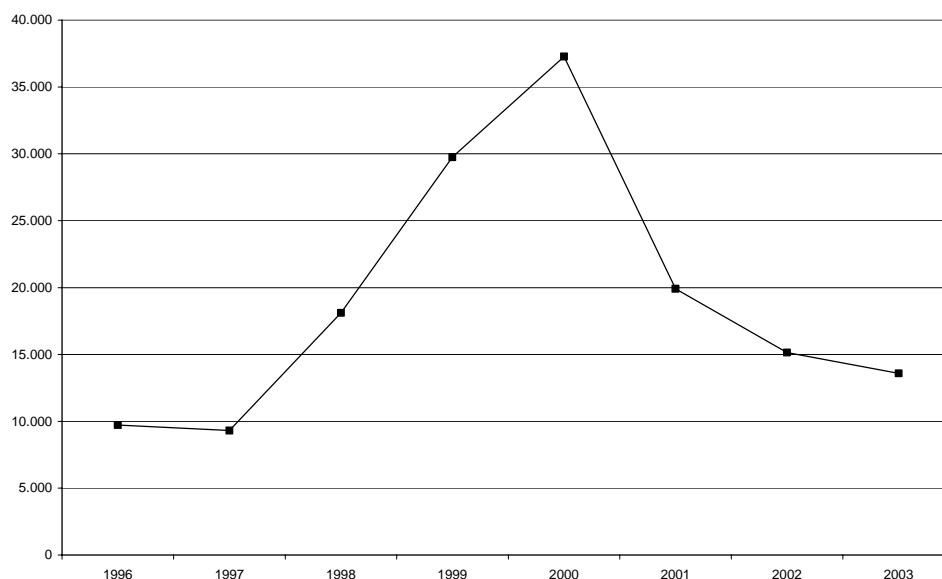
The majority of asylum seekers in 2003 were from Congo, followed by Russian asylum seekers (table 3). The arrival of Congolese asylum seekers is obviously due to the close ties between Belgium and this African country. Belgium has long been a popular destination for Congolese migrants, particularly migrants seeking asylum. The instability reigning in the country in the wake of the demise of the Mobutu regime is obviously the reason why Congolese people are the main group of asylum seekers in Belgium. The arrival of Russian asylum seekers is ascribed to the fact that Belgium is home to one of the largest Chechnyan communities in Western Europe.

Apart from these main asylum-seeking groups, note should also be taken of the generally high level of African asylum requests (asylum seekers from Cameroon, Rwanda, Togo, Algeria, Ivory Coast, Angola, Sudan, Mauritania, Nigeria, Burundi...). Similarly, there is a continuing high level of asylum seekers arriving from Eastern Europe (former Yugoslavia, Turkey, Romania, Albania, Slovakia, Macedonia, Belarus, Bulgaria...) and the Caucasus (Chechnya, Georgia, Armenia...), although the number of requests from some countries of origin (Serbia-Montenegro, Albania, Romania, Bulgaria) has gone into a fairly remarkable decline. The Near and Middle East also continue to be major sources of asylum seekers (Iran, Pakistan, Afghanistan, Iraq, Lebanon, Syria), whereas the number of Chinese and Indian asylum seekers was relatively very tiny.

The number of requests per citizenship is generally on the downturn, while the number of countries of origin reported to be responsible for large increases is quite low (Congo, Russia, Pakistan, Cameroon, Burundi...). On a positive note, there was a sharp short-time decline in the amount of asylum requests from Slovaks (mainly Roma) in 2003. However, the information available for 2004 and 2005 shows the fall was only temporary, which makes the problem of these asylum seekers, who became Community citizens on 1 May 2004, all the more striking.

⁸ It should be stressed that the asylum statistics differ from the figures available up to now at European level. Apparently, account was taken hitherto of all asylum requests, irrespective of whether they were first asylum requests or repeated requests. Carefully monitoring a European request while overlooking first asylum requests not only reduces the number of asylum requests, it also alters the composition of this population. For example, certain groups who often repeat their requests disappear from the "top 10 of most frequent asylum-seeking citizenships" (such as Slovaks). What is more, as a result of using national and international databases, fingerprints in particular, a number of new applicants can be identified retrospectively as having sought asylum earlier on, therefore leading to an adjustment to the figures for the first requests.

Figure 11. First time asylum applications, 1997-2003



Source: Immigration Service

Table 3. First asylum applications by main countries of citizenship, 2003

Citizenship	Total
Congo, the Democratic Republic of	1,565
Russia	1,291
Serbia and Montenegro	883
Cameroon	558
Turkey	530
Iran	470
Rwanda	388
Togo	350
Algeria	344
Guinea	320
Others	6,886
TOTAL	13,585

Source: Immigration Service

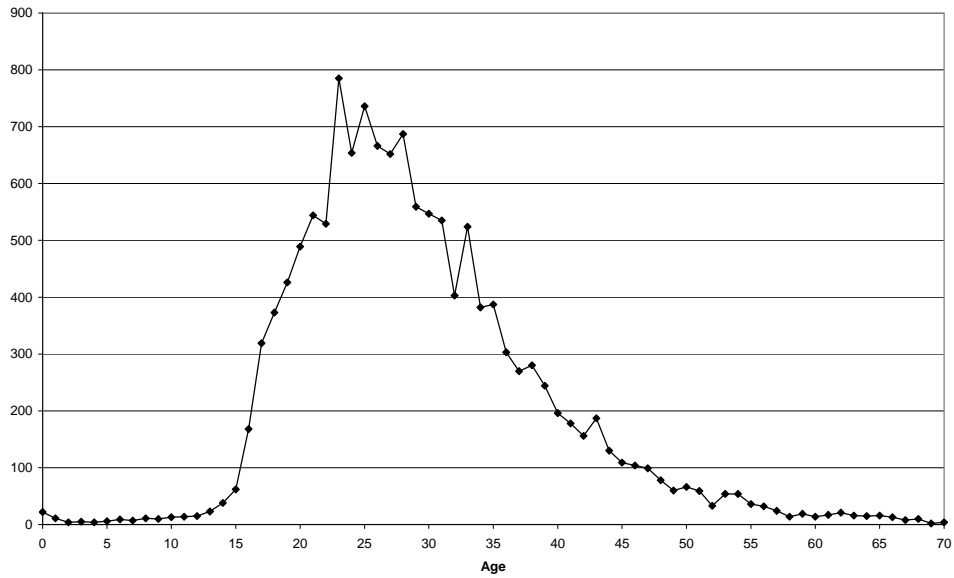
As for the characteristics of these new asylum seekers, most of them are young (between 15 and 40) males (66%) (table 4 and figure 12). The women are above all extremely young (under 15), or quite old (50 or over) (figure 13). However, this general pattern does not apply to all groups. Women are seen to be overrepresented in the number of women hailing from most African countries. For example, in the case of the Congolese (DRC), i.e. the main group of asylum seekers in 2003, and Rwandans, women are in the majority (figure 14). In the case of unaccompanied minor asylum seekers, we see, once again, that these are boys generally aged 16 and 17 (table 5). Most of them are from Congo, but they also originate from Guinea, Angola, Afghanistan, Serbia-Montenegro, Albania, Russia...

Table 4. New asylum applications by age group and sex, 2003

age groups	male	female	unknown	total
Total	8,979	4,593	13	13,585
0-17	471	270		741
18-35	6,680	3,198		9,878
36-59	1,747	1,038		2,785
60+	81	87		168
Unknown			13	13

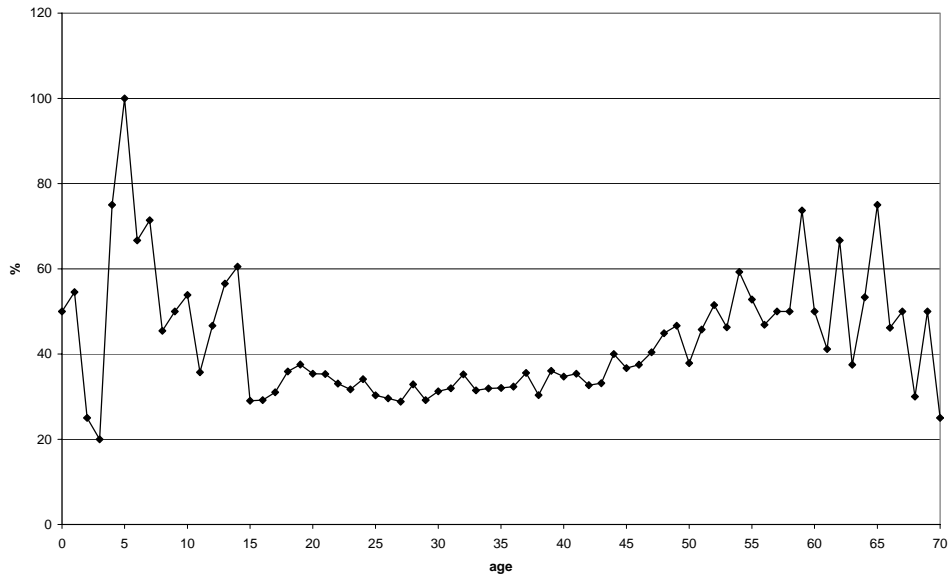
Source: Immigration Service

Figure 12. New applicants by age (2003)



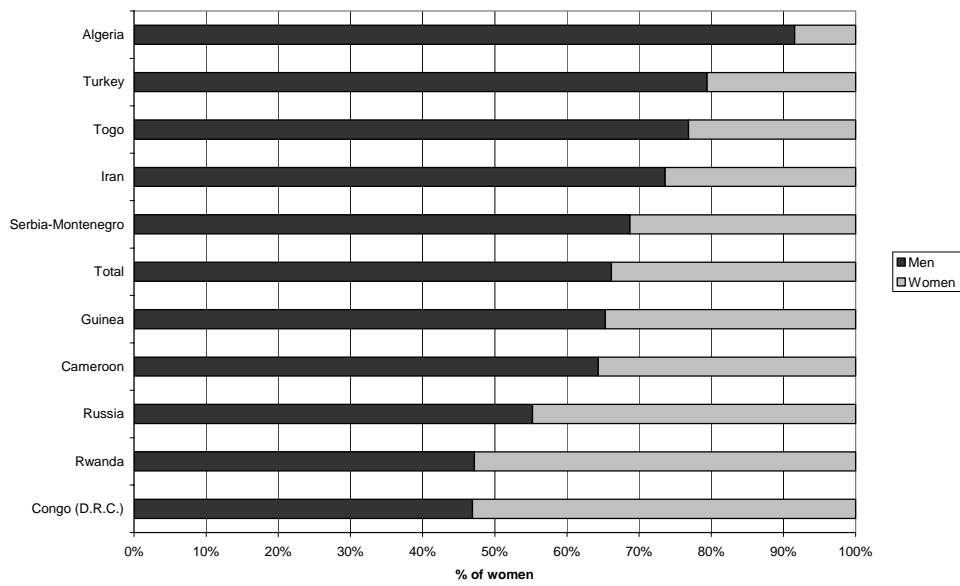
Source: Immigration Service

Figure 13. Proportion of women by age in the first requests for asylum made in 2003 (%)



Source: Immigration Service

Figure 14. Proportion of women in the first requests for asylum made in 2003 (%) (10 leading citizenships and total)



Source: Immigration Service

Table 5. New asylum applications by unaccompanied minors, 2003

age groups	male	female	total
Total	471	270	741
0-13	73	81	154
14	15	23	38
15	44	18	62
16	119	49	168
17	220	99	319

Source: Immigration Service

b) *Decisions by instance and citizenship*

Belgium does not yet formally have an alternative procedure within the precise meaning of the European Directive *on minimum standards for the qualification and status of third country nationals and stateless persons as refugees or as persons who otherwise need international protection*. Asylum seekers who are not recognised as refugees in the light of the Geneva Convention may, admittedly, receive a residence permit on humanitarian grounds but current information about the number of such permits granted under this heading is very sparse, so it is impossible to make a reliable estimate. Consequently, it is better to avoid trying to compare statistics about positive and negative decisions in Belgium with other countries, unless the comparison is confined solely to refugee status within the meaning of the Geneva Convention. Any estimate of the overall rate of recognition in Belgium for the purposes of making an international comparison is by definition invalidated and flawed. These problems should be overcome shortly thanks to the transposition of the aforementioned Directive and the creation of alternative protection on a formal basis.

The way the procedure is organised is not consistent with the pattern implied by the statistics required at European level. The Belgian asylum procedure involves a preliminary admissibility review stage. Consequently, the statistics developed by the European authorities cannot be compared with those produced at national level.

The most striking fact in 2003 is definitely the continuing downturn in the number of negative replies at first instance, even though they still by far outweighed the positive decisions in 2003, (figure 15). At the same time, the amount of positive requests (i.e. recognitions) increased, even though this change was less significant owing to the smaller number of positive decisions⁹. The decrease in the number of negative decisions and the increase in the amount of positive decisions have to be seen against the background of the corresponding fall in the number of applications (figure 10). The new case review system (LIFO) certainly helped to speed up the time it takes for admissibility requests to be considered (the first phase of the application), so may have discouraged various improper requests. Account also has to be taken of the changing countries of origin in order to understand the decline in negative decisions.

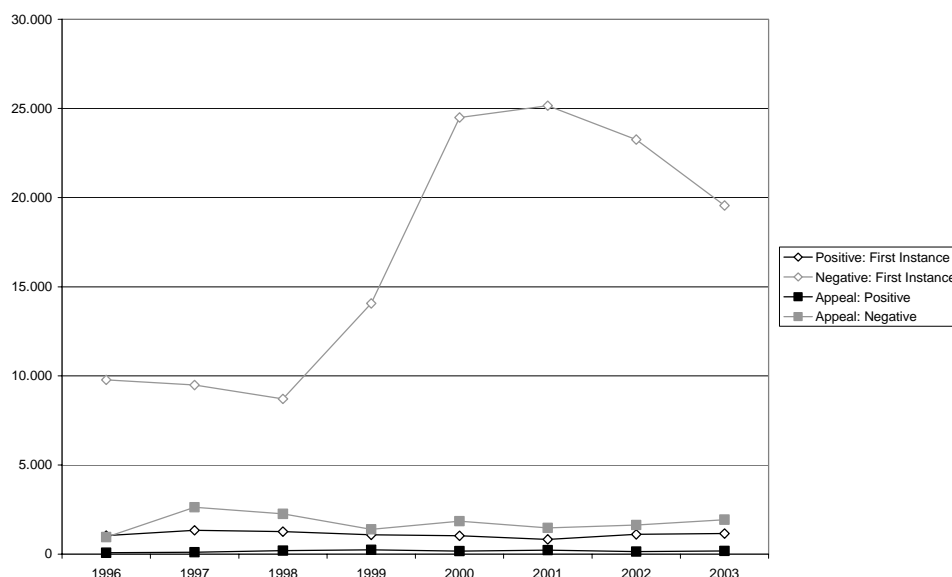
⁹ The figures now available for 2004 and 2005 are striking in this respect, as the amount of positive decisions rose sharply during these two years.

Table 6. Total number of decisions, 2003 (first applications)

	Total	First instance	First appeal	Subsequent appeal
Total	22,830	20,711	2,119	non applicable
Positive decisions	1,341	1,159	182	not-applicable
Negative decisions	21,489	19,552	1,937	not-applicable
Other non-status decisions ¹⁰	647	490	157	not-applicable

Source: Immigration Service

Figure 15. Trend in the number of positive and negative decisions by instance (first applications)



Source: Immigration Service

Assessing final decisions on the basis of citizenship is made complicated owing to the time that elapses between the presentation of an asylum request and the final decision to recognise the refugee status or otherwise. Consequently, the figures for the final decisions taken in 2003 refer to requests made in earlier years and are, therefore, affected to a great extent by the case processing management challenges. Solely more detailed cohort studies would provide a means of gaining a proper understanding of the level of recognition¹¹. Since these cohort studies are still not available, we have decided against including figures about the rate recognition in this 2003 report, confining ourselves to featuring straightforward breakdowns of positive replies by citizenship.

Four citizenships stood out in 2003 for the high number of final positive decisions: Rwanda, Serbia-Montenegro, Afghanistan and Congo (DRC). On a smaller scale, note should also be taken of the smaller number of refugee status recognitions for refugees from Russia, Burundi, Belarus, Algeria and Albania.

Rwandans and asylum seekers from Serbia-Montenegro come top in the list of countries of origin receiving a definitive positive decision in 2003, but it should be noted that the number of recognitions

¹⁰ Included in the "other non-status decisions" category are cases where individuals voluntarily agree to drop their asylum requests, die, or acquire Belgian citizenship... When a person fails to react to a notice to attend an interview without a legitimate reason, a negative decision may be taken and included in the statistics for negative decisions.

¹¹ The challenges raised by the computation of the recognition rate figures are considered in depth by Rob van der Erf in the THESIM project report (Poulain, Perrin and Singleton, 2006).

is down on 2002 in both cases. Conversely, there was a sharp upsurge in the number of recognitions for Afghan nationals between 2002 and 2003. Similarly, the number of recognitions for people from Congo (DRC), Russia and Belarus shot up between 2002 and 2003¹². On the other hand, in the case of citizenships lower down on the scale, such as Albanians or Turks, the number of recognitions nosedived.

Table 7. Definitive positive decisions by citizenship

Citizenship	Total
Total	1341
Rwanda	249
Serbia-Montenegro	243
Afghanistan	224
Congo (DRC)	135
Unknown	84
Russia	48
Burundi	45
Belarus	40
Algeria	36
Turkey	26
Others	211

Source: Immigration Service

c) Statuses granted by citizenship

The current statistics do not allow for a reliable picture to be built up of the process for awarding protection status other than refugee status within the meaning of the Geneva Convention. The figures for humanitarian or alternative protection are therefore somewhat unfocused and therefore open to challenge.

The humanitarian or alternative protection legislation is due to be revamped shortly and the Belgian contact point will be pulling out all the stops to be able to produce the statistics required to understand this development.

2) Contextual interpretations (legal, political and international factors)

a) New or amended laws effective in 2003

Two major legal changes were announced in 2003. The Eurodac system was officially ushered in on 15 January 2003. Similarly, the so-called "Dublin II regulation" has been in force since 1 January 2003. It is difficult to assess what impact these measures have had, but it is reasonable to assume they have helped to create a speedier and more efficient system for processing new requests. A more discerning and broader description of the trends is available in the "policy report" for 2005 published by the Belgian Contact Point of the European Migration Network.

b) Procedural changes effective in 2003

All in all, the procedure continued to be stable in 2003. A more discerning and broader description of the trends is available in the "policy report" for 2005 published by the Belgian Contact Point of the European Migration Network.

¹² This growth has to be borne in mind, because the trend continued throughout 2004 and 2005, with Russians topping the list of asylum seekers most often having their refugee status recognised in 2004.

C. Illegal Entry

1) Analysis and interpretation of statistics

By definition statistics about illegal residents or migrants in Belgium cannot be produced. However, some statistics about measures for the "punishment" or "prevention" of illegal immigration can offer us an idea of the scale of the developments and trends. Three indicators are featured here: the number of refusals, the number of illegal foreigners or aliens apprehended and the number of foreigners removed.

The statistics shown should be treated with the utmost caution, because they are the outcome of a law enforcement and administrative approach that may involve priorities and may change in due course. This means the figures have the potential to reflect the changes in approach as much as the trend in illegal immigration or residence in itself.

These statistics are provided by the CIREFI (Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration) database, thereby reflecting theoretically precise definitions¹³ that may be inconsistent with the definitions adopted to produce the information available at Belgian level. Generally speaking it should also be stressed that these statistics do not include all individuals covered by Community law, i.e. citizens of one of the European Economic Area (EEA – that is the European Union plus Norway, Iceland and Liechtenstein) countries.

a) *Refused aliens*

The first indicator applies to the number of removal decisions or cases of people barred from entering the territory. This indicator is often used to assess the pressure illegal migration places on external borders but this system is no longer valid because routine checks at land borders have been phased out. The number of rejections at international airports may vary according to the changes in air traffic from the main countries of origin for illegal migrants travelling to Belgium. The amount of cases does not, therefore, provide a very faithful picture of the true number of illegal crossings into the country nor of the "migratory pressure".

In keeping with the CIREFI definitions the statistics shown will be seen to be a figure reflecting refusal decisions rather than actual rejections, so the actual number of refusals is likely to be slightly overestimated, given that some decisions do not end in a person actually being rejected.

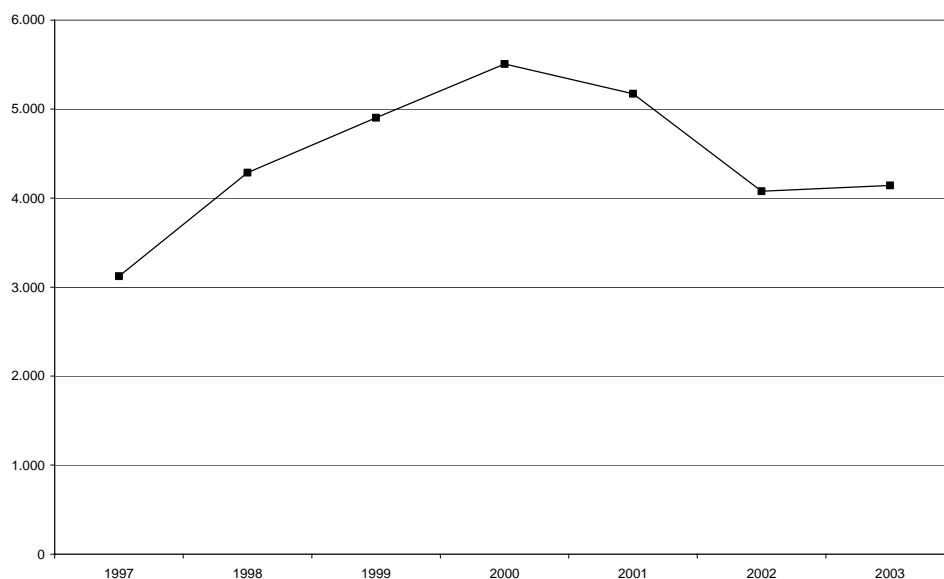
4,143 people were denied entry into Belgian territory in 2003. Most of refusals took place at Zaventem International Airport and at the high-speed train terminal at Brussels-South station but people were also turned back in Belgian ports (mainly Antwerp). The main grounds for the rejections are, in decreasing order of importance: insufficiently clear reasons for wishing to stay, the use of false documents, no visas, insufficient means of support and being featured in the Schengen Information System (SIS) or the National Central Notification Agency¹⁴.

The number of refusals rose sharply in the late 1990s, but started to tail off after 2000 (figure 16). When the SABENA airline went bankrupt, in 2001, a number of flights were axed, particularly those from African capitals, which may partially explain the lower number of refusals in 2002 and 2003, even though this theory should be treated with caution for want of any detailed research in this area.

¹³ The definitions required are spelled out in a document the European Union Council's Presidency published on 19 June 1998 called "Common principles for data exchange in CIREFI" (reference 8927/1/98 REV1)

¹⁴ Individuals featured in the Schengen Information System or the National Central Notification Agency are not allowed to enter the European Union and Belgium.

Figure 16. Number of refused aliens during the period 1997-2003



Source: CIREFI / Immigration Service (Border Inspectorate)

The citizenship of the refused foreigners is still often uncertain. For example, it was impossible to establish the citizenship of 20% of refused aliens with any precision in 2003. The Congolese topped the list of aliens most frequently refused entry in 2003 (not counting Community citizens and people whose citizenship could not be established). Next in line are the citizens of three candidate countries at the time: Romania, Poland and Bulgaria. The refused aliens category includes people from India, whose numbers in Belgium are continuing to grow, legally or otherwise, as shown by standard population figures, statistics on visa applications or statistics on the number of illegal aliens apprehended (table 8).

Table 8. Refused aliens by main country of citizenship, 2003

Citizenship	Total
Unknown	831
Congo, the Democratic Republic of	337
Romania	256
Poland	253
Bulgaria	219
India	149
Albania	135
Serbia and Montenegro	115
Morocco	114
Turkey	111
Others	1,623
Total	4,143

Source: CIREFI / Immigration Service (Border Inspectorate)

b) Apprehended aliens

Applying to the number of illegal foreigners apprehended, the second indicator should tell us about the size of the illegal alien population in the country and the way it changes. It has to be stressed, however, that the indicator is biased by changes in law enforcement activities that cannot be predicted with certainty. As a result, the trend in the number of arrests cannot provide an accurate picture of changes in the illegal population in the country. Some members of the illegal population are more likely to be apprehended owing not only to law enforcement policies but also to their conduct. This means the composition of the illegal population by citizenship, age and gender...that may be deduced from the detention statistics quite clearly differs from the actual composition of the illegal population in Belgium.

In keeping with the CIREFI definitions, this indicator does not include people covered by Community law (EEA citizens). Conversely, it does include foreigners apprehended without any valid identity papers or travel documents, people who have been refused but still enter the territory illegally, people subject to a prohibition on residence but still residing in the country: The potential follow-up to these apprehensions are: an order to leave the territory, immediate repatriation or imprisonment with a view to a subsequent repatriation.

22,164 foreigners have been apprehended under this heading. Illegal aliens apprehended in 2003 mainly originated from three regional categories: Central and Eastern Europe (Poland, Romania, Bulgaria, Serbia-Montenegro, Albania) and Russia, the Maghreb region (Morocco and Algeria), the Middle East and Central Asia (chiefly Iraq, Iran, Afghanistan) and, more recently, India (Table 9).

In the wake of the legalisation campaign initiated in late 1999, there was a significant drop in the number of illegal aliens apprehended in 2000. Anyone intercepted who could produce an acknowledgement of receipt for a legalisation application based on the 1999 Law was automatically released. With the starting date for the legalisation campaign receding into the past, from 2000 to 2003, the trend was towards a dramatic increase in the number of illegal aliens being apprehended (figure 17). The groups primarily involved in this trend were people from Romania, Afghanistan, Poland, Bulgaria, Morocco, Algeria, India and Iran. Conversely, there was drop in the level of interceptions involving individuals from Serbia-Montenegro, Iraq, Turkey, Russia, Ukraine and Georgia

A number of developments should be stressed at this point. In the wake of the Kosovo conflict and the problems in Macedonia, the number of Serbian and Macedonian citizens apprehended was strikingly high, but quite a bit lower in 2003. Similarly, people from Sri Lanka were very often apprehended as being illegal in 2000 but virtually disappeared from the statistics between 2001 and 2002. With a slight time difference, the number of Iraqi nationals dropped sharply in 2003 in contrast to the significant upward trend in the case of people from Poland, Romania and Bulgaria in recent times¹⁵. The number of Moroccans and Algerians apprehended dropped considerably after the legalisation campaign got underway in 1999, but there has been a return to the earlier situation when people were intercepted in large numbers. As in previous years, there continued to be a high level of people from Afghanistan and Iran apprehended in 2003. Striking is the tremendous rise in the amount of Indians being intercepted, up 45% between 2001 and 2002 and up 75% between 2002 and 2003, with India becoming one of the leading countries of origin for illegal foreigners apprehended in Belgium.

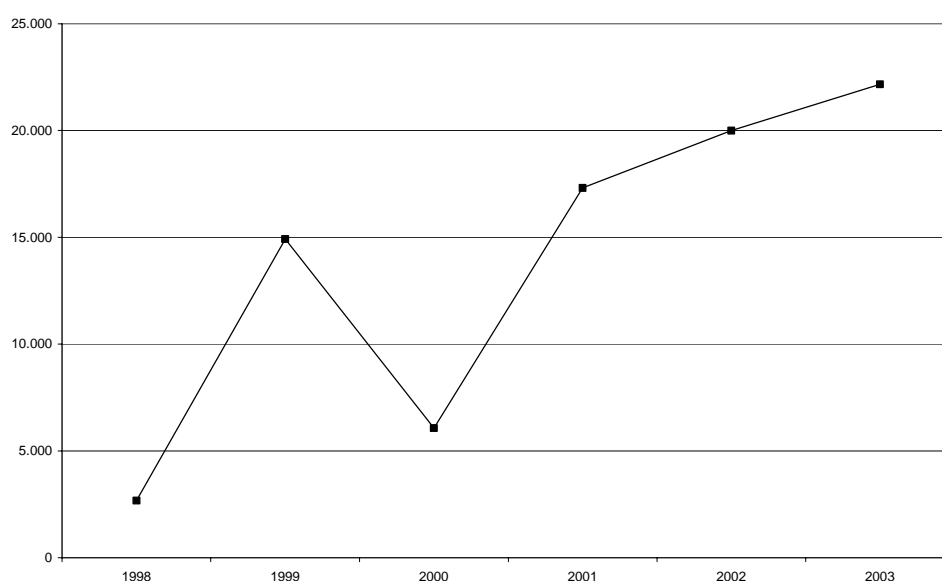
¹⁵ The information available shows a dramatic fall in the number of Polish, Romanian and Bulgarian nationals apprehended after 2004.

Table 9. Apprehended aliens illegally present by main countries of citizenship, 2003

Citizenship	Total
Total	22,164
Poland	2,157
Algeria	1,584
Morocco	1,578
Bulgaria	1,511
Afghanistan	1,463
Romania	1,458
India	1,110
Iran (Islamic Republic of)	985
Serbia and Montenegro	616
Iraq	616
Others	9,086

Source : CIREFI / Immigration Service

Figure 17. Number of apprehended aliens during the period 1998-2003



Source: CIREFI / Immigration Service

c) *Aliens removed*

The third indicator shown concerns the number of illegal foreigners removed by force or as part of an IOM voluntary return programme. This indicator should not be regarded as guide to the general momentum behind illegal aliens returning to their countries (or leaving for another country). The bulk of the returns are done on a voluntary basis outside any legal framework. In common with the other two indicators, changes in this indicator may be significantly biased, as a result of changes in the activities of the authorities in charge of undertaking repatriation operations.

In keeping with the CIREFI definition, the statistics include all those people who, because they are not covered by Community law, are removed to a third country (outside the European Union) because of they have illegally entered or resided in the country and have therefore been ordered to leaving the territory.

In keeping with the CIREFI definition, 9.996 aliens were removed during 2003, with Poles, Bulgarians and Romanians accounting for the citizenships most often involved. They clearly figure prominently amongst illegal foreigners intercepted in Belgium but this illegal population should not overshadow a key factor: agreements these countries have signed with Belgium and the close cooperation between Belgium and these countries allow people to be repatriated more swiftly and in a greater number towards the other countries.

Apart from these countries, a number of citizens from other Central and Eastern European countries are seen to loom large in the statistics : Albania, Slovakia, Lithuania and, to a lesser degree, Serbia-Montenegro (particularly Kosovo), Ukraine, Czech Republic, Hungary and Russia.

The Belgian situation is therefore quite remarkable, insofar as the bulk of foreigners removed hail from countries that joined the European Union in 2004 and candidate countries. This is attributed not only to the major European component of the illegal population but also the practical hurdles involved in expulsions to a large number of non-European countries, or even the impossibility of undertaking such expulsion activities. Cooperation between European countries is apparently most effective in this field. Brazil and Equator are the only two non-European countries of origin of removed aliens among the leading 10 citizenships most often affected by expulsion measures in 2003.

Table 10. Removed aliens by main countries of citizenship, 2003

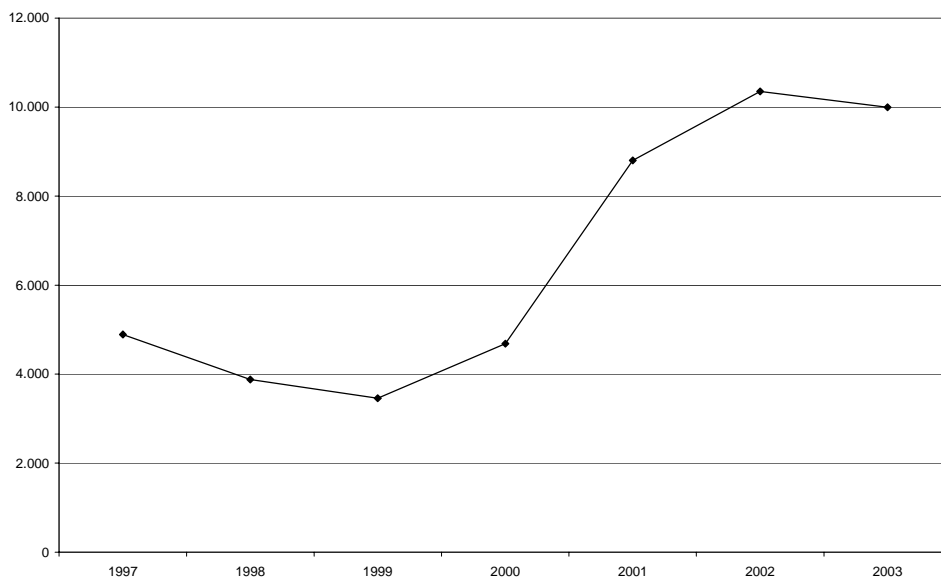
Citizenship	Total
Total	9,996
Poland	1,695
Bulgaria	1,503
Romania	1,380
Brazil	551
Albania	521
Ecuador	405
Slovak Republic	370
Russian Federation	346
Serbia and Montenegro	287
Ukraine	264
Others	2,674

Source: CIREFI / Immigration Service

The number of removed foreigners has increased dramatically in the long term (figure 18), chiefly as a result of higher numbers of removals affecting immigrants primarily from Central and Eastern Europe. Polish and Bulgarian citizens have figured prominently on this list in recent years, to which Albanians and Slovaks may be added in the longer term. Also involved in the repatriation process, but to a lesser degree, are Moroccans, Turks and Brazilians.

In the short term, the number of repatriations was reported to have stabilised between 2002 and 2003, chiefly because of the falling numbers of Albanians and Slovaks and, to a lesser extent, Turks, Kosovars and Russians being sent back. The rapid increase in the level of Romanians being repatriated in recent years has halted, apparently having reached a ceiling, with the number of arrests stabilising between 2002 and 2003. The initial figures for 2004 show the repatriation situation for Bulgarians is identical to the Romanian one.

Figure 18. Number of removed aliens during the period 1998-2003



Source : CIREFI / Immigration Service

d) Relationship between refusals, apprehensions and removals

The relationship between the number of refusals, the number of apprehensions and the number of removals by citizenship is far from straightforward.

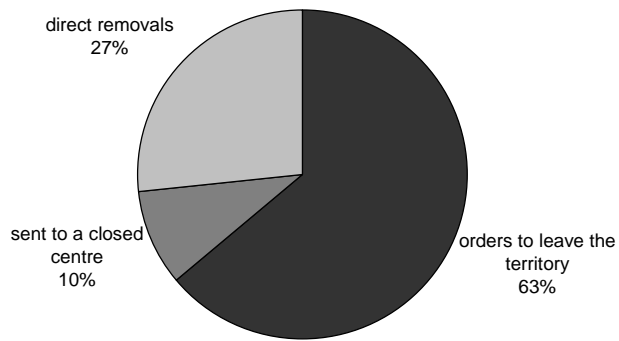
For example, Congolese citizens head the list of refused aliens but do not figure prominently in the figures for apprehensions nor for removal measures. This has to be seen against the background of the political situation in Congo, which does not always favour the removal approach while often prompting Congolese people to make a request for asylum. Account also has to be taken of the means of transport used to enter the territory (often a plane), thereby making it easier to check Congolese arrivals. Moreover, cooperation between the two countries is not as close as that with European countries, such as Poland, Bulgarian, and Romania, for which the number of removals is exceedingly high. Generally speaking, this means there is no systematic correlation between a high level of refusals and high number of arrests.

The most intriguing relationship to consider is definitely the one between arrests and removals. No information is currently available about the longer term fate of aliens apprehended while in illegal circumstances, but details are available about the immediate implications of the arrests. Are the people merely ordered to leave the territory? Are they repatriated straightaway to their countries of origin or provenance? Are they sent to a closed centre so as to be repatriated later on? The information now available shows that in 27% of cases the people apprehended are directly repatriated, while in 10% of cases people are committed to prison to be repatriated at a later date (figure 19). Hence the chief outcome of an apprehension is not removal but an order to leave the territory.

From the point of view of citizenship, the implications of the arrests vary according to the country of origin of the person taken in for questioning (figure 20-21-22). For example, Bulgarians, Poles and Romanians are almost consistently repatriated straightaway (figure 21). The readmission and cooperation agreements between Belgium and these countries are apparently operating smoothly. There is also the possibility that the individuals apprehended put up less resistance to the prospect of returning to their country, as it is not only safe but also close to Belgium. On the other hand, the number of direct repatriations of foreigners from the Middle East (Afghan, Iraq, Iran) is very small, as in the case of people from Algeria, India, Morocco and Serbia-Montenegro (figure 21). The main outcome of apprehensions is therefore an order to leave the territory (figure 20). Nobody or virtually nobody is repatriated to the most unstable countries, thereby reflecting the de facto impossibility of using the removal process to deal with the illegal status of a great many aliens in Belgium. In countries that are more stable or where greater stability has been restored recently, the lower level of direct

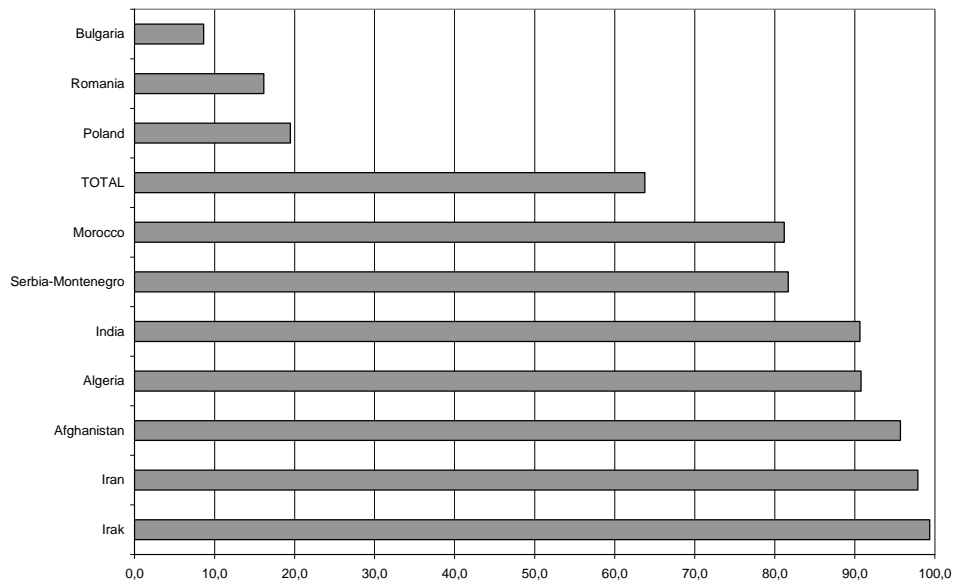
repatriations is partly "offset" by a higher number of people sent to a closed centre (figure 22), which hints at the possibility of "removal rates" that are ultimately slightly higher in these cases.

Figure 19. Immediate implications of the arrest of an illegal alien (2003)



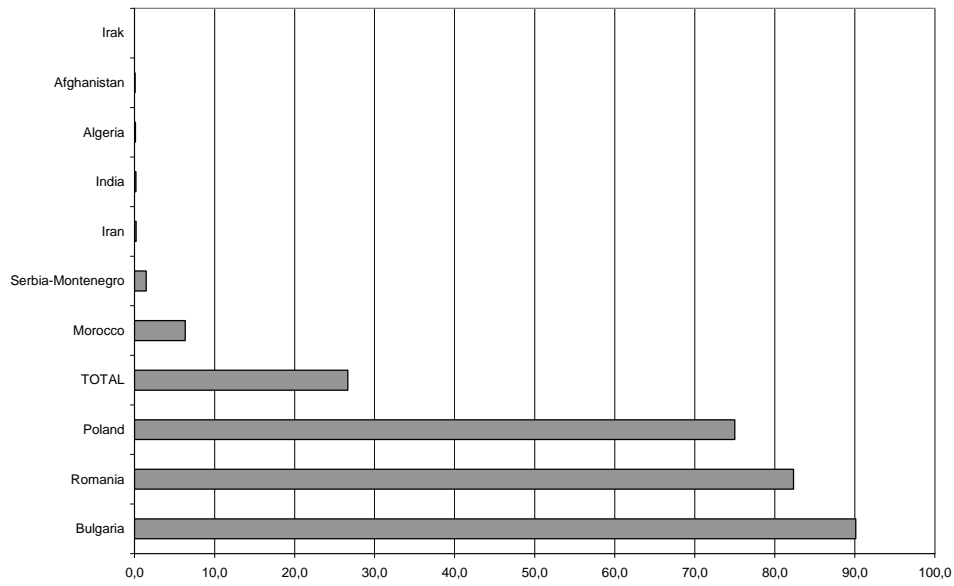
Source : Immigration Service

Figure 20. Proportion of people ordered to leave the territory after being apprehended as illegal (% by citizenship) (2003)



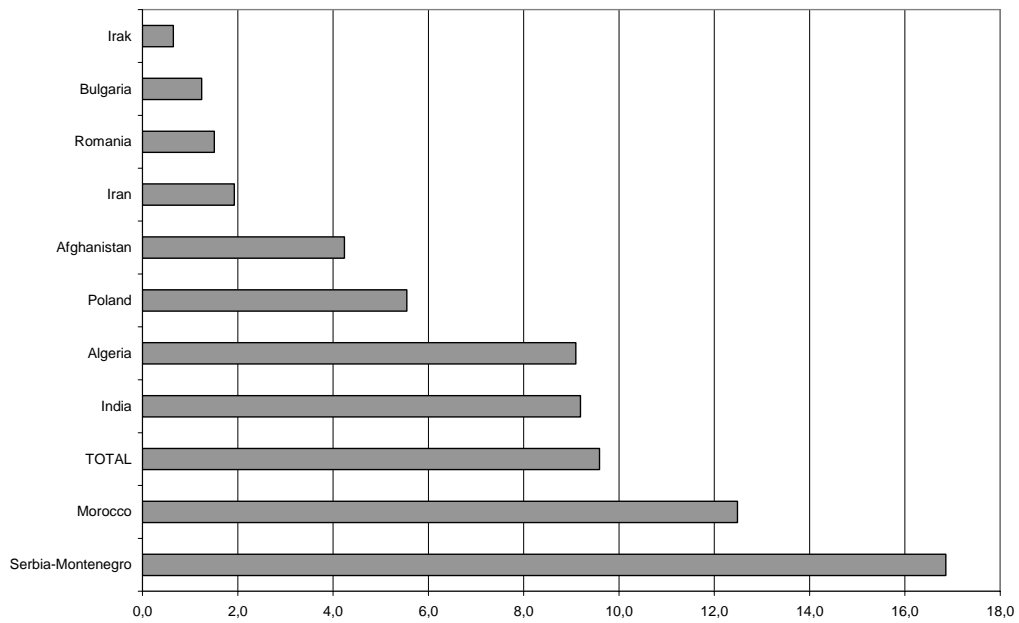
Source : Immigration Service

Figure 21. Proportion of people removed straight away after being apprehended as illegal (% by citizenship) (2003)



Source : Immigration Service

Figure 22. Proportion of people sent to a closed centre after being apprehended as illegal (% by citizenship) (2003)



Source : Immigration Service

2) Contextual interpretations (legal, political and international factors)

Note should be taken of a number of removal-related regulatory changes between 2001 and 2003.

Within the Community :

- An agreement with Hong Kong was signed on 27 November 2002 and adopted by the Council on 17 December 2003
- An agreement was signed with Macao on 13 October 2003
- An agreement was initialled with Sri Lanka in late May 2002
- An agreement was initialled with Albania on 18 December 2003

Within the Benelux countries:

- An agreement with Bulgaria was ratified on 30 May 2002
- An agreement with Estonia was ratified on 30 May 2002
- An agreement with Hungary was ratified on 26 March 2003
- An agreement Romania was ratified on 29 April 2003
- An agreement with Slovakia was signed on 21 May 2002
- An agreement with Yugoslavia was signed on 19 July 2003
- An agreement with Switzerland was signed on 11 December 2003

Within Belgium :

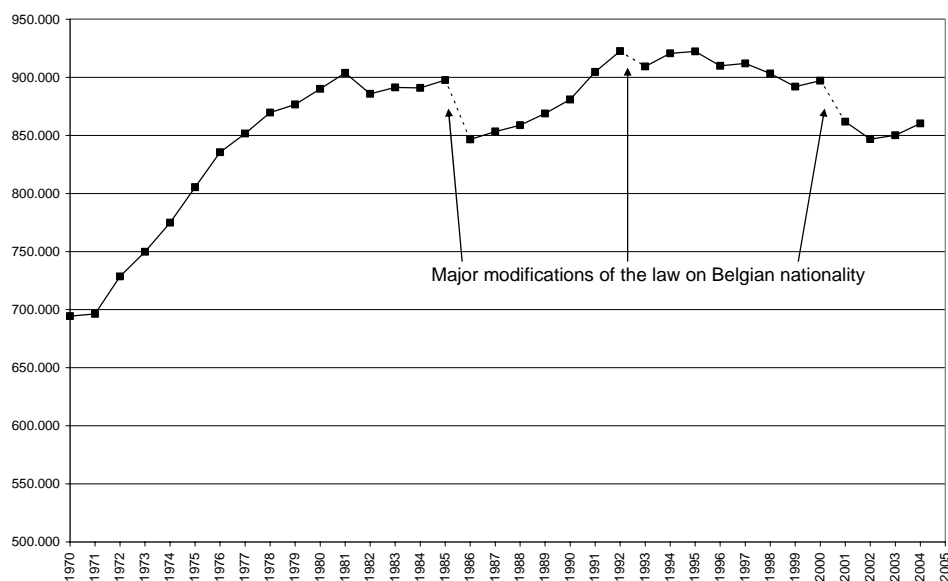
- administrative agreements were signed with Russia on 18 May 2001 and with Congo on 21 June 2002
- organised in 2002 and 2003, missions involving immigration officials resulted in the adoption of facilitated readmission procedures with :
 - Nepal
 - Niger
 - Poland
 - Guinea
 - Togo

D. Other data and information available

Against the background of this report it has been decided to add various items of information about foreigners acquiring Belgian citizenship, and the implications for the statistics showing the number of aliens in Belgium. The entitlement to citizenship and its spin-offs since 1985 have no doubt had more of an impact on changes in the number of foreigners than the country's immigration policy.

Apart from the 1981-1982 period¹⁶, any changes in the pattern for the alien population lawfully residing in Belgium may be attributed to the outcome of the right to Belgian citizenship. Fairly extensive legislative changes were made first of all in 1984, then in 1991, and finally in 1999, and one year later, once the legislation was applied, there was a consistent rise in the number of foreigners becoming Belgian (figure 3) matched with a fall in the number of foreigners (figure 23).

Figure 23. Changes in the foreign population and major modifications of the law (1970-2004)



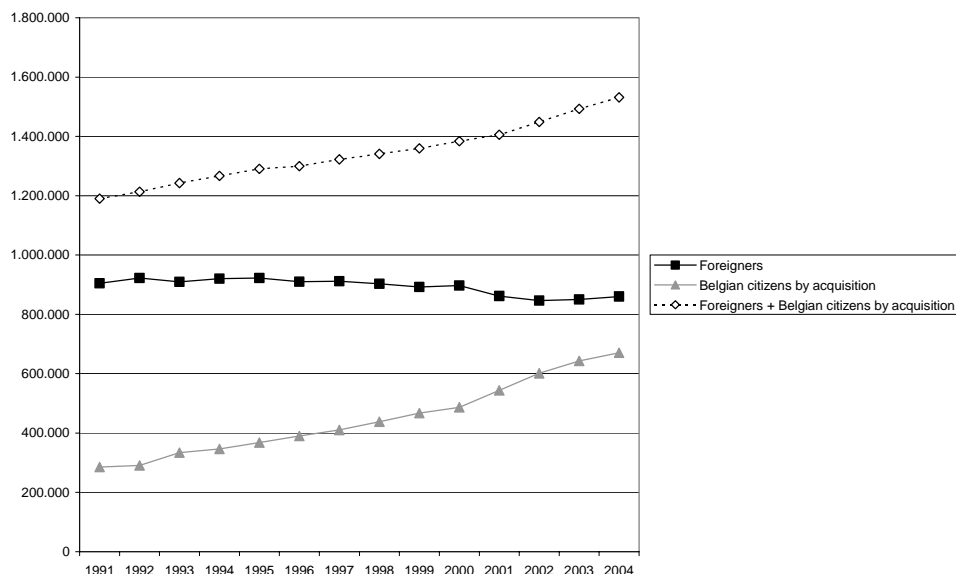
Source : Censuses and National Register / Statistics Belgium

As a result of the "changing" legislation, the indicator referring to the number of foreigners in Belgium is quite difficult to assess. At the same time as the procedures for acquiring Belgian citizenship vary over time, the underlying definition regarding the number of foreigners varies over time to an extent. The dynamics of the foreign population can be better understood by considering the future of the new Belgian citizens so as to discover how many remain in Belgium, how many die each year and, ultimately, the number of Belgian citizens by acquisition (figure 24). This shows that the number of foreigners has been decreasing or stagnating since 1991 (start of the period for which such an estimate is available) but there is a steady and strong upsurge in the number of Belgian citizens by acquisition. Focusing not on foreigners but on foreign-born people as the target population (whether they have become Belgian or otherwise) shows a sharp increase in the size of the foreign-born population living in the country. This does not allow account to be taken of the direct impact of changes of citizenship, the children of Belgian citizens by acquisition being Belgian from birth. Nor does it allow consideration to be given to the impact of the right to citizenship, granting Belgian

¹⁶ The decline in the number of foreigners between 1981 and 1982 stems from an adjustment to the population statistics in the wake of a census. The population is estimated every year on the basis of the population registers. These tend to overestimate the size of the population, as some people do not declare when they are leaving the country. At the time registers were adjusted in the light of the census findings. Rather than number of foreigner decreasing between 1981 and 1982 the figures show an adjustment to the overestimation of the number of foreign arrivals recorded since the latest census.

citizenship, as soon as they are born, to a number of new-born babies whose parents are foreigners. However, it helps to provide an inkling of how decisions to acquire or award citizenship affect people who used to be regarded as foreigners.

Figure 24. Changes in the number of foreigners, number of people who have Belgian citizenship by acquisition and the number of foreign-born people living in Belgium (1991-2004)



Source : National Register / Statistics Belgium (estimate made by N. Perrin, GéDAP-UCL)

In terms of citizenship, the most striking developments are: a) the increase in the number of Turks and Moroccans becoming Belgian b) a parallel fall in the number of Europeans become Belgians. The scale of this process is most impressive for certain groups. For example, the number of Congolese legally residing in Belgium has never exceeded 15 000 but the amount of Congolese people obtaining Belgian citizenship every year between 2000 and 2003 was on the order of 2500 to 3000. This is a tremendously high level of "acquisitions of Belgian citizenship" (something like one out of every four or five Congolese citizens becoming Belgian every year during the years under consideration). The situation is similar for people from the former Yugoslavia: the population in Belgium has never exceeded 10 000, whereas the number of acquisitions of citizenship was over 1000 from 2000 to 2002 (table 6).

Table 11. Acquisitions of citizenship by previous citizenship, 1990-2003

Previous citizenship	Morocco	Turkey	Italy	DR of Congo	France	Algeria	Tunisia	Netherlands	Former-Yugosl.	Spain	Total
1990	1.884	706	726	144	440	140	180	174	139	97	7.116
1991	2.090	1.020	757	165	508	190	215	214	207	109	8.121
1992	6.856	4.044	22.358	454	2.176	930	485	1.186	384	1.792	46.524
1993	5.489	3.415	1.433	405	528	544	416	223	353	196	16.193
1994	8.627	6.263	2.325	464	616	708	573	333	417	281	25.661
1995	9.140	6.925	2.094	506	604	783	534	341	377	246	26.038
1996	7.905	7.066	1.940	569	547	558	404	264	320	262	24.425
1997	11.078	7.835	1.726	1.059	530	620	566	292	470	221	31.687
1998	13.485	6.932	1.536	1.759	491	712	585	249	551	180	34.034
1999	9.133	4.402	1.187	1.899	363	520	300	234	388	137	24.273
2000	21.917	17.282	3.650	2.936	948	1.071	859	492	1.101	280	61.953
2001	24.018	14.401	3.451	2.842	1.025	1.281	728	601	1.262	321	63.083
2002	15.832	7.805	2.341	2.579	856	926	521	646	1.390	229	46.520
2003	10.565	5.186	2.646	1.660	698	826	382	522	827	298	33.785
Total	148.019	93.282	48.170	17.441	10.330	9.809	6.748	5.771	8.186	4.649	449.413

Source: National Register / Statistics Belgium (figures reproduced from Jan Hertogen, www.npdata.be)

References

- Belgian Contact Point of the European Migration Network, 2005a, *Migration and Asylum in Europe 2002 (Reference year 2002): Belgium*, in GÉDAP and BIVS, 2006, *Migration and Asylum in Europe 2002*, http://europa.eu.int/comm/justice_home/doc_centre/asylum/statistics/doc_annual_report_2002_en.htm, 495 p.
- Belgian Contact Point of the European Migration Network, 2005b, *The Belgian policy report on migration and asylum: with a special focus on immigration and integration (reference period: 01/01/2003-31/07/2004)*, <http://dofi.fgov.be>, 27 p.
- Chin Lin Pang, 2005, *L'immigration chinoise en Belgium. Evolutions et perspectives*, Rapport du Centre pour l'égalité des chances et la lutte contre le racisme, www.antiracisme.be, 49 p.
- Centre for Equal Opportunities and Combating Racism , 2006, *Migratory flows en provenance des nouveaux Etats membres de l'Union Européenne vers la Belgium. Tendances et perspectives*, www.antiracisme.be, 99 p.
- Commissariat Général aux Réfugiés et aux Apatrides, 2004, *Rapport annuel. Seizième rapport annuel. Année 2003*, <http://www.belgium.be/cgra>, 81 p.
- Commissariat Général aux Réfugiés et aux Apatrides, 2005, *Rapport annuel. Seizième rapport annuel. Année 2004*, <http://www.belgium.be/cgra>, 46 p.
- Direction Générale Statistique et Information Economique, 2004a, *Mouvement de la population et migrations en 2003*, Bruxelles, Direction Générale Statistique et Information Economique, série Population et ménages, www.statbel.fgov.be, 298 p.
- Direction Générale Statistique et Information Economique, 2004b, *Population étrangère au 1 January 2004*, Bruxelles, Direction Générale Statistique et Information Economique, série Population et ménages, www.statbel.fgov.be, 298 p.
- GÉDAP and BIVS, 2006, *Migration and Asylum in Europe 2002*, http://europa.eu.int/comm/justice_home/doc_centre/asylum/statistics/doc_annual_report_2002_en.htm, 495 p.
- Kuzma, Elzbieta, 2003, *Les immigrés polonais à Bruxelles. Analyse et description du phénomène*, rapport rédigé dans le cadre du programme "Research in Brussels" de la Région de Bruxelles-Capitale, Bruxelles, 2002-2003.
- Institut National de Statistique, 2003, *Population étrangère au 1 January 2003*, Bruxelles, Institut National de Statistique, série Population et ménages, www.statbel.fgov.be, 298 p.
- Perrin, Nicolas, 2005, *Nouvelles sources statistiques sur les migrations*, présentation au séminaire sur l'amélioration des statistiques migratoires du point de contact belge du Réseau Européen des Migrations.
- Perrin, Nicolas et Michel Poulain, 2006, Country report : Belgium, in Poulain Michel, Nicolas Perrin and Ann Singleton, *Towards Harmonised European Statistics on International Migration*, Louvain-la-Neuve, Presses universitaires de Louvain, www.uclouvain.be/gedap, pp. 381-390.
- Perrin, Nicolas et Hélène Rajabaly, 2005, Polish women in Belgium: from immigrant strategies to migration statistics, in Slany, K., *International migration: A Multidimensional Analysis*, AGH University of science and technology press, Cracow, pp. 93-113.
- Poulain Michel, Nicolas Perrin and Ann Singleton, 2006, *Towards Harmonised European Statistics on International Migration*, Louvain-la-Neuve, Presses universitaires de Louvain, www.uclouvain.be/gedap, 744 p.
- Vulsteke, Benedikt, 2005, *Illegally Resident Third Country Nationals in Belgium: State approaches towards them and their profile and social situation*, Belgian Contact Point of the European Migration Network, www.dofi.fgov.be, 137 p.