

# Belgium Immigration Detention Data Profile



## Quick Facts

<b>Immigration detainees (2017)</b>	7,105
<b>Detained asylum seekers (2018)</b>	Not Available
<b>Detained minors (2017)</b>	326
<b>Immigration detention capacity (2017)</b>	609
<b>Persons expelled (2018)</b>	4,940
<b>International migrants (2019)</b>	1,981,919
<b>New asylum applications (2019)</b>	12,882
<b>Number of immigration detainees on a given day (2020)</b>	202

## NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/europe/belgium>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

## STATISTICS

### Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date	
Total number of immigration detainees by year	7,105	2017	Number of immigration detainees on a given day	202	2020	
	6,311	2016		162	2020	
	6,229	2015		304	2020	
	5,602	2014				
	6,285	2013				
	6,797	2012				
	7,034	2011				
	6,553	2010				
	6,439	2009				
	6,902	2008				
	7,506	2007				
	8,742	2006				
	7,837	2004				
	9,345	2003				
	8,590	2002				
Top nationalities of detainees	Albania, Morocco, Afghanistan, Sudan, Algeria	2017	Number of persons granted alternatives to immigration detention	590	2013	
				485	2012	
				463	2011	
				221	2010	
				206	2009	
Number of detained asylum seekers	Not Available	2018	Total number of detained minors	326	2017	
	969	2015		316	2016	
	1,868	2014		345	2015	
	1,884	2013		429	2014	
	1,371	2011		352	2013	
	1,449	2010				
Number of apprehensions of non-citizens	19,145	2018	Immigration detainees as a percentage of total international migrant population	0.45	2015	
	30,757	2017		0.54	2013	
	29,059	2016		0.62	2010	
	24,137	2015				
	15,540	2014				
	15,075	2013				
	15,085	2012				

Estimated total immigration detention capacity	609	2017	Number of dedicated long-term immigration detention centres	5	2018
	583	2016		5	2017
	452	2015		5	2016
				5	2015
Estimated capacity of dedicated long-term immigration detention centres	583	2016	Number of persons removed/returned (voluntary returns and deportations)	4,940	2018
				6,315	2017
				4,245	2016
				5,835	2015
				5,575	2014
				7,170	2013
				7,840	2012
Number of deportations/forced returns only	Not Available	2018	Percentage of persons removed in relation to total number of people placed in removal procedures	88.88	2017
	2,615	2017		15.8	2014
	2,630	2016			
	2,525	2015			
	2,640	2014			
Criminal prison population	11,071	2016	Percentage of foreign prisoners	45	2015
	11,769	2014		44.2	2011
Prison population rate (per 100,000 of national population)	98	2016			
	105	2014			
Demographics and immigration-related statistics					
		Observation Date			Observation Date
Population	11,600,000	2020	International migrants	1,981,919	2019
	11,299,000	2015		1,388,000	2015
	10,800,000	2012		1,159,800	2013
				1,053,000	2010
International migrants as a percentage of the population	12.3	2015	Estimated number of undocumented migrants	100,000	2016
	10.4	2013			
Refugees	61,662	2019	Ratio of refugees per 1000 inhabitants	3.71	2016
	42,168	2018		2.6	2014
	42,168	2017		2.01	2012
	42,128	2016			
	35,314	2015			
	25,633	2014			

Total number of new asylum applications	12,882	2019	Refugee recognition rate	57	2016
	23,443	2018		52	2015
	19,688	2017		32	2014
	18,710	2016			
	44,760	2015			
	38,570	2012			
Stateless persons	7,695	2018			
	2,630	2016			
	5,267	2015			
	2,466	2014			

DOMESTIC LAW				
LEGAL TRADITION				
Legal tradition	Name		Observation Date	
	Civil law			
LAWS AND REGULATIONS				
Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	La Constitution Belge, Article 12	1994	2014
LAWS AND REGULATIONS				
Core pieces of national legislation	Name		Year Adopted	Last Year Amended
	15 DECEMBRE 1980. - Loi sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers mise à jour au 2 juillet 2018		1980	2018
	Law of 15 December 1980 regarding the Entry, Residence, Settlement and Removal of Aliens (Aliens Act)		1980	2016
	Law of 12 January 2007 regarding the Reception of Asylum Seekers and other categories of Aliens (known as Reception Act)		2007	

LAWS AND REGULATIONS			
Additional legislation	Name	Year Adopted	Last Year Amended
	8 OCTOBRE 1981. - Arrêté royal sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers mise à jour au 16 novembre 2018	1981	2018
	22 juillet 2018. Arrêté royal modifiant l'arrêté royal du 2 août 2002 fixant le régime et les règles de fonctionnement applicables aux lieux situés sur le territoire belge, gérés par l'Office des Etrangers, où un étranger est détenu, mis à la disposition du gouvernement ou maintenu, en application des dispositions citées dans l'article 74/8, § 1er, de la loi du 15 décembre 1980 sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers	2018	
	Royal Decree of 2 August 2002 determining the regime and regulations to be applied in the places on the Belgian territory managed by the AO where an alien is detained, placed at the disposal of the government or withheld, in application of article 74/8 §1 of the Aliens Act (known as Royal Decree on Closed Centres)	2002	2014
	Royal Decree of 8 October 1981 regarding the Entry on the territory, Residence, Settlement and Removal of Aliens	1981	
	Royal Decree of 9 April 2007 determining the regime and functioning rules of the Centres for Observation and Orientation of Unaccompanied Minors (known as Royal Decree on OOCs)	2007	
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Immigration-status-related grounds	Name	Observation Date	
	Detention to effect removal	2017	
	Detention during the asylum process	2017	
	Detention after readmission	2017	
	Detention to prevent unauthorised entry at the border	2017	
	Detention to ensure transfer under the Dublin Regulation	2017	
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Non-immigration-status-related grounds providing for administrative detention in immigration legislation.	Name	Observation Date	
	Detention on public order, threats or security grounds	2017	
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date
	Yes	Yes	2019
	Yes	Yes	2016
	Yes	Yes	2014

CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES					
Grounds for criminal immigration-related detention/incarceration and maximum potential duration of incarceration	Grounds for Incarceration	Maximum Number of Days of Incarceration		Observation Date	
	Unauthorised stay	365		2016	
	Unauthorized re-entry	365		2016	
	Unauthorised stay	90		2015	
	Unauthorized entry	90		2014	
LENGTH OF DETENTION					
Maximum length for administrative immigration detention in law.	Number of Days		Observation Date		
	150		2019		
	150		2016		
LENGTH OF DETENTION					
Longest recorded instance of immigration detention.	Number of Days		Observation Date		
	429		2015		
	270		2014		
LENGTH OF DETENTION					
Maximum length of time in custody prior to issuance of a detention order	Number of Days		Observation Date		
	1		2016		
LENGTH OF DETENTION					
Average length of detention	Number of Days		Observation Date		
	35		2017		
	26		2016		
	26		2012		
	27		2011		
	27		2010		
	25		2009		
LENGTH OF DETENTION					
Maximum length of detention for asylum-seekers	Number of Days		Observation Date		
	150		2015		
PROCEDURAL STANDARDS					
Provision of basic procedural standards	Name		In Law	In Practice	Observation Date
	Information to detainees		Yes	infrequently	2019
	Independent review of detention		Yes		2017
	Complaints mechanism regarding detention conditions		Yes		2002
	Right to legal counsel		Yes		1981
	Right to appeal the lawfulness of detention		Yes		1980

NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Types of non-custodial measures	Name	In Law	In Practice	Observation Date
	Supervised release and/or reporting	No	Yes	2020
	Release on bail	No	No	2014
	Supervised release and/or reporting	No	No	2014
	Electronic monitoring	No	No	2014
	Registration (deposit of documents)	No	No	2014
	Designated non-secure housing	No	No	2014
VULNERABLE PERSONS				
Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Unaccompanied minors	Prohibited	Yes	2017
	Asylum seekers	Provided	No	2015



## COVID-19 UPDATES

	Update Status	Observation Date
	<p>According to an international organisation official who asked to remain anonymous, but whose identity was verified by the GDP, while no moratorium on new immigration detention orders was established, fewer detention orders have been issued since the onset of the Covid-19 pandemic. The Director-General of the Immigration Office (IO) and the Minister for Asylum and Migration both reported in June that they expect the number of persons in detention to rise again, depending upon the evolution of the pandemic and the capacity in the centres (see the 27 March Belgium update on this platform). As previously reported on this platform (see 6 May Belgium update), some immigration detainees have been released from detention. On 9 June, it was reported in the Parliament's Commission for Home Affairs (and Migration) that about half of the people in detention had been released since the beginning of the health crisis. In mid-March, some 300 persons out of the 630 persons who were in detention were released so as to make space in the detention centres and be able to better implement social distancing. On 17 June, 202 people remained in immigration detention in Belgium. Persons to be released are evaluated on a case-by-case basis and are released when there is no legal basis to keep them in detention. In Belgium, detention is only possible for a limited period of time and under the condition that the Immigration Office is able to remove them, an outcome hampered by border closures and limited air traffic. According to the source, no specific measures have been implemented by authorities for people released from detention. Thus, those released may reside with family or acquaintances or, in some cases, be left homeless. People released from detention and who are still entitled to shelter/reception facilities, can present themselves at the information desk of the Immigration Office to be reintegrated into the reception network. The source also reported that immigration detainees were being tested for Covid-19. As reported on 9 June by the Director General of the IO and confirmed on 17 June by the Minister for Asylum and Migration, no detainees had tested positive for Covid-19, but 3-4 staff members tested positive. However, detainees already present in detention centres at the start of the health crisis were not systematically tested. In cases of suspected infection, detainees are placed in medical isolation as a precautionary measure. All new arrivals at a detention centre are tested upon arrival, in line with the guidelines set by the Risk Management Group regarding testing protocols for people residing in collective residence. Despite the police requesting systematic Covid-19 testing of detainees for fear of infection, persons who are released from detention and about to be removed are not tested. According to the source, removals have not been suspended during the Covid-19 crisis (see the 6 May Belgium update on this platform for related information). The Director General of the IO nonetheless reported that "removal capacity" has been limited because of the health crisis. According to statistics released by the IO, fewer persons were forcibly removed from the country during the crisis: 239 in March; 22 in April; 28 in May; and 72 in June. Most of the returns were to countries of origin and others took place in application of the Dublin Regulation, which resumed on 22 June. Removals took place to Brazil; Rwanda; Ukraine; Bulgaria; Romania; the UK; the Netherlands; France; Ireland; and Italy. Also, the number of refusals of entry at the Belgian border have decreased compared to the months before the crisis. In January 214 people were refused entry into Belgium; 190 were refused in February; and 111 in March. However, in April, only 5 people were refused entry; 1 in May and 6 in June. Between 18 March and 31 May, 5,421 orders to leave the territory were issued. Yet, where leaving the country is impossible due to the pandemic, there is a possibility to request an extension of the order. Furthermore, the source reported that applicants for international protection must now be done online, by filling out an online form and uploading copies of documents. Following this, an invitation for a first interview will be sent to the person. In order to avoid having too many people at the same time for these interviews, there is a waiting list. Applicants for international protection have to wait for the first interview before receiving accommodation. As regards Belgium's borders, non-essential travels to Belgium from EU countries were not allowed until 15 June. Non-essential travel to Belgium from countries outside the EU are not permitted until 31 August as provided by the Ministerial Decree of 30 June. In addition, people in need of international protection or travelling for humanitarian reasons are considered as having an 'essential need' and are, in theory, allowed to travel to Belgium. Belgian authorities continue to carry out active checks and several border crossings remain closed.</p>	2020
Latest Update	<p>Global Detention Project Survey completed by Laura Cleton (@LauraCleton), University of Antwerp IS THERE A MORATORIUM ON NEW IMMIGRATION DETENTION ORDERS? There has been no public information on whether new detention orders are still being made. In terms of Orders to Leave the Territory (OLT), the Minister for Social Affairs, Public Health, Migration and Asylum, Maggie de Block, mentions that she has not completely suspended them. If persons get an OLT, they have to leave Belgium and the EU whenever that is possible. Return/removal is still possible for certain countries. Also, individuals can ask for an extension of their OLT's deadline. HAVE IMMIGRATION DETAINÉES BEEN RELEASED? Yes, people have been released from immigration detention as a result of the Covid-19 pandemic. The ministry says that there are two reasons for people to be released from detention. First, because forced removal was no longer possible as a result of the closing of international airspace and limitation on flights. According to law, in certain cases, detention could therefore not be prolonged. Second, detainees were released to guarantee safety of other detainees and personnel. There needed to be less people in the facilities to guarantee the social distancing measures. On April 8, the minister said that 297 detainees were released from detention, whereas 204 were still residing in detention. This selection was made by the Immigration Services (Dienst Vreemdelingenzaken). Decisions on who gets released and those whose detention is continued are made on an individual basis, file by file. In the first place, the Immigration Services look as to whether removal is still possible within the official term. All elements in the individual file are taken into account, most certainly those having to do with public order. Also those persons in detention whose nationality/identity still need to be established, which can take months, can stay in detention for longer. The current situation, according to Maggie de Block, therefore does not automatically lead to the conclusion that there is no "reasonable prospect of return". Following the guidelines from the European Commission, detention of the aforementioned groups can be prolonged. There are still judicial procedures in place to check if requirements for (prolonged) detention are still lawfully permitted. On 19 March, a Belgium newspaper mentioned that at least 200 detainees were released. In the article, the immigration authorities mentioned that people released were those who had not committed "offences against public order". A spokesperson for immigration authorities said that migrants with criminal convictions would remain in detention; this was later reiterated by the Minister for Interior and Migration in a parliamentary debate on 8 April. On 27 April, there were still 162 detainees in detention centres - 15 in Bruges, 62 at Merksplas, 36 at Vottem, 18 at Steenokkerzeel, 25 at Caricole and 6 at Holsbeek. Minister De Block mentioned that this occupation rate causes no problems for guaranteeing social distancing. She mentions that in some instances, people also sleep in small dorms alone, instead of together. WHAT MEASURES TO PREVENT FORMER DETAINÉES FROM BEING INFECTED? A 19 March newspaper article reported that there was no reception for those who had been released and "it is unclear where the 200 released detainees reside at this moment." Maggie de Block said that if detainees are released, staff asks them if they have reception with family or friends. She said that this is the case for the majority of cases. If this is not the case, the Belgium government will "look for reception," though no details were provided. Detainees can be picked up by family members in the proximity of the centre, or released in proximity to public transportation. In principle, local governments are responsible for providing reception for individuals without papers. Minister De Block mentioned the possibility of demanding that hotels or campsites give up their rooms to accommodate undocumented migrants and other homeless persons. ARE DETAINÉES BEING TESTED FOR COVID-19? Detainees are only tested when they show symptoms. On 8 April, there were no known COVID-19 cases among detainees in the detention centres. Similar procedures are followed in regular reception centres for asylum seekers (see Q6) - they are isolated and get the necessary medical attention. On 8 April, there were two people in medical isolation, and there were four known cases among detention centre personnel. On 29 April, Minister de Block confirmed that tests remained available in detention centres but that there were still no confirmed cases among detainees. The minister said on 8 April that measures taken in detention centres were mainly directed to limiting contact between detainees/staff, and enhancing hygiene. For example, detainees are spread out more evenly through common rooms such as dining halls and dorms. Also, the number of persons who can take part in one daytime activities is limited, all to ensure limited contact between different residents. Visits for detainees are also temporarily suspended, but not for all: parliamentary members and attorneys still have the possibility to visit their clients. Detention centres have the possibility of digital visits, offer more flexible use of telephones and expand internet capacities in the centres. Staff in detention centres also wear mouth masks when the required distance cannot be respected. Detainees have also been offered mouth masks. On 27 April, there were still 162 detainees in detention centres - 15 in Bruges, 62 at Merksplas, 36 at Vottem, 18 at Steenokkerzeel, 25 at Caricole and 6 at Holsbeek. De Block mentioned that, apart from the centre in Bruges, that this occupation is no problem for guaranteeing social distancing, also not in the dorms. She mentions that in some instances, people also sleep in small dorms alone. HAVE DEPORTATIONS/REMOVALS BEEN STOPPED? Deportations still take place on a case by case basis. Between 13 March and 8 April, 93 removals took place, according to the minister, however the specific destinations were not provided. A minority of those are Dublin transfers. Escorts on removal flights are not possible anymore, but people are sometimes accompanied until they board the plane. Removal to countries which have "great difficulties," like Greece, are not possible. NEW IMMIGRATION AND/OR ASYLUM POLICIES AS WELL AS BORDER CONTROLS IN RESPONSE TO THE COVID-19 CRISIS On 17 March, the government decided to temporarily stop admitting applications for international protection and postpone them until further notice. The reason given for this was that at the main asylum application centre called 'Klein Kasteeltje' in Brussels, there was too little space to uphold the social distancing measures while continuing the necessary proceedings. At the same time, Caritas Belgium mentioned that there was no alternative reception in place for these new asylum seekers, and hence that they were forced to live on the streets, also in case of extremely vulnerable persons, or families with minor children. During a parliamentary debate on 8 April, it was reported that registration had resumed, yet in a different format: appointments for hearings had to be made via the internet, and asylum seekers could only enter the Immigration Office's building if they had made an appointment, to prevent waiting-spaces and queuing. Preference is given to vulnerable people, unaccompanied minors, families with minor children, pregnant women, and persons with severe medical complications. Several members of parliament feared that this application procedure might disproportionately impact illiterate asylum seekers, or those without access to the internet. Other measures taken in the application procedure to guarantee safety are altering the rooms in which asylum hearings take place, by amongst others placing Plexiglas. Employees assessing applications for international protection first try to make decisions on cases which already had hearings, and then also look for possibilities via video conference. The minister added that those who come to the Immigration Office for their appointment get a medical screening upon their arrival, and are isolated if an infection is suspected. In the period of 3 - 27 April, 962 questions for an appointment with the Immigration Office were made, and more than 600 still are awaiting a date for their appointment. In the same period, 154 requests for asylum were made. From mid-April onwards, new asylum seekers can be received in a military base in Sijsele and the reception centre in Marcinelle, which were also in use in 2015, when Belgium received significantly more asylum seekers during the refugee "crisis." There is a maximum capacity of respectively 300 and 174 persons in these reception facilities. Persons admitted to the facilities will need to reside in pre-registration reception for 7 days first (at Klein Kasteeltje in Brussels), where registration for asylum happens and they are tested for covid-19 symptoms. Only after examination, if they do not show any symptoms, they can move to Sijsele or Marcinelle. They are not all tested - only those who fit the nation-wide "case definition" (risk groups) are tested. The medical services in the reception centres also take preventive measures to limit spreading of the virus, and giving necessary medical attention. All non-essential medical attention is postponed for now. Several members of parliament questioned whether it was possible to uphold the social distancing measures at place in these facilities. Minister de Block said that all residents of reception centres follow the rules in force in Belgium at large. Persons with symptoms are immediately placed in isolation, and if necessary seen by a doctor. Those with severe complications are sent to a hospital, where it is decided if the person needs to be tested and hospitalized. This procedure is similar to other collective reception structures. Residents are being notified on the measures in place through information in their own language. Minister de Block also announced that migrants with legal status, but whose right to reside in Belgium is about to expire, can ask for a prolonging of their residence.</p>	2020
	<p>Authorities announced that they had expanded access to the labour market for asylum applicants (if they have already submitted their application). Authorities hope that they can help make up for the lack of workforce - particularly seasonal workers - in the country. From 20 March 2020, the Brussels local government will be hosting 100 homeless people, including migrants, in a hotel in Brussels. Médecins Sans Frontières will provide medical care for those accommodated in the hotel.</p>	2020
	<p>Belgium halved its immigration detention capacity (from 609 to 315 spaces) in the weeks after the outbreak of the pandemic. By 19 March, the total number of detainees in the country's six detention centres had dropped to 304. However, because reception centres for asylum seekers are no longer accepting new arrivals and detainees are being released without access to support, many released migrants and asylum seekers reportedly have limited options other than to live on the streets. A Belgian NGO has qualified this measure as "unacceptable" and urged the state to use "vacant holiday parks, hotels and sports halls to provide shelter for anyone who is homeless." They also requested that the government provide undocumented migrants with temporary stay for three months based on their non-reparability and / or other humanitarian reasons." Family and NGO visits to detention facilities were also suspended, and on 17 March 2020, the Belgian Immigration Office temporarily halted the registration of new asylum seekers.</p>	2020

## INTERNATIONAL LAW



Relevant international treaties and date of ratification			
International treaties	Name		Ratification Year
	OP ICESCR, Optional Protocol to the International Covenant on Economic, Social and Cultural Rights		2014
	OP CRC Communications Procedure		2014
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance		2011
	OPCRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities		2009
	CRPD, Convention on the Rights of Persons with Disabilities		2009
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children		2004
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime		2004
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment		1999
	ICCPR, International Covenant on Civil and Political Rights		1994
	CRC, Convention on the Rights of the Child		1991
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women		1985
	ICESCR, International Covenant on Economic, Social and Cultural Rights		1983
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination		1975
	VCCR, Vienna Convention on Consular Relations		1970
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees		1969
	CRSSP, Convention Relating to the Status of Stateless Persons		1960
	CRSR, Geneva Convention Relating to the Status of Refugees		1953
Ratio of relevant international treaties ratified	17/19		
Relevant international treaties and date of ratification			
International treaty reservations	Name	Reservation Year	Observation Date
	CRC Article 2	1991	1991
	ICESCR Article 2	1983	1983

Relevant international treaties and date of ratification			
Individual complaints procedure	Name	Acceptance Year	
	ICESCR, Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, 2008	2014	
	CRC, [Third] Optional Protocol to the UN Convention on the Rights of the Child establishing a communications procedure, 2011	2014	
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance, declaration under article 31	2011	
	CRPD, Optional Protocol to o the Convention on the Rights of Persons with Disabilities	2009	
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2004	
	ICERD, declaration under article 14 of the Convention	2000	
	CAT, declaration under article 22 of the Convention	1999	
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1994	
Relevant international treaties and date of ratification			
Ratio of complaints procedures accepted	Number	Observation Date	
	8/8		
	8/8		
Relevant international treaties and date of ratification			
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year
	Committee on the Elimination of Racial Discrimination	§20 [...];Recalling its general recommendation No. 30 (2005) on discrimination against non citizens,;the Committee recommends that the State party ensure that non-custodial;measures are used whenever possible and that detention of asylum seekers at borders is used as a measure of last resort.	2014
Regional treaties, regulations, and directives			
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	ECPT, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment		1991
	CATHB, Convention on Action against Trafficking in Human Beings		2009
	CPCSE, Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse		2013
	ECHRP1, Protocol 1 to the European Convention on Human Rights (amended by protocol 11)		1995
	ECHRP7, Protocol 7 to the European Convention on Human Rights (amended by protocol 11)		2012
	ECHR, Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the European Convention on Human Rights		1955

Bilateral/Multilateral agreements linked to readmissions			
Bilateral/multilateral agreements linked to readmission	Name	Year in Force	Observation Date
	Austria	1965	2017
	Bulgaria	2005	2017
	Croatia	2005	2017
	Estonia	2005	2017
	France	1964	2017
	Germany	1966	2017
	Hungary	2003	2017
	Lithuania	2005	2017
	Luxembourg	1967	2017
	Netherlands	1967	2017
	Poland	1991	2017
	Romania	2006	2017
	Slovakia	2004	2017
	Switzerland	2007	2017
	Albania	2008	2017
	Bosnia and Herzegovina	2008	2017
	Macedonia	2008	2017
	Kosovo	2011	2017
	Montenegro	2012	2017
	Russian Federation	2010	2017
	Serbia	2004	2017
Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recommendation Issued	Year Issued	Observation Date
	Yes	2011	
	Yes	2016	

INSTITUTIONAL INDICATORS				
Institutions responsible for immigration detention				
Custodial authority	Agency	Ministry	Ministry Typology	Observation Date
	l'Office belge des Etranger	Interior Ministry	Interior or Home Affairs	2015
	Office des étrangers	Service Public Fédéral Intérieur	Interior or Home Affairs	2010
Institutions responsible for immigration detention				
Apprehending authorities	Name	Agency	Ministry	Observation Date
	Services de police	Police	Ministry of Foreign Affairs	2016

Institutions responsible for immigration detention															
Detention Facility Management	Entity Name					Entity Type					Observation Date				
	l'Office belge des Etrangers					Governmental					2015				
	l'Office belge des Etrangers					Governmental					2015				
	State					Governmental					2010				
Institutions responsible for immigration detention															
Formally designated detention estate?	Formally designated immigration detention estate?					Types of officially designated detention centres								Observation Date	
	Yes					Any facility designated by relevant authority								2017	
Institutions responsible for immigration detention															
Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
	Yes														2017
Detention monitoring institutions															
Authorized monitoring institutions	Institution					Institution Type								Observation Date	
	Centre for Equal Opportunities and Opposition to Racism					National Human Rights Institution (or Ombudsperson) (NHRI)								2016	
Detention monitoring institutions															
Is the national human rights institution (NHRI) recognized as independent?	Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions?										Observation Date				
	No										2016				
Expenditures															
Estimated annual budget for detention operations	Estimated total annual budget for detention operations (in USD)		Building and maintenance		Security	Staffing	Food	Medical	Transport	Observation Date					
	26,700,000									2011					
	12,800,000									2006					
	11,755,000									2005					
	10,685,000									2005					
Foreign sources of funding for detention operations															
Does the country receive external sources of funding?	Benefitted from non-state funding sources?								Observation Date						
	Yes								2017						
	Yes								2016						
	Yes								2015						
	Yes								2014						

## Foreign sources of funding for detention operations

Description of foreign assistance	Description of non-state assistance	Observation Date
	During the period 2014-2017, Belgium used funds provided through the EU's Asylum, Migration, and Integration Fund (AMIF) for various detention-related activities, including one or more of the following: increased staff at detention facilities; renovation of detention facilities; operational costs of running detention facilities; interpretation and healthcare services; legal assistance for detainees; leisure, cultural and educational activities at detention facilities. Proposed future regulations for this fund include encouraging recipients to consider possible joint use of reception and detention facilities by more than one Member State (see "The Way Forward, p.39).	2017
	During the period 2014-2017, Belgium used funds provided through the EU's Asylum, Migration, and Integration Fund (AMIF) for various detention-related activities, including one or more of the following: increased staff at detention facilities; renovation of detention facilities; operational costs of running detention facilities; interpretation and healthcare services; legal assistance for detainees; leisure, cultural and educational activities at detention facilities. Proposed future regulations for this fund include encouraging recipients to consider possible joint use of reception and detention facilities by more than one Member State (see "The Way Forward, p.39).	2016
	During the period 2014-2017, Belgium used funds provided through the EU's Asylum, Migration, and Integration Fund (AMIF) for various detention-related activities, including one or more of the following: increased staff at detention facilities; renovation of detention facilities; operational costs of running detention facilities; interpretation and healthcare services; legal assistance for detainees; leisure, cultural and educational activities at detention facilities. Proposed future regulations for this fund include encouraging recipients to consider possible joint use of reception and detention facilities by more than one Member State (see "The Way Forward, p.39).	2015
	During the period 2014-2017, Belgium used funds provided through the EU's Asylum, Migration, and Integration Fund (AMIF) for various detention-related activities, including one or more of the following: increased staff at detention facilities; renovation of detention facilities; operational costs of running detention facilities; interpretation and healthcare services; legal assistance for detainees; leisure, cultural and educational activities at detention facilities. Proposed future regulations for this fund include encouraging recipients to consider possible joint use of reception and detention facilities by more than one Member State (see "The Way Forward, p.39).	2014

More information about immigration detention in Belgium is available at the website of the Global Detention Project ([www.globaldetentionproject.org](http://www.globaldetentionproject.org))