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## STUDY: 112,000 UNDOCUMENTED MIGRANTS IN BELGIUM

According to estimates proposed by the Vrije Universiteit Brussel there are 112,000 people without residence documents in Belgium. This estimate was based on mortality rates.

In Belgium each year approximately 500 people pass away who had not been included in the population register. Based on this figure the scientists have calculated that in Belgium on any given day almost 500,000 unregistered people are present. By deducting from this figure the number of tourists and asylum seekers with residence permits, the scientists reached a figure of 112,000 undocumented migrants from outside of the Schengen Area.

Dutch studies are based on police figures. Based on these statistics the WODC calculated a number of 23,000 undocumented people in the Netherlands in 2018. Combining this calculation with statistics of the IOM provided a number of 58,000 undocumented people. According to the WODC the actual number is somewhere in between these two figures.

<https://www.demorgen.be/snelnieuws/ons-land-telt-112-000-mensen-zonder-papieren-blijkt-uit-vub-onderzoek~bbb2f16d/>

## 1. ADMISSION POLICY

European Court of Human Rights: [revocation permit Moroccan after 40 years justifiable because of 16 months prison sentence for drugs offences](#)

This ruling concerns a Moroccan man who grew up in the Netherlands, had legal residence here for 40 years and has two children with whom he did not live together. The Netherlands wants to revoke his permit because of drugs offences for which he served a prison sentence of 16 months. The European Court of Human Rights (ECHR) has agreed with this ruling.

Informational Message 2023/34: [Dublin transfer period is continued during victim proceedings](#)

According to the Dublin provisions asylum seekers who already are in another European country are required to have their asylum requests dealt with in the country concerned. If this transfer cannot be realised after six months, the Netherlands will be responsible.

In cases where the asylum seeker has registered as a victim of human trafficking during the transfer period, he (she) cannot temporarily be deported. The European Court has ruled that the transfer period will still apply in these cases. In this Informational Message the IND has described the new practice.

Court of Appeal: [withdrawal residence permit for study with retroactive effect because of insufficient progress justifiable](#)

This case concerned a man with a residence permit for study. Groningen University has ruled that his study progress in the year 2020 had been insufficient. He continued to be registered at the University and in 2021 his study progress was sufficient. Still the Court are of the opinion that the withdrawal of the permit with retroactive effect was justifiable.

The Court are also of the opinion that the view of the University is decisive. The IND does not need to issue a ruling of its own about the revocation of the residence permit.

## 2. CHECK AND DETENTION

Court of Appeal: [entering premises without permit renders detention illegal](#)

The police are only allowed to enter a residence if the occupant has given permission to do so. If the occupant withholds this permission a written warrant is required.

In this case the occupant had opened the door but there is no evidence whatsoever that permission to enter the premises had been given. Therefore, the police were not allowed to continue to inquire after the occupant's identity and they were not allowed to place the undocumented occupant in detention either.

## 3. ACTIVITIES

Webinar: [Protecting Victims of Trafficking from Immigration Detention](#), 25 April 10-12hr

The Global Detention Project is hosting the fourth in its series of webinars exploring how civil society organisations can promote the rights of migrants, asylum seekers, and refugees in immigration

detention. We will hear from four global experts on human trafficking about how to protect victims of trafficking who are detained for migration-related offences.

KIS Online Seminar: [Financial autonomy of dependent migrant women](#), 25 May

Chair of the day Naima Azough will lead a round-table discussion with experts about the question how women with a migration background in a situation of dependency can be helped to make their own choices by financial resilience in cases where their right to self-determination is constrained. In a number of sessions, a number of organisations will present their successful approaches aimed at these target groups.

Podcast: [refugees in Amsterdam](#)

Amsterdam has a long-standing tradition of accepting refugees. 'Not every municipality is as benevolent as we are', the city council says. But how do you perceive this as a refugee? Is the city really this hospitable? And how do you build a new life here?

Since 2003, the LOS Foundation (the Dutch acronym for 'Landelijk Ongedocumenteerden Steunpunt') has been the knowledge centre for people and organizations providing assistance to undocumented migrants. LOS Foundation devotes itself to the basic rights of these migrants and their children.