

Temporary Protection Belgium

2024 Update

This annex on temporary protection complements and should be read together with [the AIDA Country Report on Belgium](#).

Table of Contents

Relevant documents related to temporary protection	3
Temporary Protection Procedure	4
A. General	4
B. Qualification for temporary protection	5
C. Access to temporary protection and registration	8
1. Admission to territory	8
2. Freedom of movement	9
3. Registration under temporary protection.....	9
4. Legal assistance	12
5. Information provision and access to NGOs	13
D. Guarantees for vulnerable groups	14
Content of Temporary Protection.....	17
A. Status and residence	17
1. Residence permit	17
2. Access to asylum	18
B. Family reunification	19
1. Family member with a right to Temporary protection.....	19
2. Family member with a right to a “derived status”	20
3. Reunification with a beneficiary through regular family reunification schemes	22
C. Movement and mobility	22
D. Housing.....	23
E. Employment and education	29
1. Access to the labour market.....	29
2. Access to education	30
F. Social welfare	32
G. Health care	33

Relevant documents related to temporary protection

Electronic A-card	The A-card is a residence permit that is, amongst others, granted to beneficiaries of temporary protection. If the applicant receives temporary protected status, they will receive an electronic identity card, type A, that is currently valid until 4 March 2025.
Annex 15	The annex 15 is a temporary residence permit with a validity of 45 days awaiting the issuing of the A-card. Beneficiaries receive the Annex 15 upon registration, after their address is confirmed by the municipality, they are given the A-card.
Temporary protection certificate	Upon registration at the IBZ registration Centre, beneficiaries with a positive decision on their temporary protection application receive a temporary protection certificate which serves as proof of their right to temporary protection but does not in itself function as a residence permit.

Temporary Protection Procedure

A. General

The Temporary Protection Directive (TPD) was implemented based on the provisions of the Belgian Aliens Act (“*de Vreemdelingenwet*”)¹ introduced in 2003.² At the time of implementation, temporary protection was not ‘unknown’ to the Belgian Immigration Office, as in the past similar protection had been offered to nationals of former Yugoslavia, Rwandese nationals, Bosnians, and Kosovars.³ However, a framework that gave legal status to displaced persons was lacking until the implementation of the Directive. Following the Russian invasion, the Belgian senate agreed on 25 February 2022 that the necessary steps should be taken to temporarily accommodate Ukrainian war refugees.⁴ Following the Council Implementing Decision (EU) 2022/382 of 4 March 2022, a registration centre was set up in Brussels for people with a potential right to temporary protection.⁵

Main legislative acts relevant to procedure for and content of temporary protection

Title (EN)	Original Title (NL)	Web Link
Belgian Aliens Act	Vreemdelingenwet 1980	https://bit.ly/4cYAZ20 (NL) https://bit.ly/3xCcM1g (FR)
Reception Law	Wet betreffende de opvang van asielzoekers en van bepaalde andere categorieën van vreemdelingen (2007)	https://bit.ly/49Bcmpg (NL) https://bit.ly/4cYirPb (FR)

The Belgian Aliens Act provides that temporary protection is applied to the same categories of people who are eligible for temporary protection under the implementation decision.⁶ While this is the case overall, there are slight differences in interpretation and application (see further: [Qualification for temporary protection](#)).

Between 10 March 2022 and December 2024, 92,259 persons received a temporary protection certificate in Belgium.⁷ In 2024, Ukrainians accounted for 98.94% of temporary protection holders.⁸ There are no statistics available on the specific grounds for granting temporary protection, nor on the number of persons present in the country that were displaced but fall beyond the scope of the TPD. The refusal decisions might however provide some insights in this respect: 883 applicants were rejected for temporary protection in 2024, of which 87.43% had Ukrainian nationality.⁹ Data on rejection grounds was not available for 2024.

The most common refusal grounds in 2023 were (in descending order):

- ❖ the person does not fall under the application scope of temporary protection (788 refusals),
- ❖ the person has a residence permit (other than TP) in a different member state (244 refusals),
- ❖ the person is a third country national with a permanent Ukrainian residence permit who is found to be able to return to the country of origin in a safe and durable manner (31),

¹ Law of 15 December 1980 regarding the entry, residence, settlement and removal of aliens (Aliens Act), available in Dutch and French at: <https://bit.ly/3YaTMyC>.

² Law of 18 March 2003 amending the Law of 15 December 1980 regarding the entry, residence, settlement and removal of aliens, available in Dutch and French at: <http://bit.ly/3HkLXzE>.

³ Chamber of representatives, *Wetsontwerp*, 1 October 2002, available in French and Dutch at: <https://bit.ly/3IF11vd>, 4.

⁴ The Senate, *The senate passes a resolution on the Russian invasion in Ukraine*, 25 February 2022, available in Dutch and French at: <http://bit.ly/3KPumms>.

⁵ IBZ, *Registration Centre*, available in English at: <https://rb.gy/jv0hqh>.

⁶ Aliens Act, Article 59/27, available in Dutch and French at: <https://bit.ly/3YaTMyC>.

⁷ IBZ, *Temporary protection monthly statistics 2024 December*, available in Dutch and French [here](#). (see Graph 1.1)

⁸ IBZ, *Temporary protection monthly statistics 2024 December*, available in Dutch and French [here](#) (see Table 1.4)

⁹ IBZ, *Temporary protection monthly statistics*, available in Dutch and French [here](#) (see table 3).

- ❖ fraud (13), and
- ❖ exclusion from temporary protection; threat to public order (3).¹⁰

B. Qualification for temporary protection

Temporal scope

The durational scope of temporary protection in Belgian law is in line with article 4 §1 of the TPD. Initially, temporary protection is granted for a year, renewable with two periods of six months, after which a new Council decision could extend it for another year. The temporary protection status can either be ended in case the maximum period is reached or at any time if a decision of the Council of the EU ends temporary protection.¹¹ Belgium has currently extended the temporary protection up to 4 March 2026 (see [Residence permit](#)).¹²

Material scope

In terms of the material scope, the following groups are considered to fall under the scope of temporary protection in Belgium as implemented by the federal authority responsible for handling and deciding on temporary protection applications, the Immigration Office (IBZ):

- (1) Ukrainian nationals and their family members who had their principal place of residence before 24 February 2022 in Ukraine;
- (2) stateless persons and third country-nationals who enjoyed international protection or an equivalent status in Ukraine before 24 February 2022 and their family members who, before that date, had their main place of residence in Ukraine;
- (3) third country nationals who resided in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit and who cannot return to their country in a safe and durable manner.¹³

Contrary to the wording of the Council Implementing Decision, the Immigration Office does not speak of Ukrainian nationals who were 'residing' in Ukraine before 24 February but of those having their 'primary residence' in Ukraine before this date. In October 2023, the CALL however ruled that the condition of 'primary residence in Ukraine' is not valid as it does not have any legal ground.¹⁴ However, it is unclear whether the Immigration office have implemented this decision.¹⁵ While it is plausible that many who resided in Ukraine before 24 February also had their primary residence in Ukraine, this still constitutes a restriction of the scope determined by the Council Decision. It equally raises unanswered questions about what can and cannot be considered as a primary place of residence.

For Ukrainian nationals who left Ukraine before 24 February 2022, the Immigration Office evaluates their case on an individual basis, considering all relevant elements.¹⁶ In practice we see that people who left Ukraine before the 24 February in nearly all cases receive a refusal decision based on the fact that they were not in Ukraine before 24 February 2022 or cannot prove they were.¹⁷ Persons having left Ukraine less than three months before the 24 February to come to Belgium were also considered in some cases

¹⁰ IB.Z e-mail, 5 April 2024. Numbers applicable for 2023 (*no data were provided for 2024*). For the grounds of exclusion for temporary protection, see Aliens Act, article 57/32 §1, available in Dutch and French at: <https://bit.ly/3YaTMyc>.

¹¹ Aliens Act, article 57/30 §1, available in Dutch and French at: <https://bit.ly/3YaTMyc>.

¹² IBZ, *Temporary protection, A-card*, available in Dutch, French and English [here](#).

¹³ IBZ, *Temporary Protection*, available at: <https://bit.ly/3J9SwHo>.

¹⁴ CALL, nr. 295.240, 10 October 2023, available in French [here](#).

¹⁵ The IBZ webpage on Temporary Protection still mentions the criterium of 'main place of residence'; IBZ, *Temporary protection*, available in French, Dutch and English [here](#). Of the appeals brought before the CALL, it is however remarkable that only once they refer to main place of residence in recent case law (CALL, nr. 316 291, 12 November 2024, available in French [here](#)).

¹⁶ Myria, *Contact meeting*, 18 May 2022, available in French and Dutch at: <https://bit.ly/3XMDJHv>, 14.

¹⁷ See for example: CALL, nr. 296 382, 27 October 2023, available in Dutch at: <https://tinyurl.com/4dde4kse>; CALL, nr. 318 441, available in French [here](#); and CALL, nr. 315 873, available in French [here](#).

to have left Ukraine 'long before' 24 February.¹⁸ Thus, it does not seem that Belgium follows the recommendations of the European Commission to extend temporary protection to those categories of persons who left Ukraine shortly before 24 February because of work, studies, or family visits (...), as well as to those who had a short stay permit in Belgium before 24 February.¹⁹ However, more recently the CALL has ruled that, while it is within the margin of discretion of the migration office to decide whether a person has left Ukraine 'since a long time' or 'shortly before 24 February 2022', the migration office nevertheless has an obligation to explain the reasons why it has decided to extend or to not extend the scope to those persons who left Ukraine shortly before the outbreak of the war. The simple enumeration of the dates of absence from Ukraine does not suffice to conclude that the person, merely on the basis of these absences, does not fall under the scope of the TPD. Regardless of the margin of appreciation, the decision needs to be motivated taking into account all relevant elements (*in casu*: the fact that the person left Ukraine 12 days before the outbreak of the war, as well as the fact that the person is not in the capacity of returning to Ukraine).²⁰

In another case, it was established that the fact that a person (with Ukrainian nationality) left Ukraine before 24 February to apply for international protection in Belgium, does not change the fact that the person does not fall under the scope of temporary protection because they were not residing in Ukraine in February 2022.²¹

The issuing of temporary protection to 140 seasonal workers residing in Belgium before 24 February indicates that this category – in the absence of other elements such as a visa for another Member State or reasons of public order – generally receive temporary protection.²² Other persons whose long term residence permit is or was ending after 24 February 2022, such as students, are subject to an individual evaluation by the Immigration Office.

In cases of Ukrainian nationals living in Belgium before 24 February without having registered their residence in the country, the Immigration Office looks at aspects such as the administrative situation of the person in question, how long they have been in Belgium and other elements in the file.²³

Three types of **third country nationals** are eligible for temporary protection in Belgium:

- (1) people who benefitted from international protection or equivalent national protection in Ukraine whose primary residence was in Ukraine before 24 February 2022;
- (2) people residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit who are not able to return safely and durably to their country of origin;
- (3) people who provide proof of family links with a person enjoying temporary protection and resided in Ukraine before the 24 February 2022.

The decision as to whether a person can return to their country of origin safely and durably is taken on a case-by-case basis on the ground of a brief interview and evidence provided by the applicant.²⁴ There is no defined list of countries that are not considered as places where a safe and durable return is possible. To determine whether a return to the country of origin under these conditions is possible, a short interview is conducted shortly after the application has been made. While the member state must take into account the general situation in the country of origin, the person is expected to present of their own initiative

¹⁸ CALL, nr. 295.240, 10 October 2023 (the persons left Ukraine on 30.11.2022), available in French at: <https://tinyurl.com/pxkwy5ys>.

¹⁹ See Agii (agency for integration and citizenship), pt. 2.3.1.1 *Scope of application*, available at: <http://bit.ly/3xZz2in>.

²⁰ CALL, nr. 316 291, 12 November 2024, available in French [here](#), 8; and CALL, nr. 318 053, 6 December 2024, available in French [here](#), 5.

²¹ CALL, nr. 316 227, 8 November 2024, available in French [here](#), 7 ; the case concerned a person of Ukrainian nationality who applied for international protection on 24 September 2021

²² See Agii, *Scope of application*, available at: <https://tinyurl.com/43ej4fdn>.

²³ Myria, *Contact meeting*, 23 March 2022, available in French and Dutch at: <https://bit.ly/3J3i2wW>, 8.

²⁴ IBZ, *Stateless persons and nationals of third countries*, available in English at: <https://bit.ly/3Zkem0y>.

evidence in support of an individual impossibility to return in a safe and durable manner.²⁵ With regards to the possibility of a durable return, IBZ takes – among other things but not exclusively – the following into account: whether the person has accommodation in the country of origin, whether the person has lived²⁶ or travelled there recently,²⁷ the years spent there, whether the person has exercised economic activities there in the past, whether the person has studied there, whether the person was able to provide for their living expenses, whether the person has a social network there and whether the person speaks the local language.²⁸ In regards to a family with a minor child, IBZ particularly looks at the child's link with the country of origin or the possibility of developing this link, the years the child has spent there and the possibility of learning the culture and language (through the parents).²⁹ With regards to the possibility of a safe return, IBZ looks (amongst others) at whether a person has requested international protection in Ukraine, past returns/visits to the country of origin or the possible renewal of his or her national passport (contact with the authorities).³⁰ It is also considered whether the state of health could prevent them from returning to the country of origin.³¹

In case the Immigration Office decides that the person can return to their country of origin, this decision may be subjected to a non-suspensive appeal to the Council for Alien Law Litigation (CALL). The applicant can also decide to apply for international protection.

The **'family members'** definition includes the following persons:

- (1) the spouse or unmarried partner with whom a durable relationship is maintained, according to the definition provided in the Belgian Aliens Act (meaning only registered partnerships are considered equivalent to marriage);³²
- (2) minor unmarried children, including those of the spouse, regardless of whether they were born within or outside the marriage or are adopted;
- (3) other close relatives who were living with the family at the time of the circumstances surrounding the mass influx of displaced persons, and who were wholly or mainly dependent at that time.³³

Article 2(4) of the Council Implementing Decision requires that the family members must have been residing in Ukraine before the 24 February and that they were already 'present' there 'as a family'. Belgium grants temporary protection under those same conditions. Family members who were not present in Ukraine before the 24 February (and thus do not fall under the scope of the TPD) can nevertheless apply for a derived status under certain conditions³⁴ (see [family reunification](#)).

The scope is however also more limited under the Belgian national law in some aspects. While the 'other close relatives' mentioned in article 2(4)(c) of the Council Implementing Decision are considered to fall under the scope of the TPD, the Belgian Aliens Act states that Belgium 'may' grant a residence permit to this category.³⁵

²⁵ Myria, *contact meeting*, 18 May 2022, available in French and Dutch at: <https://bit.ly/3Z8V8es>, 7-8 and CALL, nr. 297.560, 23 November 2023, available in Dutch at: <https://tinyurl.com/4pde8msn>.

²⁶ IBZ, negative decision [internal document], 25 August 2022.

²⁷ CALL, nr. 297.560, 23 November 2023, available in Dutch at: <https://tinyurl.com/4pde8msn>.

²⁸ See: CALL, nr. 278.203, 30 September 2022, available at: <https://tinyurl.com/3axa7dse>; CALL, nr. 278.204, 30 September 2022, available in Dutch at: <https://tinyurl.com/yc262fef>; CALL, nr. 277.651, 20 September 2022, available in Dutch at: <https://tinyurl.com/4pnh4mr9>.

²⁹ CALL, nr. 278.204, 30 September 2022, available in Dutch at: <https://tinyurl.com/yc262fef>

³⁰ IBZ, negative decision [internal document], September 2024 and; CALL, nr. 297.560, 23 November 2023, available in Dutch at: <https://tinyurl.com/4pde8msn>, 3.

³¹ IBZ, negative decision [internal document], 25 August 2022.

³² Article 4, *Royal Decree*, 7 May 2008, available in French and Dutch at: <http://bit.ly/41AMIU3>, implementing article 40bis §2 Aliens Act. See also CALL 14 October 2022, nr. 278 741 which states that in case there is no marriage, a partner relationship can only be proven through a legally registered partnership.

³³ Website Immigration Office, *Temporary Protection*, available at: <https://bit.ly/3J9SwHo>.

³⁴ Article 57/34/1 Aliens Act.

³⁵ Article 57/34 § 1 Aliens Act.

Persons with a residence permit (as a student, worker, etc.) in another member state are excluded from temporary protection.³⁶ The Immigration Office stated that the fact that a person has a residence permit (any permit that allows a stay longer than three months) issued by a European member state could give rise to a refusal decision. In such case, each file is treated individually to assess the right to temporary protection. The application of this criterion is rather strict in practice. The CALL however annulled a negative decision by the Immigration Office for a person with a short-term visa for study purposes in another member state which was set to expire on short notice. It stated that ‘temporary residence based on a short-term visa cannot be compared to temporary protection’, referring equally the communication from the Commission, which states that people are free to choose the member state where they want to exercise the rights connected to temporary protection.³⁷

Those who do not fall under the scope of the TPD and have no possibility of a derived status (see [family reunification](#)), can only seek protection by applying for international protection (apart from other routes such as the combined permit or a student visa). However, the international protection applications of persons with Ukrainian nationality, both those who do not fall under the scope of temporary protection and those who enjoy temporary protection, are frozen for as long as temporary protection is active on a European level,³⁸ irrespective of whether the request for international protection was lodged during or before the activation of temporary protection (see [Access to asylum](#)).³⁹ Moreover, for those applicants that do not have temporary protection when applying for international protection, the Dublin regulation⁴⁰ can be applied, even when they have Ukrainian nationality.⁴¹

C. Access to temporary protection and registration

1. Admission to territory

There have been almost no reports of problems at the Belgian border for Ukrainian nationals accessing the Belgian territory. People who might be entitled to temporary protection are expected to present themselves at the registration centre in Brussels,⁴² or, in very specific cases they may also apply at the responsible Belgian Embassy abroad⁴³ (see [Family Reunification](#)). Persons arriving at the airport need to have the necessary documents for travel (passport and visa if necessary). They are redirected to the registration centre; in case of need, the police can request support from interpreters for this purpose.⁴⁴ The Aliens Act establishes that people who might fall under article 28 of the TPD directive (the exclusion ground) can be detained at the border.⁴⁵ In 2024, there were 37 denials of entry at the border,⁴⁶ however since the war in Ukraine, there have been no expulsions to Ukraine according to the latest data available.⁴⁷ In 2023 there was one known case of detention of a person who wished to apply for temporary protection. This was a person with Jordanian nationality but who had been living in Ukraine up until the outbreak of

³⁶ Article 57/30 §2 °2 Aliens Act, see also for example; CALL, nr. 313 368, 24 September 2024, available in French [here](#), 7.

³⁷ Communication from the Commission on the Operational Guidelines, available at: <http://bit.ly/41wYkC6> as confirmed by the CALL, nr. 277.962, p. 7, 14 October 2022, available in Dutch at: <https://tinyurl.com/4b93396t>

³⁸ Article 51/9 Aliens Act. See also CGRA, *Ukraine - state of affairs regarding applications for protection in Belgium*, 17 March 2022, available at <https://bit.ly/3WWEHA4>. Recently confirmed in Myria, *contact meeting*, 18 October 2023, available in French and Dutch at: <https://bit.ly/3u7EgKI>, 19.

³⁹ Chamber of representatives, *Wetsontwerp*, 1 October 2002, available in French and Dutch at: <https://bit.ly/3IFI1vd>, 29-30. This measure is based on Article 57/6 Aliens Act, which allows for an extension of maximum 21 months before the issuing of a decision. However, also persons who have been waiting for 21 months do not receive decisions. This practice was confirmed by the CGRA, see; Myria, *Contact meeting*, 19 June 2024, available in Dutch and French [here](#) (p. 19) and Myria, *contact meeting*, 4 December 2024 (p.28). Regulation (EU) No 604/2013, available [here](#).

⁴¹ Response from IBZ after enquiry application of Dublin to Ukrainian nationals, 24 July 2024.

⁴² IBZ, *Where to submit a request for temporary protection?*, available at: <https://bit.ly/3IDfIMQ>; See also Myria, *contact meeting*, 24 January 2024 where IBZ confirmed that it was not possible to apply for Temporary protection at the border, available in Dutch and French [here](#) (p.8)

⁴³ Article 57/34 §1 Aliens Act

⁴⁴ Myria, *contact meeting*, 15 March 2023, available in Dutch and French at: <https://bit.ly/3S8Jhe5>, 7.

⁴⁵ Chamber of representatives, *Wetsontwerp*, 1 October 2002, available in French and Dutch at: <https://bit.ly/3IFI1vd>; Article 57/32 Aliens Act.

⁴⁶ IBZ, information provided February 2025.

⁴⁷ IBZ, information provided on 4 April 2023. No Information available on 2023 or 2024.

the war and had previously enjoyed temporary protection in another member state (which was however not Schengen). When travelling to Belgium (with his 3rd country-national passport and his Ukrainian residence permit) to be with his family, he was detained at the border (airport) and put in detention. This detention was later ruled to be illegal by the court of appeal.⁴⁸

There have been no problems reported for Ukrainian nationals with re-accessing the country after a return to Ukraine, regardless of whether they have previously received the temporary protection status. However, for beneficiaries, other rights may be affected. The problems mainly arise in terms of communication with the local municipality about the duration of the departure, a lack of which can seriously affect their right to social benefits, housing, and residence permit (see [Movement and mobility](#)).

The general rule is that persons with a residency permit (A-card) or those still within their three months visa-free period with a biometrical passport can always return to Belgium on the basis of their A-card and passport.⁴⁹ In case they are away for longer than three months, several conditions should be met to be assured of their right of return: (1) they should notify their municipality, upon which they will receive an annex 18, (2) their A-card should not expire in the period while they are away, (3) within 15 days upon return, they should notify their return to the municipality, (4) they should return within a year.⁵⁰

Third country nationals who think they might be eligible for temporary protection but have no visa-free entry into the Schengen area and try to reach Belgium from another country than the EU member states or Ukraine might have to acquire a visa.⁵¹ However, if they are eligible for temporary protection they may apply for temporary protection from abroad if they meet the following conditions:

- ❖ They are outside the EU;
- ❖ They have a family member with temporary protection in Belgium;
- ❖ This family existed already in Ukraine and got separated because of the war.⁵²

This applies to both Ukrainian and third-country nationals, although in practice the former can make use of the visa-free entry into the EU to apply for temporary protection in Belgium.

If these conditions are not met, they may still be eligible for regular family reunification or they may apply for a Schengen visa followed by an application for temporary protection in Belgium if they fall under the scope of temporary protection.

2. Freedom of movement

Individuals entitled to temporary protection who are not in possession of biometric passport or travel documents have not faced any known difficulties entering Belgium or attempting to continue to other European countries. For administrative reasons, moving addresses within the country is not recommended as long as the residence permit has not been obtained. The municipality conducts a 'check' to see if the person lives at the address reported to the municipality; if a person moved addresses during this time, the process of obtaining a residence permit (A-card) can be prolonged and more complicated. This is because a new annex 15 (temporary residence permit) has to be issued, meaning that the period of 45 days (the maximum validity period of the annex 15) will start running again.

3. Registration under temporary protection

The Immigration Office is the authority responsible for the registration of potential beneficiaries of temporary protection.

Contrary to applications for international protection, there is no specific time limit to apply for temporary protection set by the law.⁵³ Late applications for temporary protection do not negatively influence the

⁴⁸ Brussels Court of Appeal [internal document], 29 December 2023.

⁴⁹ Article 39 §1, §3 (2) *Royal Decree 8 October 1981*, available at: <https://bit.ly/408uhA9>.

⁵⁰ *Ibid.*

⁵¹ Article 6 (1) Schengen Borders Code, Available at: <http://bit.ly/3ZrUpVi>.

⁵² Article 57/34 §1 Aliens Act.

⁵³ *Ibid.*, Article 12.

decision. However, potential beneficiaries of temporary protection should apply for temporary protection within three months since the date of entry into the Schengen area to avoid ending up in 'irregular stay'. If their short stay is ending, they are strongly advised to present themselves at the municipality of their visit to either prolong their short stay or to apply for temporary protection.⁵⁴

Potential beneficiaries are expected to reach the registration centre from Monday to Friday between 8h30 and 13h. However, not all persons who come to apply for temporary protection within these opening hours are always able to register⁵⁵ (see further below in this section). Applicants cannot and do not have to make an appointment.

Persons can be refused access to the registration centre when it is evident that the person has no connection to Ukraine or temporary protection.⁵⁶ Applicants are asked to register their fingerprints and to present identification along with other elements proving that they fall under the scope of temporary protection.⁵⁷

On the day of the application, two interviews are conducted during which they are asked how they arrived in Belgium, on which date they left Ukraine, the reasons for their departure, and which region they are from. Their travel documents are verified to check if they have previously lodged a request for international protection or if they have previously been in Belgium.⁵⁸ When a temporary protection certificate cannot be issued immediately because an additional examination is considered necessary, the person will be notified of the decision at a later stage, which may take up to approximately two weeks.⁵⁹ These applicants receive a "attestation of registration". In 2023, 1,520 attestations of registration were given.⁶⁰ A delay in the decision can occur especially (but not exclusively) in the following situations: (1) the applicant does not present the necessary documents, or the authenticity of the document is not clear (2) the applicant is already known to the migration authorities and additional analysis on the file is necessary, (3) there are elements of public order or public security, (4) the applicant is a third country national with a permanent residence permit in Ukraine, who claims inability to return under safe and durable conditions to their country of origin.⁶¹ Where there is no decision on the day of application, the applicant is given a registration certificate while the Immigration Office examines the file.⁶²

According to the Immigration Office, potential beneficiaries must provide 'documents that prove they fall under the scope of the temporary protection directive'.⁶³ Ukrainian nationals should provide proof of identity such as their biometric passport and national ID card. Persons with international protection in Ukraine, recognised stateless persons or other third country nationals should have evidence of their identity and status in Ukraine. As for the family members, in addition to proof of identity, they should provide the proof of a sustainable relationship, which can only be delivered through an original marriage certificate or the proof of having a common child (for which a birth certificate including the name of the third country national-parent or a certified DNA test is needed).⁶⁴ In this context, the Immigration Office verifies if the marriage still exists at the moment of application.⁶⁵ For the category of 'other family members', proof of having lived together and dependency constitute a critical element in the examination. Copies of documents, such as good quality photos or the "Diia" app or paper copies, are usually accepted. Applicants who have previously been registered in Belgium for temporary protection are expected to mention this pro-actively to the migration authorities.⁶⁶

⁵⁴ Immigration Office, *Short Stay*, available at: <https://bit.ly/3RjrmjY>.

⁵⁵ The infoline of Vluchtelingenwerk received numerous reports of people who were not able to register in the January- February 2024 period.

⁵⁶ The infoline of Vluchtelingenwerk encountered cases where people were not allowed to enter because there was no link to temporary protection.

⁵⁷ Immigration Office, *Procedure*, available at: <https://bit.ly/3IDfIMQ>.

⁵⁸ Fedasil in response to inquiry Vluchtelingenwerk regarding the registration procedure, 27 February 2023.

⁵⁹ Myria, *contact meeting*, 29 January 2025, available in French and Dutch [here](#).

⁶⁰ IBZ e-mail, 5 April 2024, no data available for 2024.

⁶¹ Myria, *Contact meeting 18 May 2022*, available in French and Dutch at: <https://bit.ly/3Z8V8es>, 10.

⁶² *Ibid.*

⁶³ IBZ, *Procedure*, available at: <https://bit.ly/3IDfIMQ>.

⁶⁴ IBZ in response to inquiry Vluchtelingenwerk on the interpretation of 'family members', 1 December 2022.

⁶⁵ Myria, *Contact meeting 18 May 2022*, available in French and Dutch at: <https://bit.ly/3Z8V8es>, 8-9.

⁶⁶ Caritas, visit report [internal document], 17 September 2024.

Considering the proof that a person was in Ukraine before 24 February 2022, it has been reported that it is not always easy to check whether this condition is met based on the passport. The Immigration office stressed that a passport in itself cannot always be conclusive in the decision as to whether someone was or was not in Ukraine at this time. The Immigration office takes into account all available elements in the file, but stresses that the burden of proof is on the applicant.⁶⁷ For example, an applicant was denied temporary protection even though her passport contained an exit-stamp out of Ukraine for the 11th of December 2024. There were some indications she was in Belgium right before the outbreak of the war, and because she was not able to counter these indications, she was refused temporary protection.⁶⁸

Similarly, for persons whose passport was issued after 24 February 2022, the migration office requires the person to proactively present proof of their residence in Ukraine at the time of the outbreak of the war. The absence of such proof also prevents the person from qualifying for temporary protection as a family member under article 2 (4) of the implementation decision, as this equally requires that the person resided in Ukraine before 24 February as part of the family.⁶⁹ The fact that other (nuclear) family members may have received temporary protection, does not exclude the person from presenting individual proof that they fall under the scope.⁷⁰

Persons with a favourable decision will receive a temporary protection certificate. This certificate is either in French or Dutch. They also receive a document which explains their status and rights as holders of 'temporary protection' from IBZ. Persons to whom no decision has been granted yet, receive an attestation of registration and the info that they will receive the decision by post at a later stage.⁷¹ This attestation of registration does not allow registration at the municipality, nor does it open any rights such as the right to work or the right to financial benefits. The situation is the same for persons who are not able to register on the same day and receive an invitation to return later.

A negative decision is accompanied by information on the procedure to appeal as well as a brief explanation of the procedure for international protection. However, this information is usually in French or Dutch and is not very accessible to Ukrainians or third country nationals (see [Information provision and access to NGOs](#)).

Persons who receive a negative decision can file an appeal for annulment within 30 days.⁷² They can again present themselves at the registration centre to ask for a review if new evidence could bring them under the scope of temporary protection.⁷³ However, more recently (March 2025) it has been observed that persons with a negative decision can only present themselves again at the registration centre after 30 days, which equals the 30 days delay to appeal.⁷⁴ The CALL has clarified in such instance that the migration office may not make a second application conditional on the existence of new elements, as – contrary to the procedure for international protection – temporary protection does not contain the possibility to refuse 'to consider a subsequent application'.⁷⁵

Whereas in the beginning of temporary protection, NGOs or lawyers could request a review/further clarification via mail to the Immigration office, the latter recently communicated however that it is not possible to request an update on a specific file through mail.⁷⁶

⁶⁷ Myria, *contact meeting*, 4 December 2024, available in Dutch and French [here](#), 14.

⁶⁸ IBZ, negative decision [internal document], 21 November 2024.

⁶⁹ IBZ, negative decision [internal document], 19 March 2025; the case concerned a single father of Ukrainian nationality who left Ukraine with his two minor children, the latter who obtained temporary protection.

⁷⁰ IBZ in response to enquiry Vluchtelingenwerk and Myria on new law on family reunification, 22 January 2025

⁷¹ Before 16 May 2022, the procedure was slightly different: people who did not immediately receive temporary protection received an invitation by e-mail. This method however resulted in people not knowing when and if they would be contacted.

⁷² Aliens Act, Article 39/2 §2, available in Dutch and French at: <https://bit.ly/3YaTMyC>.

⁷³ Myria, *Contact meeting*, 15 June 2021, available in French and Dutch at: <https://bit.ly/3XMDJHv>.

⁷⁴ Observation Vluchtelingenwerk and Caritas, as well as reports to the Infoline, March 2025.

⁷⁵ CALL, nr. 316 291, 12 November 2024, available in French [here](#), 7.

⁷⁶ IBZ e-mail concerning the waiting time for a specific case, 11 March 2024.

Since December 2023 ~ January 2024 it has been observed that there is a quota of 75 persons that can register a day.⁷⁷ On 4 March 2024, 50 persons were not able to enter the registration centre on the same day.⁷⁸ On 12 June 2024, 3 to 4 families received an invitation to come back at a later point in time.⁷⁹ IBZ has communicated that this is due to the increasing complexity of the cases.⁸⁰ There is however an exception for non-accompanied minors. Persons preferably register 'in the morning' to make sure their application can be processed the same day, but this is no guarantee.⁸¹ Thus, some persons may not be able to register on the same day: in the meantime they have no or restricted access to certain rights such as the right to reception, work, social benefits, etc. This group receives an invitation to come back another day. This may be the day after, but in many instances this may also be up to approximately two weeks later.⁸²

As a result of the quota, certain groups receive priority to register, of which the order goes as follows:

1. Persons who received an invitation on a previous date to come back
2. Persons without an invitation but with a vulnerable profile, including individuals aged 65 and older, persons with disabilities, minors and families with children under the age of 18
3. Persons without an invitation and who have no specific vulnerable profile⁸³

It has been observed that persons in a wheelchair often may enter even before the first priority line.⁸⁴

Practices and priorities however, may differ slightly from day to day. There have been reports where no priority line is created for vulnerable profiles (usually because it is possible for everyone to register).⁸⁵

Representatives of [Ukrainian Voices](#) (a Brussels-based refugee Committee) are usually present. They offer assistance for those that need emergency accommodation for one night and offer general information.

Another issue already briefly mentioned is the increased waiting times for a decision. There has been an increase in cases where the waiting period was weeks or even months. There was a case of a person having applied for temporary protection at the beginning of July who had not received a decision yet in September 2023.⁸⁶ Due to a relatively higher inflow over the summer in 2023, and less staff during those summer months, there have been some temporary delays in the examination of the application.⁸⁷ This problem returned intermittently and also the period December 2023 – February 2024 has been characterised by long waiting times that amounted from several days to several weeks, an observation equally made by local welfare centres.⁸⁸

4. Legal assistance

Potential beneficiaries of Temporary protection might seek legal assistance for a variety of reasons; for example, if they received a refusal decision for temporary protection and they want to understand the decision or appeal against it. Even after recognition, situations may arise that lead individuals to seek legal help, especially with regards to their right to social welfare or rights connected to housing. They

⁷⁷ Observation of a partner organisation, 22 January 2024.

⁷⁸ Observation of Vluchtelingenwerk at the registration centre, 4 March 2024.

⁷⁹ Vluchtelingenwerk, *Visit report* [internal document], 12 June 2024

⁸⁰ Response from the Cabinet following an enquiry by Vluchtelingenwerk, 2 February 2024.

⁸¹ IBZ e-mail, 12 January 2024.

⁸² These two weeks are a rough estimation based on visits to the registration center from Caritas and Vluchtelingenwerk during the course of the year, with the most recent observations dating from January 2025. The Migration office has communicated in December 2024 that persons were invited to come back the next day, see; Myria, *contact meeting*, 4 December 2024, available in French and Dutch [here](#).

⁸³ Caritas, *Visit report* [internal document], 17 October 2024.

⁸⁴ Caritas, *Visit Report* [internal document], 7 November 2024 & Vluchtelingenwerk, *visit report* [internal document], 12 June 2024.

⁸⁵ Caritas, *Visit report* [internal document], 30 October 2024.

⁸⁶ Case communicated to the Infoline.

⁸⁷ IBZ in response to an inquiry by Vluchtelingenwerk regarding a specific case, 7 September 2023.

⁸⁸ Information provided by IBZ, 11 March 2024; and Myria, *Contact meeting*, 29 January 2025, available in Dutch and French [here](#), 9.

might equally seek the help of an NGO, such as Caritas or Vluchtelingenwerk, to help explain to them the reasons behind certain decisions.

Article 23 of the Belgian Constitution determines that the right to live with dignity implies for every person, *inter alia*, the right to legal assistance. The Aliens Act guarantees free legal assistance by a lawyer to all foreign nationals in procedures included in the Aliens Act under the conditions that apply to Belgian nationals.⁸⁹

There are two types of free legal assistance: first line assistance and second line assistance.⁹⁰

❖ First line legal assistance

The so-called “first line assistance” is a competence at the regional level and is organised in each judicial district by local Commissions for Legal Assistance, composed of lawyers representing the local bar association and the public centres for social welfare (CPAS / PCSW). There, first legal advice is given by a lawyer, or a person is referred to a more specialised instance, organisation or to “second line assistance”, completely free of charge, regardless of income or financial resources. Besides these lawyers’ initiatives, there are also other public social organisations and NGOs providing this kind of first line legal assistance such as Caritas and Vluchtelingenwerk. Vluchtelingenwerk Vlaanderen, which has an Infoline accessible by phone every weekday, through which people can ask any kind of question related to temporary protection or any kind of other question related to their rights in Belgium. Information can be provided in Ukrainian language if needed. If the refusal decision is not sufficiently or correctly motivated, Vluchtelingenwerk may ask for a review or for clarifications by writing an e-mail to IBZ. This happened more often in the immediate aftermath of the outbreak of war in Ukraine, as national authorities still had to provide comprehensive guidelines on scope of temporary protection and necessary documents to prove entitlement to the status. More recently, poorly or incorrectly motivated refusal decisions are rare to non-existent. An NGO can advice on whether it could be beneficial to appeal or not. Appeal is possible before the Council for Alien Litigation (CALL) with the aid of a (pro deo) lawyer in the case of a refusal decision. After being granted temporary protection, individuals might need legal advice, which is mainly the case for decision on the allocation of social revenue; these cases are also supported through the Infoline of Vluchtelingenwerk.

❖ Second line legal assistance

“Second line assistance” is organised by the local bar association that exists in every judicial district. Each bar association has a bureau for legal assistance that can appoint a lawyer for (entirely or partially) free second line assistance, the so-called “pro-Deo lawyer”. In practice, this might limit the free choice of a lawyer to a certain extent, but in theory every lawyer can accept to assist someone “Pro-Deo” and ask the bureau to be appointed as such, upon the direct request of an asylum seeker. Within this “second line assistance”, a lawyer is appointed to provide substantial legal advice and to assist and represent the person in the asylum procedure. More information about the system of second line legal assistance can be found in the [AIDA report Belgium](#).

5. Information provision and access to NGOs

With regards to the provision of information, the Aliens Act merely states that, when applying for a residence permit, the person enjoying temporary protection shall be given a document, drafted in a language they understand, which sets out the applicable provisions on temporary protection. To that end, they receive a document which provides information on their status and rights as holders of ‘temporary protection’ from IBZ. As mentioned, a negative decision is accompanied by information on the procedure to appeal, as well as the contact details of the legal desk they can address for legal help.

With the ending of the activities of the Red Cross at the registration centre, many additional information is no longer provided, and the provision of info is limited to the above.

⁸⁹ Aliens Act, Article 90, available in Dutch and French at: <https://bit.ly/3YaTMyC>.

⁹⁰ Article 508/1-508/25 Judicial Code.

The NGO Vluchtelingenwerk Vlaanderen has an Infoline⁹¹ where (potential) beneficiaries of temporary protection, volunteers, host families, municipalities, lawyers, and other organisations providing aid to displaced persons may call with any questions they have in relation to temporary protection. This may range from questions on the scope of temporary protection, to the registration procedure, social benefits, school, etc.

In Brussels, Representatives of Ukrainian Voices (a Brussels-based organization) are usually present at the registration centre. They offer assistance for those that need emergency accommodation for one night and offer general information. People are welcome to visit the Ukrainian voices centre in Brussels to charge their phones, have a hot tea, and receive some information about services that may be useful to them.

In Wallonia and Brussels, a similar Infoline is operated by Caritas, while Ciré maintains a French language information page on the legal position of Ukrainians in Belgium.⁹² [Ukrainian voices](#), a Brussels based organization, also provides information in Ukrainian on a walk-in basis, as well as information sessions on specific topics and “mobile teams” who can help with translations (for doctor appointments, appointments with the welfare house, etc).

On a federal level, a regularly updated information page⁹³ on several aspects of temporary protection is provided in English, French, German, Ukrainian, and Russian.

D. Guarantees for vulnerable groups

In exceptional circumstances, where persons cannot autonomously reach the registration centre (for example due to a medical condition), an exception to the obligation to register personally can be granted. An authorisation may be given to a family member who can register the person upon showing a doctor or hospital reference attesting to the impossibility of the person registering. In practice, to avoid misunderstandings, it is advised to inform the Immigration Office of this necessity beforehand.⁹⁴

From 10 March 2022 to 28 March 2025, 63,546 persons stated upon registration not to be in need of accessing reception, while 18,334 indicated they need it.⁹⁵ This means that 22% of the people fleeing from Ukraine indicated being in need of accommodation upon registration.

Of those in need of accommodation, priority is given to vulnerable groups. The following persons are considered vulnerable: non-accompanied minors, single and/or pregnant women and persons of age or persons with specific needs. (see [Housing](#)).⁹⁶

While no clear definition has been given, vulnerabilities are selected on the basis of on-site assessments. There is no standard questionnaire to identify vulnerabilities. The examination is, according to Fedasil, realised on a case-by-case basis. Persons who are victim of human trafficking or exploitation, are also considered as vulnerable. However, with no transparent screening procedure and limited guidelines on the matter, there are some concerns as to whether non-visible vulnerabilities are properly identified.⁹⁷ In practice vulnerability factors are considered also depending on the number of places available at the emergency centre or in hotel reception by Ukrainian voices.⁹⁸

⁹¹ See: <http://bit.ly/3Ud57Od>.

⁹² Ciré, 'UKRAINE: informations sur les possibilités d'arrivée, le séjour et le statut juridique en Belgique', available in French at: <https://bit.ly/3KiWMZx>.

⁹³ See: <https://info-ukraine.be/en>.

⁹⁴ IBZ in response to an inquiry by Vluchtelingenwerk regarding the condition to physically apply for temporary protection, 16 May 2022.

⁹⁵ Statbel, *Displaced persons from Ukraine*, available in English at: <https://bit.ly/3ZmG5O4>.

⁹⁶ Fedasil, information provided February 2025.

⁹⁷ Fedasil in response to an inquiry by Vluchtelingenwerk regarding the registration procedure, 27 February 2023.

⁹⁸ Reports communicated to the Infoline of persons with vulnerable profiles.

After registration, several organisations can help the beneficiaries with a redirection, if needed to a healthcare or elderly facility. In Wallonia, there is, for example, the public agency of [Aviq](#). Persons with vulnerabilities or with a handicap can present themselves at a regional office where the person's overall situation is analysed so they can be redirected to the most appropriate solutions.⁹⁹ In Flanders, the Flemish agency for persons with disability ([VAPH](#)) plays a similar role in supporting people living with a recognised disability.

With regards to persons in need of psychological support, several organisations can provide this. The [CAW](#) offers low-threshold psychosocial support in various regions across Flanders, as well as [Solentra VZW](#) where Ukrainians (as well as other nationalities) can get an appointment with a Ukrainian speaking psychologist. [PsyBru](#) also provides a tool for finding Ukrainian speaking psychologists in the Brussels area.

Considering unaccompanied minors, the registration procedure is slightly different. Just like other beneficiaries of temporary protection, they receive a temporary protection certificate with which they can present themselves to a municipality. Not having a legal guardian or parent may not be used by municipalities as a reason to refuse the issuance of the temporary residence permit (annex 15) and the subsequent residence card.¹⁰⁰ In total, 21,182 unaccompanied minors were registered in 2022.¹⁰¹ In 2023, there was an additional 342 notifications to the legal guardian service of non-accompanied minors.¹⁰² In 2024, the numbers of non-accompanied minors with temporary protection further decreased, as only 83 non-accompanied minors were reported.¹⁰³

A differentiation needs to be made between the situation of minors in the company of adults who are acquaintances or adult family members who do not have the parental authority of a parent or legal guardian, and that of minors who are not accompanied by anyone. If a minor is accompanied, they can be accommodated with the adult person. During the registration process, both the minor and the accompanier will be asked whether they agree with this arrangement.¹⁰⁴ The minor will be brought to the attention of the guardianship service ("dienst voogdij" or "tutelles") so that a legal guardian can be appointed. Since the minor is accompanied, crisis accommodation is not always provided. As for the minors who are not accompanied, the same registration process is applicable. The person is also brought to the attention of the guardianship service. They are placed in a host family through foster care ("*Pleegzorg Vlaanderen*" in Flanders and "*VZW Mentor Jeunes*" in Wallonia or Brussels).

Local authorities are expected to monitor cases in which friends, acquaintances or a host family hosts an unaccompanied minor. However, when the minor is not placed in a host family but lives with acquaintances, there is no structural follow-up. The Immigration Office should, in such cases, report the minor to the local authorities so that they are aware of the non-accompanied minor;¹⁰⁵ however, in practice it is not clear whether this is done.¹⁰⁶

Whereas the beginning of 2024 was marked by a shortage of legal guardians, this no longer proved to be an issue towards the end of the year because of the recruitment of new guardians. In 2024, a total of 365 Ukrainian non-accompanied minors were brought to the attention of the guardianship service.¹⁰⁷ Vulnerable profiles are prioritised (medical or psychological problems, pregnancy, indications of abuse,

⁹⁹ Coordination unit of the Walloon Region for the reception of Ukrainian refugees, *Practical guide for support of Ukrainian refugees*, October 2022, available in French at: <https://bit.ly/3Jrg6js>.

¹⁰⁰ VVSG, *what happens after registration?*, available in Dutch at: <http://bit.ly/3wEj9NQ>.

¹⁰¹ IBZ, numbers provided on 4 April 2023.

¹⁰² Service des Tutelles / Dienst Voogdij, *statistieken*, available in Dutch and French at: <https://tinyurl.com/mbx6yvpv>, 3.

¹⁰³ IBZ, *Temporary protection: Monthly statistics*, December 2024, available in French and Dutch [here](#) (see table 1.3).

¹⁰⁴ VVSG, *What happens with the registration of a non-accompanied minor?*, available in Dutch at: <http://bit.ly/3wEj9NQ>.

¹⁰⁵ Information received orally from "pleegzorg Vlaanderen" (foster care Flanders).

¹⁰⁶ Ibid, notification of non-accompanied minors to the legal guardianship service.

¹⁰⁷ Myria, *contact meeting*, 29 January 2025, available in French and Dutch [here](#), p. 61.

human trafficking, etc).¹⁰⁸ The waiting period can lead to temporary problems such as opening a bank account, accessing social benefits.¹⁰⁹ Only minors above 17.5 years might not be appointed with a guardian anymore.¹¹⁰ A positive development from previous years is the possibility for non-accompanied minors to open a healthcare insurance from the moment the application for a tutor has been filed.¹¹¹ Before this was only possible once the guardian was effectively appointed.

¹⁰⁸ *Ibid.*

¹⁰⁹ This problematic has been widely addressed in a letter to the responsible minister from the VVSG along with its Walloon and Brussels partners (ASBL & Brulocalis), 19 May 2022, available in Dutch at: <https://bit.ly/40t0J0j>.

¹¹⁰ Response of the Legal Guardianship Service, 28 February 2024.

¹¹¹ Service Administrative control, *Circulate to the insurance companies 2024/103*, 9 April 2024, available in French and Dutch [here](#).

Content of Temporary Protection

A. Status and residence

1. Residence permit

Indicators: Residence permit

1. What is the duration of residence permits granted to beneficiaries of temporary protection?
The A card has a validity of one year. Currently the A card is prolonged until 4 March 2026¹¹²
2. How many residence permits were issued to beneficiaries from the activation of the Temporary Protection Directive until December 2024?
66,006 registrations in the aliens register¹¹³

Once in possession of the temporary protection certificate, persons can register their residency in a municipality where they have a place to stay, unless they have declared a need for housing, in which case they may receive a place at the emergency reception centre or in hotel accommodation. The municipality of their place of residence is responsible for the administrative process of granting the residence permit card.¹¹⁴ On 31 December 2024, 66,006 persons had been registered at the municipality.¹¹⁵ This includes the persons who were given an A-card, but also those who have received an annex 15 (temporary residence awaiting the A-card) and ID's for persons under the age of 12.¹¹⁶ The procedure for obtaining a residence permit can vary from municipality to municipality in terms of physical and/or online appointments. Upon registration at the municipality, people receive a temporary residence permit (annex 15). This permit is valid for up to 45 days, opens the right to work, social benefits, education, and allows them to open healthcare insurance, as will be presented in detail in the following sections.¹¹⁷ The local police conducts a 'check' if the person effectively resides at the given address. Once this is confirmed, the person is asked to present themselves again at the municipality to pick up the residence permit (A-card).¹¹⁸ Persons with Temporary Protection could make an appointment with the municipality starting from 4 January 2025 to request the prolongation of their residence permit¹¹⁹ until 4 March 2026.

The time this process takes (from the first appointment with the municipality to obtaining the residence permit) significantly varies depending on the municipality. Where this process takes longer than 45 days, the temporary residence permit (annex 15) needs to be renewed.

A primary obstacle in obtaining the A-card is related to the ability to find a reception place / house where registration at the municipality is possible in order to obtain a residency card (to this effect see [housing](#)).

It is possible for temporary protection holders in Belgium to move to another member state and receive temporary protection there. The rights and social benefits the person enjoyed in Belgium must consequently be terminated. Municipalities are advised to make concrete arrangements for the person's departure during the initial registration.¹²⁰ The person should notify their municipality of the departure so that the person can be removed from the registers, meaning that their A-card will no longer be valid. Through the registration platform on a European level, which was introduced at the end of May 2022, Belgium can exchange relevant information with other member states.¹²¹ If Belgium is informed that a

¹¹² IBZ, *Temporary Protection, (A-card)*, available in Dutch, French and English [here](#).

¹¹³ IBZ, information provided in February 2025

¹¹⁴ Aliens Act, Article 59/27, available in Dutch and French at: <https://bit.ly/3YaTMyC>.

¹¹⁵ IBZ, information provided on 5 April 2025

¹¹⁶ IBZ email, information provided on 5 April 2024.

¹¹⁷ Institute for health and disability insurance (RIZIV), *Circular: right to medical care for displaced persons from Ukraine*, 15 March 2022, available in Dutch at: <https://bit.ly/3IlpY6J>.

¹¹⁸ Article 52/2 §2, Royal Decree, 8 October 1981, available in Dutch and French at: <https://bit.ly/408uhA9>.

¹¹⁹ IBZ, *letter to the municipalities on the renewal of the A-card*, 30 October 2024, available in Dutch [here](#).

¹²⁰ Communication from the Flemish government support team on Ukraine (VLOT) to the municipalities, 13 September 2022.

¹²¹ Myria, *Contact meeting*, 15 June 2022, available in French and Dutch at: <https://bit.ly/3XMDJHv>, 20.

person received temporary protection in another member state, an instruction is sent to the municipality and the residence permit is withdrawn.

Persons who do return to Belgium will have to find a new address and will have to go through the process of registering at the municipality again. The municipality is advised to check with the Immigration office about the status of temporary protection before issuing a new A-card. The municipality cannot revoke the temporary protection status, they may only 'delete the person' from the register because they cannot be found at the last given address or have left Belgium. Only when the temporary protection status has been revoked by the Immigration office should the person again register at the registration centre in Brussels.¹²² Here there may be some confusion, as it often unclear whether the person has only been 'deleted out of the registers' or has also lost temporary protection status. Therefore, it is not always clear whether a person should re-apply for TP or not.

2. Access to asylum

There is no restriction to the right to apply for international protection for people who have been granted – or are entitled to – temporary protection, as well as those who have been refused temporary protection.¹²³ However, the examination of the application for international protection of a temporary protection holder is suspended until the temporary protection regime ends at the European level.¹²⁴ The same applies to Ukrainian nationals; while the law does not prescribe that the procedure should be suspended for Ukrainian nationals,¹²⁵ the CGRS has 'frozen' their requests for international protection.¹²⁶ For Ukrainians with double Ukrainian & Russian nationality, the examination is equally frozen. For Ukrainians with double nationality from another country, the examination is frozen only if they have obtained temporary protection.¹²⁷ This means that for Ukrainians who do not fall under the scope of temporary protection, the available procedural routes leading to a residence permit are considerably restricted. However, if they apply for international protection, the fact that their application is not examined does not restrict their right to reception in a Fedasil reception centre while in procedure,¹²⁸ as well as other rights such as the right to work after 4 months in procedure, the right to medical reimbursement, etc. Nonetheless, due to the ongoing reception crisis in Belgium,¹²⁹ some (primarily single men) persons falling outside the scope of temporary protection will not benefit from reception and the socio-financial support under the regular international protection framework. Moreover, for those applicants that do not have temporary protection when applying for international protection, the Dublin regulation is applied, even when they have Ukrainian nationality.¹³⁰ Before Dublin was only applied to non-Ukrainian nationals.¹³¹

The requests of other third country nationals (some nationalities excepted) who fall outside the scope of temporary protection are not frozen and thus examined accordingly. Due to the ongoing reception crisis, however, access to some of their rights as asylum seekers such as reception cannot be guaranteed (see [AIDA report Belgium on international protection](#)).

¹²² IBZ in response to inquiry Vluchtelingenwerk, 2 March 2023

¹²³ Article 50 Aliens Act; Article 17 of the Temporary Protection Directive.

¹²⁴ Article 51/9 Aliens act, in line with article 17(2) of the Temporary Protection Directive.

¹²⁵ Article 51/9 mentions 'persons who enjoy temporary protection' and not specifically 'Ukrainian nationals'.

¹²⁶ See also CGRS, *Ukraine - state of affairs regarding applications for protection in Belgium*, 17 March 2022, available at <https://bit.ly/3WWEHA4>, and Myria, *Contact meeting 19 June 2024*, available in Dutch and French [here](#), 19.

¹²⁷ Myria, *contact meeting*, 21 June 2023, available in French and Dutch at: <https://bit.ly/3UHEQjF>, 17.

¹²⁸ Article 6(1) Reception Act, available in Dutch and French at: <https://bit.ly/3Ycznc6>.

¹²⁹ See: ECRE, 'Belgium: failure to deal with Persistent Reception Crisis is Attack on the Rule of Law', 13 January 2023, available at: <http://bit.ly/3KPIQ6e>; The Brussels Times, 'Despite 6000 convictions, Belgium still refuses to tackle reception crisis', 23 January 2023, available in English at: <http://bit.ly/3YadjPq>.

¹³⁰ Response from IBZ after enquiry application of Dublin to Ukrainian nationals, 24 July 2024.

¹³¹ Myria, *Contact meeting*, 23 March 2022, available in Dutch and French [here](#), 14.

B. Family reunification

1. Family member with a right to Temporary protection

A distinction needs to be made between those who have a right to temporary protection as family members,¹³² and persons who do not fall under the scope of temporary protection but can nevertheless apply for a derived status or for family reunification.¹³³ Under certain conditions, family members of beneficiariness can enjoy more favourable conditions to be reunited with their family members.¹³⁴ This is a purely national arrangement, and this does not preclude their possibility to apply for regular family reunification as it exists under European directives. To prevent confusion, we will refer to this national arrangement as a “derived status” (see below).

Family members of persons enjoying temporary protection should always first check whether they themselves do not fall under the scope of the TPD, meaning those who resided in Ukraine before 24 February and are:

- ❖ Ukrainian nationals; or
- ❖ Stateless persons or TCNs who enjoyed international protection; or
- ❖ Their family members.

For the family members, in order to come under the scope of temporary protection, they must have been in Ukraine before 24 February and they must have been, as is stipulated under article 2 (4) of the TPD, part of the family unit in Ukraine. The family member who themselves falls under the scope of article 2 (4) of the directive can request temporary protection at the registration centre.

It is important to mention that, for the category of ‘other family members’¹³⁵ who lived with the family at the time of the invasion and who were completely or mainly dependent on that relative, there is a ‘*de facto* appreciation’.¹³⁶ The Immigration office only specifies that ‘the decision to grant a residence permit to this ‘other family members category’ will take into consideration the exceptional difficulties they would encounter if the reunification of these family members would not be allowed.’¹³⁷ This is a case-by-case evaluation.¹³⁸ ‘Belonging’ to the family unit at the time of the outbreak is not sufficient, but special bonds of dependency have to be demonstrated.¹³⁹ The assessment of dependency is based on a possible breach of article 8 ECHR (right to private and family life).¹⁴⁰ Normal links of affection between family members are not sufficient in the context of an article 8 breach but additional elements of dependency need to be proven.¹⁴¹

This is a group that does not automatically qualify as family members for regular family reunification, as the recognition of their status as family members is based on an assessment of the dependency links.¹⁴²

¹³² Article 2(4) Council implementing decision establishing the existence of a mass influx of persons displaced from Ukraine, 4 March 2022, available at: <http://bit.ly/3ZuzZuN>.

¹³³ EU, *Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification*, 22 September 2003, available [here](#).

¹³⁴ Article 57/34 Aliens Act; IBZ, *family reunification with a temporary protection beneficiary*, available in French and Dutch at: <https://bit.ly/3wFHNh9>.

¹³⁵ As referred to under article 2 (4) c, of the Implementation Decision

¹³⁶ Article 57/34 § 1 Aliens Act. The Cabinet in response to inquiry Caritas regarding the application of ‘other family members’, 22 March 2022. The draft law (Chamber of representatives, *Wetsontwerp*, 1 October 2002, available in French and Dutch at: <https://bit.ly/3IF11vd>, 29) equally makes a clear distinction between ‘members of the core family’ on the one side and ‘other family members’ on the other side.

¹³⁷ Chamber of representatives, *Wetsontwerp*, 1 October 2002, available in French and Dutch at: <https://bit.ly/3IF11vd>, 29-30.

¹³⁸ IBZ in response to inquiry Vluchtelingenwerk on the interpretation of ‘other family members’, 1 December 2022.

¹³⁹ CALL, nr. 292.757, 9 August 2023, available in French at: <https://tinyurl.com/yc2bdpwp>, 7.

¹⁴⁰ CALL, nr. 295.288, 10 October 2023, available in Dutch at: <https://tinyurl.com/efry9>, 9; CALL, nr. 292.757, 9 August 2023, available in French at: <https://tinyurl.com/yc2bdpwp>, 8.

¹⁴¹ CALL, 297.070, 14 November 2023, available in French at: <https://tinyurl.com/2dder2ry>, 4.

¹⁴² Article 4 Council Directive 2003/86 on the right to family reunification, 22 September 2003, available at: <https://bit.ly/3SC8Js6>.

Lastly, the beneficiary, who falls under Article 2 (1) a & b of the implementing decision, needs to be present in order for the family member to obtain temporary protection themselves. In one case, a non-Ukrainian national who was married to a Ukrainian person and was part of the family before 24 February did not receive temporary protection because his Ukrainian spouse was not present with him in Belgium.¹⁴³ The spouse from which his temporary protection stemmed/derived could not be considered as displaced in the sense of article 2 of the Implementation decision considering she was still in Ukraine.¹⁴⁴ Moreover, the Immigration office in this case is not capable of examining if the family bond is still existent at the moment of application.¹⁴⁵ In a landmark case however, the CALL considered these criteria to be illegitimate, stating that the Council implementation decision as well as the directive do not require the family member to be present in the Member state. This case concerned a man whose spouse was a nurse and could therefore not leave Ukraine.¹⁴⁶ In the following case regarding a non-Ukrainian national, the court however ruled that previous case law does not create a binding precedent.¹⁴⁷

Application from abroad

Additionally, recent changes in the law have made it possible to apply for Temporary protection from abroad in very specific situations. If you are a **family member** of a beneficiary, you can apply from abroad if:

- The family already exited in Ukraine bore the outbreak of the war
- The family got separated because of the war
- The person has the right to temporary protection¹⁴⁸

The law contains no further information on the practical application of this, and merely says that these persons, as far as they are outside of the EU, may 'request an authorization for a residence permit based on temporary protection from abroad'.¹⁴⁹

2. Family member with a right to a “derived status”

Before, it was possible for a family member of a person enjoying temporary protection to apply for a derived status without any other condition than providing proof of the family ties. However, a new law was passed on 1 October 2024,¹⁵⁰ resulting in stricter conditions to obtain a derived status. However, generally speaking this derived status is still a more favourable framework than the one of regular family reunification. It needs to be emphasised that the derived status concerns an 'authorisation of residence' rather than a 'right of residence', meaning that the derived status is dependent on the discretionary examination of the Immigration office. The Immigration office will thus make an individual assessment, taking into account 'the personal situation of the persons concerned, and especially the interests of the child and the situation in which the persons concerned would end up if the reunification would not materialise'.¹⁵¹

The following family members of a TP holder may be eligible for a derived status:¹⁵²

- ❖ The spouse
- ❖ The legally registered partner on the condition they can prove they have a stable and durable relation
- ❖ The minor unmarried children of the TP holder or the spouse/legally registered partner
 - On the condition they will live together as a family until they reach the age of 18, and

¹⁴³ CALL, nr. 292.471, 28 July 2023, available in Dutch at: <https://tinyurl.com/27mx5scv>, 2.

¹⁴⁴ *Ibid*, 7.

¹⁴⁵ *Ibid*, 3.

¹⁴⁶ CALL, nr. 283.740, 2nd January 2023, available in French at: <https://tinyurl.com/yc42bmuk>, 5.

¹⁴⁷ See CALL, nr. 292.471, 28 July 2023, available in Dutch at: <https://tinyurl.com/27mx5scv>, 2.

¹⁴⁸ As defined under article 2 of the Implementation decision

¹⁴⁹ Aliens Act, Article 57/34 §1

¹⁵⁰ Interior Affairs, *Act amending the Act of December 15, 1980 on entry to the territory, residence, establishment and removal of aliens on the right to family reunification (1)*, 10 March 2024, available in Dutch and French [here](#).

¹⁵¹ IBZ, Clarification on the interpretation of Article 57/34/1 Aliens Act, 22 January 2025

¹⁵² Aliens Act, Article 57/34 §2

- Both parents must have parental authority including the legal right of custody, or (if shared with another partner) authorisation from that partner
- ❖ The parents of the minor TP holder
 - On the condition that they have parental authority including the right to legal custody and
 - That they come to live together with their minor child until the age of 18.

On a discretionary basis, other close family members may also be considered, if: (1) they lived together at the time of the outbreak of the war, and (2) were at that time completely or mainly dependent on the beneficiary.¹⁵³

Specifically, where the implementation decision does not provide for a right to temporary protection of family members of third country nationals with a permanent residence permit who cannot return in a safe and durable manner, this derived status envisions to also include the family members of this category of beneficiaries.¹⁵⁴

Since the implementation of the new law, additionally, the derived status is made conditional on the fact that the family already existed at the time of the outbreak of the war, and that the separation was caused because of the war.¹⁵⁵

If the application for the derived status is made within a year after the family member was granted TP (in Belgium), no further conditions apply other than the above-mentioned conditions. However, if the application is made after the grace period of a year, additional material conditions apply depending on the situation:¹⁵⁶

- ❖ If the beneficiary is a minor, there are no further material conditions.
- ❖ If the beneficiary is a parent and the applicant for derived status is a minor child, then the parent must prove that they (1) have sufficient housing, and (2) have a healthcare insurance that will cover also the family member.
- ❖ For any other application, the beneficiary must prove that they (1) have sufficient housing, (2) have a healthcare insurance that will also cover the family member, and (3) have sufficient means of existence (income).

The Immigration Office has clarified that these persons receive a status stemming from temporary protection, rather than a residence permit based on family reunification.¹⁵⁷ The person receives a residence permit valid for the same period as the beneficiary and to be prolonged under the same conditions as the beneficiary. This residence permit can be requested at the municipality of residence.¹⁵⁸

From analysis of the case law however, a conclusion can be drawn that many people are not aware of the option to apply for a 'derived status' at the municipality; people who would be able to obtain a residence through this procedure have appealed negative temporary protection decisions received upon registration.¹⁵⁹

There is no clarity yet on the situation of persons who received a derived status before the application of the new law. The Immigration office has mentioned however that there will be no yearly re-evaluations.¹⁶⁰

¹⁵³ Aliens Act, Article 57/34 §3

¹⁵⁴ IBZ, Clarification on the interpretation of Article 57/34/1 Aliens Act, 22 January 2025

¹⁵⁵ Aliens Act, Article 57/34/1

¹⁵⁶ Aliens Act, Article 57/34 §2

¹⁵⁷ Response from IBZ after an enquiry by Vluchtelingenwerk considering the interpretation of article 57/34 §1 Aliens Act, 1 December 2022.

¹⁵⁸ Aliens Act, Article 57/34/1 §5 & §6

¹⁵⁹ See for example CALL, nr. 297 125, available in French at: <https://tinyurl.com/2tvfpzb2>. The family in Ukraine was recognised, but did not fall under the scope of temporary protection.

¹⁶⁰ IBZ in response to enquiry Vluchtelingenwerk and Myria on new law on family reunification, 22 January 2024.

3. Reunification with a beneficiary through regular family reunification schemes

Lastly, family members of temporary protection holders may still apply for family reunification through the regular family reunification schemes.

These persons should ask for a type D visa based on family reunification at a Belgian consulate or embassy.¹⁶¹ The question of which embassy is competent arises. For example, a recognised refugee in Ukraine cannot be expected to submit a visa application in their country of origin. In this context, the Immigration Office clarified that an application to a diplomatic post in another country may sometimes be possible. However, the applicant should explain why they wish to submit their application there. It is not entirely clear on which basis this can be done so it is recommended to contact the diplomatic post first.¹⁶² Upon arrival in Belgium, these persons are expected to present themselves at the municipality of their place of stay within 8 days.¹⁶³

Family members who reach Belgium with a visa D based on family reunification will receive a residence permit with the same validity period as the residence permit of the person with temporary protection status. It is extended under the same conditions.¹⁶⁴ No provision of the temporary protection directive or the implementing decision excludes potential beneficiaries of temporary protection from enjoying temporary protection if they already have another residence status, as long as they meet the application conditions.¹⁶⁵ The Immigration Office has confirmed that family members with family reunification status can, therefore, effectively apply for temporary protection once they are in Belgium if they fall under the scope of temporary protection.¹⁶⁶

C. Movement and mobility

Beneficiaries are not subjected to any territorial restrictions imposed by Belgium in terms of freedom of movement within the Schengen zone. Based on their residence permit and biometric passport, they may travel freely in the Schengen zone for three months within 180 days.¹⁶⁷

There are however some obstacles for persons enjoying benefits from the social welfare centre. In this regard, there are limited national guidelines, and social welfare centres are left a significant degree of autonomy. Most welfare centres apply the rule applicable under the law on the right to social integration ("*wet maatschappelijke integratie*") by analogy. Under this law, beneficiaries may leave the country for 28 days within a year without losing the right to social benefits. However, the municipality should be notified when the time spent abroad is longer than a week.¹⁶⁸ Welfare centres might nevertheless apply stricter rules, as they are not subject to specific obligations within the existing legal framework.¹⁶⁹

It is concerning that beneficiaries of temporary protection are not always informed of these travel and notification rules, especially since the application thereof might differ depending on the municipality involved. This can equally have implications on the residence status. In the absence of communication to the municipality, there have been cases in which the municipality incorrectly assumed that the person had left the territory indefinitely, while they had, in fact, only left for a relatively short time to evaluate the

¹⁶¹ IBZ, *Family reunification with a temporary protection beneficiary*, available in French and Dutch at: <https://bit.ly/3wFHNh9>.

¹⁶² IBZ in response to an Inquiry by Myria regarding applications at a diplomatic post and the conditions for family reunification, 19 October 2022.

¹⁶³ Article 12 Aliens Act.

¹⁶⁴ Article 57/34 §3 Aliens Act.

¹⁶⁵ See also The Commission, *Frequently asked questions on interpreting the Temporary Protection Directive and Council Implementing Decision*, 2022, available at: <https://bit.ly/3RnvY8D>, 5.

¹⁶⁶ IBZ in response to an Inquiry by Myria regarding applications at a diplomatic post and the conditions for family reunification, 19 October 2022.

¹⁶⁷ Article 21, *Schengenacquis*, 22 September 2000, available at: <http://bit.ly/3Y7qVve>.

¹⁶⁸ Article 23 §5 Law on the right to social integration, 26 May 2002, available in Dutch and French at: <https://bit.ly/3WP7Mxg>; Circular POD MI, *omzendbrief inzake het recht op maatschappelijke integratie bij verblijf in het buitenland*, available in Dutch, French and English at: <https://tinyurl.com/bddfsh47>.

¹⁶⁹ Flemish Codex, *Organieke wet van 8 juli 1976 betreffende de openbare centra voor maatschappelijk welzijn*, available in Dutch at: <https://tinyurl.com/mvf7xhd4>.

security situation in their home area in Ukraine.¹⁷⁰ Removal from the register by the municipality however does not mean the person loses temporary protection, as mentioned. More recently, this situation seems to have gotten better, as there have been few reports to the Infoline concerning people who were not informed about travel rules.¹⁷¹

The absence rules regarding social benefits aside, under the Belgian Aliens Act there is in principle no obligation to notify the municipality of absences under three months as this should not affect people's residence status.¹⁷² In the following cases, the municipality has to check with IBZ that the person still enjoys temporary protection before prolonging or issuing a residence permit:

- ❖ The residence permit (A-card) was not renewed before the expiration date;
- ❖ The temporary protection certificate is older than three months;
- ❖ The person was struck from the registers (for example because of it was assumed the person had moved abroad).¹⁷³

There has been a case of a municipality not willing to register a person again after the person had left for two months without giving notice.¹⁷⁴ These persons can also not return to the registration centre to express their housing need, as people who already have the temporary protection status are not again given access to the registration centre. To avoid such situations, persons with temporary protection are advised to always communicate their travel goals and intentions, including a possible return, clearly to the municipality.

In Flanders, there are no deadlines imposed on municipalities for keeping a reception place available during a person's absence. Municipalities are merely advised to 'transparently provide information on the rules regarding housing and payment of social benefits.'¹⁷⁵ In Wallonia however, it is clearly indicated that if the stay abroad is less than three months, the accommodation should always be considered as occupied and may thus not be made available for another family.¹⁷⁶

Considering the ambiguities and non-existence of a harmonised approach in dealing with absence in different municipalities, the need for communication of periods of absence to the municipality is very important in order to not face any unexpected obstacles upon return.

D. Housing

Indicators: Housing

1. For how long are temporary protection beneficiaries entitled to stay in reception centres?
No specific time limit
2. Number of beneficiaries staying in reception centres up until mid December 2024
Approximately 4,000 persons were staying in reception centres in Flanders¹⁷⁷
3. Number of beneficiaries staying in private accommodation as of 31 December 2024
Not available

¹⁷⁰ This information was received as a case handled by the VVV Infoline.

¹⁷¹ Agii, pt. 2.3.3.3 *Electronic A card and duration of temporary protection*, available at in Dutch at: <https://tinyurl.com/43ej4fdn>; see also The Commission, *Frequently asked questions on interpreting the Temporary Protection Directive and Council Implementing Decision*, 2022, available at: <https://bit.ly/3RnvY8D>, 7; and IBZ, *Circular: temporary protection – renewal A-card*, 16 November 2022, available in Dutch at: <https://bit.ly/3ZrSSi2>.

¹⁷² Aliens Act, Article 39 §2 §3 §6, available in Dutch and French at: <https://bit.ly/3YaTMyc>.

¹⁷³ IBZ, information provided on 6 February 2024.

¹⁷⁴ This case was reported to the infoline of Vluchtelingenwerk n and confirmed by the municipality.

¹⁷⁵ Communication from the Flemish government support team on Ukraine (VLOT) to the municipalities, 13 September 2022.

¹⁷⁶ Coordination unit of the Walloon Region for the reception of Ukrainian refugees, *Practical guide for support of Ukrainian refugees*, October 2022, available in French at: <https://bit.ly/3Jrg6js>, 21.

¹⁷⁷ VLOT (Flemish Task Force), 17 December 2024, there are no numbers available for Brussels or Wallonia.

Reception upon arrival

The right to reception of people with temporary protection is regulated in the reception law. It foresees that the federal Agency for the Reception of Asylum Seekers (Fedasil) assigns a 'compulsory place of registration'.¹⁷⁸ More specifically, this means that beneficiaries have the right to benefit from financial support from the social welfare centre.¹⁷⁹ On this basis, Fedasil considers itself to only be responsible for referral to a reception place that has been provided and put forward by a municipality, and to provide emergency accommodation until that time.¹⁸⁰

The procedure is as follows: persons can state at the registration centre that they are in need of reception. They should then – in theory – receive a place in Fedasil's emergency reception centre, called Ariane. Currently, Ariane has a capacity of 250 places.¹⁸¹ Local municipalities should make their offer of reception places known in the "housing tool". The Flemish Taskforce on Ukraine is in contact with the municipalities, and passes on the availability of local reception places to Fedasil on a weekly basis. Fedasil will then see if there is a match between the places offered and the persons/families residing in Ariane. If a match is found Fedasil will directly contact the municipality about the transfer from the emergency centre to the local reception place.¹⁸² In 2024, 886 persons were transferred from the emergency centre Ariane to the local level, of which: 497 persons to Wallonia, 366 to Flanders, and 3 to Brussels.¹⁸³

However, in practice the process is not as straightforward, and certain obstacles arise which has led to persons not being able to obtain a place in a reception centre and having to find alternatives such as the emergency centre provided by Ukrainian voices.¹⁸⁴

Since the start of temporary protection, 78% of applicants have indicated not having a reception need upon arrival.¹⁸⁵ This reception need has declined overtime: in December 2024 the estimation was that 15% of the persons indicate a need for reception upon arrival.¹⁸⁶ They often make use of their network or are financially able to immediately find and rent something on the private housing market. It is important to note that people can only indicate a need for reception on the day of arrival; Fedasil will not consider itself responsible for people who have already progressed to the local level.¹⁸⁷

For the estimated 15% who indicate a housing need however, there is not always a guarantee of a reception place. Already in the summer of 2022, there were reports that the emergency centre of Ariane was becoming saturated, and as a result, referrals to Ariane were only made for people considered vulnerable (exceptions aside).¹⁸⁸ Since then, the profiles of people eligible for emergency reception, as well as the availability of places, has fluctuated. Thus, emergency reception could never be 100% guaranteed for any group. In September 2024 single men were excluded from Ariane.¹⁸⁹ Generally speaking, the situation was quite critical in September 2024 because of increasing waiting times for an invitation (see [Registration](#)) and applicants for temporary protection were also present in regular homeless

¹⁷⁸ Art. 10 §1, °1 reception law, available in French and Dutch at: <https://tinyurl.com/ycxxr6ae>.

¹⁷⁹ Art. 8 §1 and 11§2 reception law, available in French and Dutch at: <https://tinyurl.com/ycxxr6ae>.

¹⁸⁰ Myria contact meeting 29 November 2023, available in French and Dutch at: <https://tinyurl.com/bddjh49c>.

¹⁸¹ Confirmed by Fedasil, February 2025.

¹⁸² Flemish Task Force (VLOT), extra information provided on the *Flemish government Decree of 6 December 2024*, available in Dutch [here](#), 23 January 2025.

¹⁸³ Fedasil, information provided February 2025.

¹⁸⁴ IBZ following an enquiry by Vluchtelingenwerk as to whether there is always a reception place for vulnerable persons who indicate a reception need, 14 September 2023.

¹⁸⁵ Statbel, *Displaced persons from Ukraine* (numbers up until January 2024), available in English at: <https://bit.ly/3ZmG5O4>.

¹⁸⁶ Response from the Flemish Vice minister-President of interior affairs to *Parliamentary Questions*, available in Dutch [here](#), 5 December 2024, see also Myria, *contact meeting*, 29 January 2025, available in French and Dutch [here](#), 58.

¹⁸⁷ Confirmed by a case referred to the Infoline, of a 28-year old women who could not regain access to registration centre for a reception request, 7 August 2023.

¹⁸⁸ Myria, *contact meeting*, 18 October 2023, available in Dutch and French [here](#).

¹⁸⁹ Observation Vluchtelingenwerk Registration Centre, 17 September 2024.

shelters,¹⁹⁰ although this problem seems to be limited to Brussels. In November 2024 not everyone received reception¹⁹¹, while in December 2024 the problem was slightly less present, with around 5 people who indicated a need not receiving reception during the course of the month.¹⁹² The authorities stated in January 2025 that the current needs for reception could be accommodated for, and that future needs could be addressed depending on the inflow of persons in need of reception.¹⁹³

For persons who have registered for temporary protection before but were ‘deleted’ from the registers after a return to Ukraine, there seems to be no consistent policy, as there have been cases of families who did receive reception in Ariane after having re-registered, but others did not.¹⁹⁴

Ukrainian voices, the Brussels based organization that provides services and emergency housing (hotel Plasky & Centre Marie Curie) for Ukrainians, serves as a back-up when Fedasil is not able to accommodate everyone at the Ariane reception centre. They are present on most days at the registration centre and can redirect persons to their hotel emergency accommodation. Unlike Fedasil, they can also provide reception for persons who have not received their temporary protection certificate yet but have received an invitation or a registration document (see [Registration](#)). Hotel Plasky and Marie Curie serve as an emergency reception place for specific profiles, such as persons with limited mobility, as well as groups at greater risk of contracting contagious diseases such as chickenpox (of which there have been outbreaks in Ariane in the past).¹⁹⁵

However, because of the limited places there is equally no guarantee of reception. The emergency accommodation provided by Ukrainian voices is usually for 1 night only (with an absolute maximum of 2 weeks). There is direct communication between Fedasil and these emergency reception centres to accommodate for a transfer to the Ariane reception centre or the local level when places open up.¹⁹⁶ In practice however, if persons only received accommodation for one night in Marie Curie or Plasky, they often return to the registration centre to see if reception can be offered by Fedasil.¹⁹⁷ As Fedasil cannot always provide them with a place and their stay at the emergency hotel may be limited, this means that people may be left without an immediate solution and without further follow-up by the authorities.¹⁹⁸

The problems are aggravated by the equally fluctuating waiting times for registration (see [Registration](#)). While people wait for registration, Fedasil does not usually take responsibility as these people as they have no temporary protection yet.¹⁹⁹ On 4 March 2024 for example, around 50 persons were not able to register for temporary protection, including single women and a family with children. While families and women are usually in the priority line for registration, there have also been cases of families receiving an invitation to return for registration at a later date.²⁰⁰

Furthermore, the outflow out of Ariane remains difficult. This outflow is impacted by the fact that local emergency villages have closed or are in the process of closing, and it is not possible for municipalities to register to new places in the housing tool as of 1 January 2025 (see [Housing](#)).

Lastly, the responsibilities between the local and federal level are not always clear. There have been numerous reports of persons going back to the registration centre to ask for reception, even after they had already progressed to the local level. In one known case, it was the municipality itself that directed

¹⁹⁰ Flemish Taskforce Ukraine (VLOT), information on reception situation, 17 December 2025, Observation Samu Social, 26 January 2023 and, see for example: The Brussels Times; *Ukrainian refugees left sleeping rough again due to Belgian shelter crisis*, 22 October 2024, available in English [here](#).

¹⁹¹ Caritas, Visit report [internal document], 30 October 2024.

¹⁹² Myria, *Contact meeting*, 29 January 2024.

¹⁹³ Myria, *Contact meeting*, 29 January 2025, available in Dutch and French [here](#), 57.

¹⁹⁴ Caritas, Visit report [internal document], 7 November & 30 October: a family who had returned after a visit to Ukraine and who had been deleted from the registers did not receive reception by Fedasil, while on 30 October that another family in a similar situation did receive reception by Fedasil.

¹⁹⁵ Fedasil, information provided in February 2025.

¹⁹⁶ *Ibid.*

¹⁹⁷ On-site observations by Vluchtelingenwerk in the course of 2024.

¹⁹⁸ Based on observations and follow-up at the registration centre by Vluchtelingenwerk and Caritas.

¹⁹⁹ Communication Flemish Task Force Ukraine (VLOT), 29 February 2024.

²⁰⁰ Observation Vluchtelingenwerk Registrayion Center, 12 June 2024

these persons to the registration centre.²⁰¹ However, reception at Ariane can usually only be requested upon initial arrival in Belgium.

While it is argued that people enjoying temporary protection immediately have all the rights connected to residence, it is unclear how they are 'supposed to find their way' and obtaining an address is crucial for the residence permit and the rights attached to the permit, such as financial aid. This means that persons with reception needs who cannot count on friends or family to live with might encounter difficulties in registering their address of residency. While it has been stated that persons with reception needs currently are able to access Fedasil or Ukrainian voices accommodation, such situations are concerning, as this does not allow them to obtain a residence permit, regardless of their condition as beneficiaries.²⁰²

Housing

The provision of accommodation for beneficiaries and the policies set up to that effect are relatively similar between the different regions of the country (Flanders, Brussels, and Wallonia). The information provided in the following section refers mainly to the region of Flanders (which hosts the majority of beneficiaries).

Article 13(1) of the Temporary Protection Directive states that the member states shall ensure that persons enjoying temporary protection have access to suitable accommodation, or, if necessary, have a right to receive the means to obtain housing. As of 1st December 2024, 58.6% of beneficiaries registered reside in Flanders, 18.5% in Wallonia, and 22.5% in Brussels.²⁰³ At the onset of the conflict, many reception places were created at both the local and federal level to cope with the high number of arrivals from Ukraine. A rough estimate shows that 7,700 extra reception places were created in Flanders and 1,300 in Wallonia.²⁰⁴ Mid-March 2024 approximately 5,600 persons were staying in reception centres in Flanders.²⁰⁵ There was a great focus on creating enough reception places, through the funding of emergency villages and calls for host families. This focus has however shifted to integration and participation-trajectories, through which beneficiaries were increasingly guided towards the private housing market. As a result, the offer of public reception places started to decrease significantly going back to mid-2023.

Since 1 January 2025, it is no longer possible for municipalities to create and thus offer new reception places through the housing tool, so there will be no increase in available places possible. This measure was taken along with other measures as part of the phasing out of public subsidised reception places towards March 2026.²⁰⁶ Other measures taken by the Flemish government to this account include:

- ❖ The cancellation of subsidies for the category of 'other public places': hotels or B&B's, hostels, youth residence centres, holiday chalets or other touristic residencies, assisted living facilities, or service flats, etc.
- ❖ A general decrease in the subsidies a municipality receives for each beneficiary registered.
- ❖ A one-time subsidy to the municipalities for each person in public reception on 1 January to incentivise the move to private housing.
- ❖ The subsidies for emergency villages as well as housing provided by the local municipality (often through the social welfare house) will continue until March 2026. This subsidy is only possible for persons that were directed to them through Fedasil and the Flemish Task force (VLOT).²⁰⁷

²⁰¹ Observation from Vluchtelingenwerk at the registration centre, 4 March 2024.

²⁰² See for example: The Brussels Times, *Belgium's reception crisis: Ukrainian refugees now also sleeping rough*, 18 November 2022, available at: <http://bit.ly/3KMcyZJ>.

²⁰³ Numbers provided by Flemish Task force (Vlot), 23 January 2025.

²⁰⁴ Rough estimate by Fedasil, no definite publication of these numbers is available at the moment of writing.

²⁰⁵ VLOT (Flemish Task Force), 13 March 2024, there are no numbers available for Brussels or Wallonia.

²⁰⁶ Decision of the Flemish government on the subsidies for Temporary protection beneficiaries of 8 April 2022, Last amended on 6 December 2024, available in Dutch [here](#).

²⁰⁷ Flemish region, *Besluit van de Vlaamse Regering tot toekenning van een subsidie aan lokale besturen voor de opbouw van opvangcapaciteit voor tijdelijk ontheemden uit Oekraïne, tot wijziging van diverse besluiten van de Vlaamse Regering en tot intrekking van het besluit van de Vlaamse Regering van 14 maart 2022 tot toekenning van een subsidie aan lokale besturen voor het creëren van bijkomende opvangplaatsen voor de tijdelijk ontheemden uit Oekraïne*, available in Dutch [here](#), article 9.

- ❖ While the goal is to redirect persons to a more durable solution as part of their integration trajectory, the decrease in reception places continues to create challenges at the federal level. The provision of local reception places by the municipality is purely on a voluntary basis and it is observed that the outflow of Ariane to the local level remains difficult.

There are different types of accommodation: emergency accommodation, public reception places, and private accommodation (including accommodation with a host family). Each type of accommodation will be addressed more in detail below.

Emergency Accommodation

The Ariane centre is organised by Fedasil in Brussels and is considered emergency accommodation. At the end of June 2022, the Ariane reception centre saw an increase of occupation up to almost 1,200 persons. In this period, the Ariane centre was used solely for temporary protection beneficiaries, a policy that was changed later on and resulted in the capacity for temporary protection beneficiaries being reduced to 250 in 2023. This is still the current capacity in 2025. In practice, people stay in Ariane for weeks or even months, especially when housing must abide by certain conditions tailored to the needs of the person with specific vulnerabilities such as persons with limited mobility,²⁰⁸ but also single men with medical conditions and large families.²⁰⁹ There have been cases of persons staying in Ariane for as long as five to six months.²¹⁰ In 2024, the average duration of stay was 57 days.²¹¹ As Ariane was initially meant to provide a short-term solution, the extended stay without any means to register has a negative impact on access to social, financial, and work rights.²¹²

Apart, from the Ariane emergency reception centre, Ukrainian voices provides emergency reception for 1 night, with a maximum stay of two weeks. The reception is provided through hotel Plasky or with an availability of 25 additional places.²¹³

Public reception

Housing in public places broadly consists out of three categories:

- ❖ Emergency villages
- ❖ Emergency reception owned and provided directly through the municipality or social welfare house
- ❖ 'Other' public places

The emergency villages are generally owned by either the local municipality or other actors who made places available, and they are managed either by the local municipality, by the actor itself (such as the IOM in Ghent), or jointly. At the end of 2024, an estimated 781 people resided in Emergency villages.²¹⁴ At the beginning of the war, three bigger reception centres were set up to accommodate the new displaced persons: one in Antwerp, one in Mechelen and in Ghent that opened the beginning of May 2023.²¹⁵ The centres in Antwerp and Mechelen had a capacity of 600 places each (expandable to 1,000 in the case of Antwerp).²¹⁶ The one in Ghent has a capacity of 600 additional places.²¹⁷ Wallonia does not have reception centres of similar scale. The reception facilities must at least provide for a bed in a shared room,

²⁰⁸ Myria, *Contact meeting*, 21 September 2022, available in Dutch at: <https://bit.ly/3m5NaUA>, 50.

²⁰⁹ Observation by Flemish Task force (Vlot), March 2024.

²¹⁰ Infoline case, February 2024.

²¹¹ Information provided by Fedasil, February 2025

²¹² Myria, *Contact meeting*, 21 September 2022, available in Dutch at: <https://bit.ly/3m5NaUA>, 50.

²¹³ Myria, *contact meeting*, 29 January 2025

²¹⁴ Flemish Task Force (Vlot), 3 February 2024, numbers at 31 December 2024.

²¹⁵ The city of Ghent, *Nooddorp Gent opent deuren eerste Oekraïners*, 9 May 2023, available in Dutch at: <https://bit.ly/3VZ0ASc>.

²¹⁶ See, The Brussels Times, available in English at: <http://bit.ly/3KBQzVe> and VRT News, available at: <http://bit.ly/40JhgN1>.

²¹⁷ The city of Ghent, *Emergency centre for Ukrainians*, available in Dutch at: <http://bit.ly/3U8ea2N>.

with equally the possibility of the sanitary and kitchen spaces being common areas.²¹⁸ The services offered at collective centres may differ, with some offering meals, clothing, medical support, etc.

As part of the plan to increasingly direct people towards the private housing market (see below), only the reception centre in Ghent is still operational until approximately March 2026. The reception centre in Mechelen closed in December 2024, while the reception centre in Antwerp completely closed in March 2025. At the beginning of March however, it was reported that some 128 beneficiaries had not managed to obtain a place on the private market, leading to the setting up of “city-camping”, as well as concerns for persons ending up on the street.²¹⁹

The second category consists of places set up by the local government itself or at the request of the local government. Specific subsidies can be requested if these places need to be renovated.²²⁰ At the end of 2024, an estimated 2,835 resided in such housing.²²¹

As for the third category of ‘other public places’ such as hotels, B&B’s, holiday chalets, the funding has ceased. At the end of 2024, an estimated 267 people remained in this type of housing.²²²

Private housing

Beneficiaries can also rent on the private housing market. The feasibility of this highly depends on the financial means of the beneficiary and/or the benefits they receive. Equally, the temporary character of their status can negatively affect their chances on the private market.²²³ The requirements concerning the quality of the house are slightly eased so that more housing options become available for beneficiaries. These eased norms apply to both private housing as well as social housing awaiting renovations, destruction, or sale. However, the housing should always meet a minimum standard in terms of safety and health; no derogations that would negatively affect these qualities are possible.²²⁴ Moreover, since 8 December 2024 it has been decided that if the person wants to be eligible for different types of rent subsidies or premiums, the housing must meet the standard requirements, and the ‘eased requirements’ do not apply.²²⁵

Regarding accommodation with a host family, in the beginning stages reception was mainly focused on stays in host families. This happened through the ‘temporary living’ (“tijdelijk wonen”) notification which made it possible for host families to host beneficiaries of temporary protection in their house while being legally considered to be separate entities.²²⁶ This meant that there was no negative impact on certain financial benefits of the host family. A campaign was launched and people could indicate they were open to host through the hashtag “#place available” (“#plekvrij”) in Flanders or (“#placedispo”) in Brussels and Wallonia. More recently however, the general observation seems to be that there are no new calls for host families²²⁷, and presumably many beneficiaries staying with host families have moved on to the

²¹⁸ Flanders regional government page, *Rental for the reception of displaced persons from Ukraine*, available in Dutch at: <http://bit.ly/3J3bS0U>.

²¹⁹ See; Gazet van Antwerpen [newspaper], *128 Ukrainian refugees still looking for a house, emergency centre makes way for city camping*, 5 March 2025, available in Dutch [here](#), and; VRT New [news] *Three families in Antwerp Emergency centre receive eviction order from justice*, available in Dutch [here](#).

²²⁰ Flemish government, *decision of the Flemish Government to grant a subsidy to local governments for building reception capacity for temporarily displaced persons*, Article 9, 8 April 2022, available in Dutch [here](#).

²²¹ Flemish Task Force (Vlot), 3 February 2024, numbers at 31 December 2024.

²²² *Ibid.*

²²³ Obstacles identified by Orbit, specialised (amongst others) in housing for refugees.

²²⁴ Flemish Society for Social housing, *Temporary housing of Ukrainian refugees*, available in Dutch at: <https://bit.ly/3W1rJ73>.

²²⁵ Flemish government, *decision of the Flemish Government to grant a subsidy to local governments for building reception capacity for temporarily displaced persons*, Article 9, 8 April 2022, available in Dutch [here](#).

²²⁶ For Wallonia, see: *Proposition of place of residence*, available in French at: <http://bit.ly/3KURzE6>; for Flanders, see IBZ, *Circular regarding the registration of Ukrainians in the registers under the temporary protection statute*, 9 March 2022, available in Dutch at: <https://bit.ly/3JqlxPV>, 3.

²²⁷ Vluchtelingenwerk Vlaanderen has seen a significant decrease in questions related to host families, observation shared by VVSG (Flemish association for cities and municipalities), 28 February 2024, and confirmed by the Flemish minister of Interior Affairs, in response to parliamentary Question, 5 December 2024

private market. The number of Ukrainians residing in the private housing market is estimated to be increasing.²²⁸

The municipalities, when confronted with someone with a reception need or a need for relocation from the host family, are expected to undertake several steps to ensure that the person can access housing. If durable housing solutions are not available, nor temporary solutions such as local emergency housing, the municipalities are expected to contact neighbouring municipalities. If this is to no avail, they should contact the Flemish Task Force (VLOT) that would provide support in the search for a reception place.²²⁹ No such support team exists in Wallonia or Brussels. Municipalities however do not always make full use of their options to contact neighbouring municipalities or to contact VLOT. There have been cases of persons staying in housing provided by the municipality who faced difficulties finding a place when they were told to relocate because their contract ended and they had to make space.²³⁰

E. Employment and education

1. Access to the labour market

Beneficiaries with a residence permit (A-card) or annex 15 can legally work in Belgium.²³¹ They may work both as an employee or a self-employed person. For jobs in government functions or regulated professions (dentistry, medicine,...) a diploma recognition is necessary.²³² The temporary protection status exempts them from the obligation to obtain a special working permit to exercise activities as self-employed persons.²³³ In total, 34% of Ukrainians who registered as job seekers have found a job.²³⁴ This is an average of 17% in Brussels 20% in Wallonia and 45% in Flanders.²³⁵ These numbers only concern Ukrainian nationals, rather than persons with the temporary protection status. Ukrainians are referred to [a brochure by the agency for integration and citizenship](#) where they can find information about their working rights.²³⁶

Social benefits may (certain exceptions aside) be conditional upon 'willingness to work', such as providing adequate proof of job applications. The details of this obligation are decided on by the welfare centre.²³⁷ Beneficiaries can present themselves with their residence documents to one of the regional offices where they can register as a job seeker. In Flanders, this is [VDAB](#); in Brussels, [Actiris](#) and Wallonia, [Forem](#). However, for Flanders there is anyway an obligation to register as a job seeker for those who (1) are at working age, (2) enjoy temporary protection, (3) are registered in a Flemish municipality.²³⁸

There are various measures to facilitate access to the labour market of beneficiaries. While employers cannot specify the nationality of people they want to recruit to avoid discrimination, they can use hashtags to indicate that they are open to newly arrived employees in Belgium. In Flanders, this can be done through #werkplek vrij; in Brussels, through # Welcome.²³⁹ Wallonia has no such hashtag, although employers open to newcomers are encouraged to avoid imposing certain conditions such as language requirements, and use comprehensible, clear language in their vacancies.²⁴⁰

²²⁸ Observation Flemish task force (Vlot), 15 March 2024.

²²⁹ Communication from VIOT to the municipalities, 27 October 2022.

²³⁰ Cases reported to the Infoline throughout 2023 and 2024.

²³¹ Article 10, °6, Royal Decree, 2 September 2018, available in Dutch and French at: <https://bit.ly/3Y9wvqg>.

²³² Naric, *Information on recognition of Ukrainian degrees*, available in Dutch at: <https://tinyurl.com/4ac5ww2v>

²³³ Article 1, °15 Royal Decree, 3 February 2003, available in French and Dutch at: <http://bit.ly/3mj78LC>.

²³⁴ This does however not mean that they are all still currently working.

²³⁵ Numbers at the 1st of September 2024 . Numbers provided by the VDAB, as calculated by Statbel/KSZ ("*kruispunt databank sociale zekerheid*"), March 2024.

²³⁶ Information VDAB enquiry Vluchtelingenwerk Vlaanderen about inform risks exploitation and rights, 6 March 2024.

²³⁷ Article 3 § 5, Law on the right to social integration, 26 May 2002, available in Dutch and French at: <https://bit.ly/3WP7Mxg>; see also Institution on social integration (POD MI), *FAQ on Ukraine*, 7, available in French and Dutch at: <https://bit.ly/3Rh1B3L>.

²³⁸ Flemish Government, *Devree on the Compulsory Subscription to the VDAB*, 21 April 2023, available at: <https://tinyurl.com/mr3pkxhu>.

²³⁹ Actiris, see: <http://bit.ly/3DrOdEn>.

²⁴⁰ Forem, see: <http://bit.ly/3XInk77>.

Regarding the labour rights, every worker in Belgium has enjoys the same rights regardless of their residence status.²⁴¹ Every sector has a minimum wage, and labour must always be remunerated. For questions, doubts or complaints, people can contact the inspection service (“*arbeidsinspectie*”) or their VDAB/Actiris/Forem contact person.

Beneficiaries also have the right but are not obligated to follow integration courses. Due to the great numbers of Ukrainians, these integration courses were organised online and specifically for Ukrainians. However, since 2024 Ukrainians in Brussels and Flanders can enrol in the regular ‘integration course’ and consequently also receive an ‘integration certificate’. This course consists of: social orientation, learning Dutch, trajectory to work and a participation and networking trajectory.²⁴²

Beneficiaries can apply with their attestation of temporary protection in combination with the A-card or the Annex 15.²⁴³

2. Access to education

All children between the ages of 5 and 18 residing in Belgium have the right to education, regardless of their residence status.²⁴⁴ Temporary protection beneficiaries are obliged to enrol in education within 60 days after registration in their municipality, regardless of whether this is distance learning (for which there are no formal obligations on specific subjects or books),²⁴⁵ or enrolment in the Belgian education system through home schooling or physical classes.²⁴⁶ Education has no age limit, although compulsory education ends at 18.²⁴⁷ For the school year 2024-2025, 2,092 Ukrainian children were enrolled in kindergarten, 3,867 in primary school, and 3,653 in secondary school in Flanders.²⁴⁸ In the same schoolyear, so far there are 1,041 enrolments of Ukrainian nationals in Flemish higher education institutions.²⁴⁹ In March 2025, 10925 Ukrainians were enrolled in adult education.²⁵⁰ There are no numbers available for Brussels and Wallonia.

All beneficiaries are entitled to education under the same conditions as nationals except for the diploma requirements: the degree obtained in a foreign country – contrary to Belgians – may not give direct access to a degree or additional exams or preparation programmes may be required.²⁵¹ Some rules are more favourable for TP beneficiaries. For example, beneficiaries have the opportunity to, at any moment, file a declaration of home education. Those who prefer distance learning are exempted from the requirement to take exams unlike the Belgian home-schooled children.²⁵² Generally speaking, administrative

²⁴¹ Article 4 §1 & article 11, Law establishing sanctions and measures for employers of illegally staying third-country nationals, available in French and Dutch at: <https://bit.ly/3HkixxV>.

²⁴² Flemish Agency for Integration and citizenship, *the Integration trajectory*, available in Dutch at: <https://bit.ly/4cR7dfo>.

²⁴³ See Agii (agency for integration and citizenship), pt. 3.8. *Scope of application*, available at: <https://tinyurl.com/43ej4fdn>, & Flemish government, *Flemish Decree on integration policy*, article 11 §1 °2, available in Dutch at: <https://tinyurl.com/4tp2p62h>.

²⁴⁴ GD/2003/03, *The right to education for children without legal residence*, 24 February 2003, available at: <http://bit.ly/3jpxYRb>.

²⁴⁵ Flemish Government, *Home schooling for Ukrainians*, available in Dutch at: <https://tinyurl.com/y2r8ry3f>

²⁴⁶ Article 1 § 7 Law of 29 June 1983 on compulsory education (amended 23 March 2019) available at: <http://bit.ly/3jpxYRb>.

²⁴⁷ *Ibid.*, article 1 §1.

²⁴⁸ Flemish government, *Primary and secondary education part 2*, numbers last updated 25 March 2025, available in Dutch [here](#); the numbers mentioned include persons with Ukrainian nationality as well as persons with temporary protection.

²⁴⁹ Flemish government, *higher education*, available in Dutch [here](#); numbers include only persons with Ukrainian nationality.

²⁵⁰ Flemish government, *Adult education*, numbers last updated 24 March 2025, available in Dutch [here](#); numbers include persons with Ukrainian nationality.

²⁵¹ Article II.177 Codified Decree on higher education, 11 October 2013, available in Dutch at <http://bit.ly/3JxTwWJ>.

²⁵² Flanders education government page, *Ukraine crisis: lower- and secondary education*, available in Dutch at: <https://bit.ly/3kS0fQS>.

requirements are eased; this is so regarding the admission requirements to secondary school.²⁵³ Moreover, beneficiaries have access to preparatory classes (“*Okan*” in the Flemish-speaking region, “*DASPA*” in the French-speaking region) for foreign newcomers who speak a different language.²⁵⁴

The Ukrainian secondary school degree is not considered equivalent to the Belgium one. Children under 18 who have already obtained their secondary school degree in Ukraine are thus still required to enrol in a form of education (be it a regular Belgian secondary school or distance learning).²⁵⁵

If a child has special needs, the centre for student counselling can redirect the person to a school more adapted to the child’s needs. The procedure for such enrolment is temporarily simplified, not requiring a medical diagnosis.²⁵⁶ The schools for special needs are mainly for children who, temporarily or permanently, require special assistance because of: (1) a physical or mental disability, (2) serious emotional or behavioural problems, and (3) severe learning disabilities. With the influx of displaced persons, these schools have extra personnel providing (para)medical, social and psychological support.²⁵⁷

There are however some obstacles for children under the age of 18. First, preparatory classes are saturated, meaning that some beneficiaries are put on waiting lists and – unless home-schooling is a possibility – do not in practice access the education system. These are the same preparatory classes that are offered to other newcomers. Moreover, if a guardian (of which there is also a shortage) has not been appointed for an unaccompanied minor, this may cause problems in practice (such as payments and school trips abroad). Foster caregivers can however make decisions about parenting in cases of urgent necessity, with notification to the parents.²⁵⁸

As for those who wish to enrol in higher education, the Ukrainian secondary diploma is equivalent only to the second (out of three) cycles of secondary education in Belgium. This does in principle thus not suffice to be enrolled in higher education. So if someone wants to continue studying with a Ukrainian secondary education degree and has already passed the age of 18, they must finish the last high school cycle through adult education. However, education institutions may deviate from this. In the absence of an equivalent secondary school diploma, an institution may enrol the person for humanitarian, medical, psychological or other social reasons. Passing a knowledge and language exam may also be set as a requirement.²⁵⁹ Beneficiaries of temporary protection who wish to continue their studies after completing their secondary in Ukraine (and who thus don’t have the necessary requirements) must thus individually contact the institution where they want to study in order to see if they could be admitted on a discretionary basis. Some educational degrees, however, require passing mandatory exams as a prerequisite for enrolment (e.g. dentistry, medicine).²⁶⁰ The enrolment fee is equivalent to the standard fee that Belgian students pay (rather than the fee for third country nationals). Moreover, diploma recognition procedures, as required also for certain jobs, are free for beneficiaries.²⁶¹

Between February 2022 and March 2025, Naric, the Flemish body which is competent to recognise degrees obtained abroad, received a total of 3,779 requests for diploma recognition; the vast majority being higher education degrees. Of those requests 2,494 (66%) degrees were recognised as equivalent.

²⁵³ Walloon-Brussels Education unit, *Circular: Ukrainian situation, schooling for children fleeing from conflicts*, available in French at: <https://bit.ly/3jlVAX1>, 7.

²⁵⁴ Flemish Government Royal Decree, 24 May 2022, available in Dutch at: <http://bit.ly/40et3TR>.

²⁵⁵ Agency for education services, 26 February 2024.

²⁵⁶ For Flanders, see: <https://bit.ly/3kS0fQS>; for Wallonia, see: <http://bit.ly/3kVpGkC>.

²⁵⁷ Flanders education government page, *Ukraine crisis: lower- and secondary education*, available in Dutch at: <https://bit.ly/3kS0fQS>.

²⁵⁸ Article 387 Quinquies Civil Code, 21 March 1804, available in French and Dutch at: <https://bit.ly/3KJp8ZN>.

²⁵⁹ Article II.177 Codified Decree on higher education, 11 October 2013, available in Dutch at: <http://bit.ly/3JxTwWJ>.

²⁶⁰ Flanders education government page, *conditions of admission to higher education*, available in Dutch at: <http://bit.ly/3JuRrLa>.

²⁶¹ Naric-Flanders, *information on the recognition of Ukrainian diploma’s*, available at: <http://bit.ly/3IHuXUW>.

This recognition is necessary for Ukrainian nationals that want to work in the public sector or want to practice a regulated profession.²⁶²

However, some obstacles remain regarding enrolment in higher education. The language barrier, having most courses offered in either Dutch or French, constitutes a first obstacle. Second, for people without the financial means to continue their studies through higher education, welfare centres can support the student financially throughout their education; this is conditional on meeting the commitments agreed upon with the assigned social worker.²⁶³ The willingness of the social welfare centre (responsible for granting financial aid to people with financial needs) to ‘invest’ in these cases varies depending on the municipality. It is highly dependent on the person’s motivation and whether the education will increase the chances of finding a job.²⁶⁴

Lastly, beneficiaries may also enrol in adult education. In relation to vocational training and above-age education beneficiaries, there is an adult education fee exemption for those who enjoy temporary protection. Beneficiaries may take Dutch (in Flanders) and French (in Wallonia) as a second language and other courses offered by the adult education centres. To do so, they must demonstrate their lawful residence in Belgium, for which they can invoke their temporary protection status. For Dutch as a second language, adults must apply first at the ‘agency for integration and social orientation’²⁶⁵ (the whole of Flanders), Atlas²⁶⁶ (Antwerp) or Amal (Ghent).²⁶⁷ They can orient non-native speakers to the most appropriate course.²⁶⁸

F. Social welfare

The right to social benefits starts from the day of the demand. This means that a person with a temporary protection certificate and an inscription in the register (or proof of an appointment with the municipality) can present themselves to the social welfare centre to receive or social revenue or ‘social benefits’. The right to receive social benefits will then apply retroactively to the day of the request.²⁶⁹ Each municipality has a ‘social welfare centre’ which operates relatively autonomously (in Flanders “OCMW”, and in Brussels and Wallonia “CPAS”). The social welfare centre of the municipality where the address is registered is responsible for granting social benefits.²⁷⁰ Hence, the beneficiary must be a registered resident in the specific municipality to qualify for social benefits. From March 2022 up to and including 28 February 2025 64,400 beneficiaries received social benefits. This includes 12,534 beneficiaries in Brussels, 36,752 in Flanders, and 17,321 in Wallonia.²⁷¹

The amount of financial aid given can vary greatly.²⁷² This is so because under the “Equivalent Living Wage” (*equivalent leefloon in Dutch*) there is no fixed amount, no selected calculation method, and no fixed categories, which results in a high margin of discretion for the social welfare centres and a significant difference between the revenue granted from person to person, and from municipality to municipality. The social welfare centre examines the need for financial assistance and decides within 30 days.²⁷³ The social

²⁶² Naric-Flanders, *Information on the recognition of Ukrainian degrees*, available in Dutch [here](#). numbers applicable for the period February 2022 – March 2025 period.

²⁶³ Art. 11 § 2 (a) & art. 52, law on the right to social integration, 26 May 2022, available in Dutch and French at: <https://tinyurl.com/7szmp424>.

²⁶⁴ POD MI, *individualized project for social integration – studies*, available in Dutch and French at: <https://tinyurl.com/3d9mmr66>.

²⁶⁵ See: <https://tinyurl.com/yf22rrxt>.

²⁶⁶ See: <https://tinyurl.com/m24k73kk>.

²⁶⁷ See: <https://tinyurl.com/yp24zf3n>.

²⁶⁸ Flanders education government page, *Adult education*, available in Dutch at: Flanders education government page, *Ukraine crisis: lower- and secondary education*, available in Dutch at: <https://bit.ly/3kS0fQS>.

²⁶⁹ *Ibid.*

²⁷⁰ Article 2§ 5 Law on aid granted by public social welfare centres, 2 April 1965, available in French and Dutch at: <https://bit.ly/3mksaK8>.

²⁷¹ Note: these numbers are based on the number of total files a person has at the social welfare centre, rather than on the total number of social benefit requests. The average number of persons per file is at 1.7. Statistics provided by the authority on social benefits POD MI, available at: <https://bit.ly/3QscTTN>.

²⁷² Institution on social integration (POD MI), *FAQ on Ukraine*, available in French and Dutch at: <https://bit.ly/3Rh1B3L>, 5.

²⁷³ Response POD MI on the calculation of the *equivalent leefloon*, 12 August 2022.

welfare centre determines what aid is granted based on the established factual situation (housing, forms of support received, cohabitation, etc.).²⁷⁴

Some issues emerged regarding access to social benefits.²⁷⁵ A certain lack of clarity has been reported concerning the amount of the benefits granted and/or the reasons for the refusal or reduction of the revenue. These are often communicated through an official decision only available in Flemish or French. While OCMW's can make use of social translator services, it has been reported that some of the OCMW do not make use of these, further complicating communication.²⁷⁶ A lack of transparency and the extensive margin of discretion accorded to the welfare centre may result in incomprehension about the reasons for which a certain amount was or was not granted. Beneficiaries are recommended to keep the social welfare centre up to date with their situation so that their social benefits can be adapted in a timely manner.

G. Health care

Foreigners authorised to reside in Belgium for more than three months are registered as 'residents' and consequently have the right to healthcare insurance.²⁷⁷ Beneficiaries are entitled to the same level of healthcare services as Belgian nationals. Persons 'visiting' in short stay are therefore required to apply for temporary protection if they wish to enjoy medical care beyond urgent medical aid.

Before obtaining resident status, the right to urgent medical support is ensured regardless of whether the person has a residence permit.²⁷⁸ Urgent medical health care can be provided to those who have fled Ukraine and have not yet acquired the necessary documents. This concerns potential beneficiaries who have not yet undertaken any steps for registration at the registration centre of IBZ but declare that they will do so shortly, those who are on a short stay and merely have a declaration of arrival (annex 3), those who claim that they have been to the registration centre, but have not yet received the temporary protection certificate, and those who have received a certificate of temporary protection but have not yet registered themselves at their municipality.²⁷⁹ The cost of the medical care will, in this case, be covered by the social welfare centre on the condition that they have an 'attestation of urgent medical needs' from the attending physician.²⁸⁰

Once the healthcare insurance is in order, it works retroactively, going back to the obtainment of the temporary protection certificate or – where this took some more time – to the day of registration at the registration centre. Annex 15, or the A-card, allows to take out healthcare insurance. In the absence thereof, when a person only has a temporary protection certificate or proof of registration, the insurance company will check if the inscription in the Aliens Register has been realised. Beneficiaries are entitled to the same health care as nationals; no distinction is made.

However, there may be some issues related to healthcare access despite enjoying same status as other legal residents or nationals.²⁸¹ As with many other aspects, most problems arise where a person cannot register at an address. In such cases, access to healthcare is not only limited to urgent medical care, but access to actors crucial in providing healthcare information may be limited. More recently, due to the longer waiting periods for the decision after registration, an increasing group of people will likely have to make use of urgent medical aid through the social welfare centre because they cannot open a healthcare insurance yet.

²⁷⁴ See VVSG, *Right to Social benefits*, available in Dutch at: <http://bit.ly/41y2kSS>.

²⁷⁵ This is based on recurring cases that have been reported to the VVV Infoline.

²⁷⁶ Report to the Infoline, February 2024.

²⁷⁷ Article 128 Quinquies §1 Royal Decree, 3 July 1996, available in French and Dutch at: <https://bit.ly/3EOP1nj>.

²⁷⁸ Article 5 Royal Decree 5, 12 December 1996, available in French and Dutch at <https://bit.ly/3XU7Tc4>.

²⁷⁹ Institution on social integration (POD MI), *FAQ on Ukraine*, available in French and Dutch at: <https://bit.ly/3Rh1B3L>, 3.

²⁸⁰ *Ibid.*

²⁸¹ Obstacles as identified by [Medimmigrant](#).