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To the attention of Ms Dunja Mijatović  
Commissioner for Human Rights  
Council of Europe

e-mail: commissioner@coe.int

Your message of  
13.12.2022

Your reference  
CommHR/DM/sf 040-2022

Our reference  
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Enclosure(s)

### **Concerning: reception of applicants for international protection**

Dear Commissioner,  
Dear Ms Mijatović,

Belgium observed a significant increase of asylum seekers in 2022. In addition to the 62.000 Ukrainians registered under the Temporary Protection Directive, 33.340 people have filed an asylum application in Belgium in the first 11 months of 2022.

In response to the first signs of the Belgian reception network becoming saturated, my country has taken the necessary steps to ensure that applicable regulations can be respected. Continuous measures have been taken to (1) expand the reception network, (2) accelerate outflows from the reception network, including through an additional large-scale recruitment of staff to handle asylum cases and (3) address irregular and secondary flows to Belgium, together with other EU member states.

In recent months, the Belgian government has also taken measures to provide emergency shelters so that people would have a roof over their head. We are doing everything possible today to avoid that people would be forced to sleep on the street. Since the start of the crisis, it has been my decision to always prioritize the reception requests and special needs of minors and vulnerable people.

I regret that there have been periods in which my services were not able to provide a reception place to all asylum applicants the same day of filing for international protection. This has resulted

in convictions to shelter such applicants, pronounced by the Belgian courts as well as in interim measures taken by the European Court for Human Rights. Not all of the court decisions could be implemented immediately. This is by no means a political decision, but a sheer material impossibility.

I fully agree with you when you state that the Belgian asylum and reception system faces structural problems. My predecessor and I have, as the politically responsible actors, taken several measures to improve it.

First, Belgium's federal government decided in the summer of 2021 to provide a historic number of "buffer places" that can be used in times of crisis. This resulted in a more permanent and more predictable reception network. Today, we have the largest reception network in the history of our country, consisting of 33.000 places with over 7000 extra places created the last year.

Second, through a significant investment in our administration and, in particular, in the independent body responsible for asylum decisions, the *Commissariat général aux réfugiés et aux apatrides*, I aim to eliminate the existing structural deficit in the treatment of asylum applications. Investing in the asylum services and their staff will avoid applicants for international protection having to wait too long for a decision in their individual case.

The emergency measures are implemented, but the structural measures obviously take time to show results. Rest assured I will relentlessly continue to work on the durable improvement of the Belgian asylum and reception system.

I am of course willing to provide further and detailed information on the various measures Belgium is taking to address this situation.

Yours sincerely,



Nicole de Moor