

Ref: CommHR/DM/sf 040-2022

Ms Nicole DE MOOR

State Secretary for Asylum and Migration, Belgium

Strasbourg, 13 December 2022

Dear State Secretary,

I am writing to you in relation to the asylum registration and reception situation in Belgium. While the Federal Agency for the Reception of the Asylum Seekers (Fedasil) already acknowledged last year that it had limited capacity to accommodate arriving asylum seekers, I understand that the situation has deteriorated in recent months. More than 1,500 asylum seekers could not be provided with accommodation in October 2022 alone, with many of them, including families with children and unaccompanied minors, being forced to sleep on the streets. In addition to a lack of accommodation, people seeking international protection in Belgium reportedly experience further difficulties due to limited capacity to register their applications for asylum and to process them in a timely manner.

I welcome the government's decision to open additional reception facilities and to increase human resources. Nonetheless, I observe that these measures do not appear to be sufficient to address the complexity and magnitude of the existing needs. The above-mentioned situation has serious consequences for the human rights of people applying for asylum in Belgium, particularly from the perspective of their right to health and their access to shelter and other basic needs. I note that in more than 4,500 cases since the beginning of this year, Fedasil has been ordered by the Brussels Labour Court to provide accommodation and material assistance in accordance with the Law of 12 January 2007 on the reception of asylum seekers and other categories of foreign nationals. However, there have been significant delays in enforcing such decisions. I further note that this situation has led the European Court of Human Rights to indicate [interim measures](#), which concern approximately 150 applicants, asking the government to provide them with accommodation and material assistance to meet their basic needs.

In light of the above, I would be grateful if you could inform me about the steps that the Belgian authorities envisage taking in order to resolve the above-mentioned issues. Furthermore, I believe that the present situation has exposed some of the structural shortcomings in the asylum system in Belgium which need to be further addressed.

I look forward to continuing our constructive dialogue on this and other topics.

Your sincerely,



Dunja Mijatović