

Belgium: Information for stateless people and those at risk of statelessness fleeing Ukraine



European
Network on
Statelessness

ENS Focal Point: [NANSEN](#)

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This briefing provides country-specific information for stateless people and those at risk of statelessness fleeing Ukraine. It is intended as a source of information for refugee response actors and affected individuals. The focus is on stateless people and people at risk of statelessness, including those who are undocumented. Links to more general information for refugees from Ukraine are provided throughout. We will endeavour to keep this information updated. Please contact Ukraine.crisis@statelessness.eu if you have relevant updates. Unless otherwise shown, the source of information provided is the ENS Focal Point.

1. ENTRY REQUIREMENTS & REGISTRATION

There is a special registration process for people arriving in Belgium from Ukraine. People eligible for temporary protection, including stateless people, must register. People who are not eligible for temporary protection may apply for asylum. The [European Commission](#) confirms that a lack of travel documents or medical documents (certificate of vaccination, COVID-19 test) should not be an obstacle to entering the EU throughout the Ukraine crisis. In practice, Belgian authorities are applying a certain degree of [flexibility in documentation requirements](#) (e.g. accepting copies or expired documents), although they mostly proceed on a case by case basis. Stateless people and those at risk of statelessness are strongly recommended to seek legal advice as soon as possible (e.g., from [NANSEN](#)).

Documents required	<ul style="list-style-type: none">• <u>Beneficiaries of international protection & recognised stateless persons in Ukraine</u>: proof of status in Ukraine and an identity document with a photograph (e.g. ID cards, expired passports, travel documents, etc.); may also need to prove family relationship, cohabitation, or dependency if applying for protection together with another eligible person; Belgium does not seem to recognise travel documents issued by Ukraine to beneficiaries of international protection• <u>Children</u>: a national identification document or birth certificate• <u>Undocumented persons</u>: if unable to provide evidence of nationality, individuals are recommended to contact the diplomatic representation of their country of origin (e.g. Ukrainian diplomatic/consular representation) to confirm nationality status• <u>Stateless persons</u>: any available identity papers
Entry and registration	<ul style="list-style-type: none">• 90-day tolerated stay may be permitted for documented persons who fled Ukraine; but this has not been publicly confirmed• <u>People eligible for temporary protection</u>: register for temporary protection; provide identity details and documentation (copies permitted); biometric data• <u>People not eligible for temporary protection</u>: directed to Immigration Office on arrival for interview; if confirmed not eligible for temporary protection, invited to return to country of origin; if safe/stable return not possible may apply for asylum• <u>Unaccompanied children</u>: directed to Guardianship Services ('Service des Tutelles') (but not enough guardians available); undocumented children remain in designated accommodation centres; once documented access to child protection system
Documents issued	<ul style="list-style-type: none">• <u>People eligible for temporary protection</u>: certificate of temporary protection• <u>Asylum seekers</u>: registration certificate (Model A/Annex 26)
Entry status	<ul style="list-style-type: none">• Temporary protection seeker; Visitor; Asylum seeker

2. ROUTES TO INTERNATIONAL PROTECTION

Belgium offers three routes to protection for people fleeing Ukraine, including eligible stateless people: refugee status, subsidiary protection, and temporary protection. Temporary protection is only available to

stateless people whose status had been recognised in Ukraine. According to trusted sources, less than six stateless people have received temporary protection in Belgium, but this information cannot be confirmed due to the lack of disaggregated official data on temporary protection grants. The routes to protection available are summarised in the table below.

	Refugee Status	Subsidiary Protection	Temporary Protection
What is it?	Protection under 1951 Convention Relating to the Status of Refugees	Protection for persons who do not meet the 1951 Convention definition but would be subject to serious risk of harm upon return to their country of origin	Temporary protection for eligible displaced persons during mass influx established by decision of the EU Council
Can stateless and/or undocumented persons apply?	<u>Stateless persons</u> : yes <u>Undocumented persons</u> : yes, but cannot register application immediately; must follow specific procedure (see below)	Same as Refugee Status	<u>Stateless persons</u> : yes, if eligible (i.e., beneficiaries of international protection or equivalent national protection in Ukraine (including those who received a specific document as a recognised stateless person in Ukraine) & family members, permanent residence permit and unable to return to country of origin) <u>Undocumented persons</u> : yes
Where to apply?	Immigration Office within eight days of arrival; border police at the border	Same as Refugee Status	Registration Centre at Hall 8 (Brussels Expo, Heysel)
Procedure & rights	Collection of biometric data; certificate of application issued ('Annex 26'); interview at Office of General Commissioner for Refugees and Stateless Persons ; outcome can be refugee status, subsidiary protection, or rejection; right of appeal before the Council for Alien Law Litigation (CALL); special procedure for applications at the border and other situations <u>Special procedure for undocumented persons</u> : formal notice to Immigration Office to register application; Federal Agency for the Reception of Asylum Seekers (Fedasil) must provide accommodation (if not, a request can be	Same as for Refugee Status.	Book an appointment on register-ukraine.be and attend registration centre in person; Temporary Protection Certificate issued for adults and minors; registration (without appointment) at municipality (' <i>commune</i> ') of place of residence; right to work certificate ('Annex 15'); police visit to confirm applicant's address; letter inviting request for residence permit card at the <i>commune</i>

	submitted to the Employment Tribunal)		
Rights upon recognition	Temporary residence (five years); permanent residence after five years; right to work without permit; social security on same basis as Belgian nationals; right to apply for family reunification; prohibition of return to country of origin; automatic right to travel documents (i.e. a 'blue passport' obtained from municipality)	Temporary residence (one year, renewable twice for two years); permanent residence after five years; right to work upon application for work or self-employment permit; social security on same basis as Belgian nationals; right to apply for family reunification; apply for travel document , but must obtain certificate from General Commissioner for Refugees and Stateless Persons confirming status and impossibility to obtain a passport	Right to reside (one year); right to work; right to suitable accommodation; social welfare; medical care; education for children and temporary education for adults; transfers of family members to another Member State for reunification; right to apply for asylum at any time

For more information, see:

- Office of the General Commissioner for Refugees and Stateless Persons, [Main page](#), [Brochures on the asylum procedure, rights, and obligations](#), [International Protection](#), [Unaccompanied Child](#)
- Immigration Office, [International Protection](#) and [Temporary Protection](#)
- [Federal Agency for the Reception of the Asylum Seekers \(FEDASIL\)](#)
- UNHCR, [Help Ukraine](#)
- [Belgium's official website](#) gathering all information about and for people fleeing Ukraine
- Agency for Integration and Inclusion (Agentschap voor Integratie en Inburgering, AGII) [page on Ukraine](#)
- Ministry of Foreign Affairs, [Travel pass for refugees, stateless persons of foreign nationals](#)
Ariane, managed by the Red Cross (Emergency reception centre): +32 2 346 66 60 info@centreariane.be
- Employment - job search: ACTIRIS Brussels, [Information for Ukrainians](#), [Forem Wallonia](#), [VDAB](#)
- Regional website dedicated to information for Ukrainians in [Brussels](#), [Wallonie](#), [Flanders](#)
- Federal Institute for Human Rights (FIDH), Unia, Myria, the Service for Combating Poverty, the General Delegate for Children's Rights (DGDE) and the Flemish Commissioner for Children's Rights, ['From good practice to structural policy measures Policy proposals based on the example of the reception of Ukrainians fleeing their country'](#) (*'De la bonne pratique aux mesures politiques structurelles Propositions politiques à partir de l'exemple de l'accueil des Ukrainiens fuyant leur pays'*), September 2022
- European Council on Refugees and Exiles (ECRE), [Information Sheet](#)
- EU Asylum Agency, [Who is Who in International Protection, Temporary Protection overview](#)
- EASO, [Guidance on reception conditions for unaccompanied children](#)
- KIND & Child Circle, [Note on unaccompanied children fleeing Ukraine](#)
- Right to Protection, [Who are stateless persons who fled Ukraine after the Russian invasion on 24 of February, 2022](#)

3. STATELESSNESS DETERMINATION AND PROTECTION STATUS

For stateless people, it is important to determine both a claim for international protection and their statelessness. Each application should be assessed and both types of status should be explicitly recognised so

that even if international protection ceases, the person remains entitled to protection as a stateless person. Statelessness determination should be conducted either in parallel with or following the refugee status determination, with due regard to the primacy of the asylum claim and the principle of confidentiality for refugees in statelessness determination procedures. For more information, see: [ENS briefing on statelessness determination & protection in Europe](#).

In Belgium, [family courts](#) can determine statelessness, but recognition as stateless does not result in a right to reside, so it cannot be considered a formal statelessness determination procedure. If recognised as stateless by the courts, an application must be made to the Immigration Office to acquire a residence permit on humanitarian grounds. The length of the residence permit is at the discretion of the Immigration Office, but is usually one year (renewable). Applicants for statelessness status are considered undocumented migrants, may be at risk of removal and/or detention, and have only limited rights. Applicants may only access urgent healthcare and are not permitted to work, access housing, or social security. Decisions can take up to 12-18 months. Stateless people recognised by the courts and who obtained a residence permit for an unlimited time [can acquire a travel document \('grey passport'\)](#) from the Federal Public Service of Foreign Affairs, under the same conditions as beneficiaries of international protection.

Stateless people and those at risk of statelessness are strongly recommended to seek specialist advice in Belgium (e.g., from [NANSEN](#)). For more information, see: [ENS Statelessness Index Belgium](#) and the Office of the Commissioner General for Refugees and Stateless Persons [page on Statelessness](#).

4. REQUIREMENTS FOR ONWARD TRAVEL TO THIRD COUNTRIES

People granted temporary protection may travel within the EU for 90 days within a 180-day period. Refugees [may travel abroad](#) with an electronic card for foreign nationals and a 'refugee travel document' ('blue passport'), but risk losing refugee status if they return to their country of origin. People recognised as stateless, who are authorised to stay in Belgium for an unlimited time, can also travel abroad with a ['grey passport'](#). Beneficiaries of subsidiary protection [may travel abroad](#) with a travel document for foreigners', which must be requested.

5. ORGANISATIONS ASSISTING STATELESS PEOPLE

NANSEN https://nansen-refugee.be/ +32 487 84 65 40 / info@nansenrefugee.be	UNHCR UNHCR Belgium and Luxemburg +32 (0) 472 18 92 65
Office of the Commissioner General for Refugees and Stateless persons. https://www.cgrs.be/en/stateless-persons +32 2 205 53 07 / cgrerefugees@ibz.fgov.be	Federal Agency for the Reception of the Asylum Seekers (FEDASIL) https://www.fedasil.be/fr +32 2 213 44 11 / info@fedasil.be
Caritas https://www.caritasinternational.be/en/asylum-migration/ 0 800 2 41 41 (free if calling from Belgian number)	Legal aid in Brussels (Bureau d'Aide Juridique, BAJ) https://bajbruxelles.be/index.php/fr/ (BAJ Brussels can also provide the contact of other legal aid offices in Belgium)