

# 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](mailto: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](#)).

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| <b>Documents required</b>     | <ul style="list-style-type: none"> <li>• <u>Beneficiaries of international protection &amp; recognised stateless persons in Ukraine</u>: <a href="#">proof of status in Ukraine and an identity document</a> 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 <a href="#">does not seem to recognise</a> travel documents issued by Ukraine to beneficiaries of international protection</li> <li>• <u>Children</u>: a national identification document or birth certificate</li> <li>• <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</li> <li>• <u>Stateless persons</u>: any available identity papers</li> </ul>                                                  |
| <b>Entry and registration</b> | <ul style="list-style-type: none"> <li>• Ukrainian nationals with biometric passports can enter and stay in Belgium for <a href="#">90 days</a> without a visa, with possibility of extension to 180 days; those without a biometric passport must apply for a short-stay visa</li> <li>• <u>People eligible for temporary protection</u>: register for temporary protection; provide identity details and documentation (copies permitted); biometric data</li> <li>• <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 <a href="#">return to country of origin</a>; if safe/stable return not possible may <a href="#">apply for asylum</a></li> <li>• <u>Unaccompanied children</u>: directed to <a href="#">Guardianship Services ('Service des Tutelles')</a> (but not enough guardians available); undocumented children remain in designated accommodation centres; once documented access to child protection system</li> </ul> |
| <b>Documents issued</b>       | <ul style="list-style-type: none"> <li>• <u>People eligible for temporary protection</u>: certificate of temporary protection. In some cases, the Immigration Office carries out a detailed examination of documents, in which case people receive first a “proof of registration”, and people who meet the conditions receive a “temporary protection certificate”. They can then apply for an “A card” (limited stay) from the municipality where they live. The local authority will ask the neighbourhood officer to check the person’s residence, who will receive an “Annex</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|                     | <p>15” pending verification, which already authorises stay in the country and taking administrative steps, such as registering with health insurance scheme. This Annex can then be exchanged for an “A card” as soon as it arrives at the commune.</p> <ul style="list-style-type: none"> <li>• <u>Asylum seekers</u> at the border receive an Annex 25, while asylum seekers on the territory receive an Annex 26; upon making an <a href="#">application for international protection</a> to the competent authority, the person receives a ‘declaration certificate’ and Immigration Office registers application within 3 days (up to 10). Within 30 days, the person lodges the application and receives Annex 26. Required to report to the local authority in their main place of residence within 8 days. Issued with a registration certificate (orange card) valid for 3 months (can be prolonged for up to 1 year and beyond) and if granted positive decision eligible for an ‘A card’.</li> </ul> |
| <b>Entry status</b> | <ul style="list-style-type: none"> <li>• Temporary protection seeker; Visitor; Asylum seeker</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## 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. In line with the decision of the Council of the EU, Belgium has [extended](#) its temporary protection scheme until 4 March 2025, and beneficiaries of temporary protection can [extend their status](#) by visiting their local town hall and renewing their A card from 4 January 2024 (if the new A card cannot be issued before 4 March 2024, an Annex 15 will be issued). If issued with a temporary protection certificate after 4 January 2024, the A card issued will be valid until 4 March 2025. The routes to protection available are summarised in the table below.

|                                                         | Refugee Status                                                                                                                                              | Subsidiary Protection                                                                                                                                     | Temporary Protection                                                                                                                                                                                                                                                                                                                                                |
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| <b>What is it?</b>                                      | 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                                                                                                                                                                                                                                                    |
| <b>Can stateless and/or undocumented persons apply?</b> | <u>Stateless people</u> : yes<br><u>Undocumented persons</u> : yes, but cannot register application immediately; must follow specific procedure (see below) | Same as Refugee Status                                                                                                                                    | <u>Stateless people</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)<br><u>Undocumented people</u> : yes |
| <b>Where to apply?</b>                                  | Immigration Office within eight days of arrival; border police at the border                                                                                | Same as Refugee Status                                                                                                                                    | At the registration centre: 40 Place Victor Horta, 1060 Brussels                                                                                                                                                                                                                                                                                                    |
| <b>Procedure &amp; rights</b>                           | Collection of biometric data; certificate of application issued (‘Annex                                                                                     | Same as for Refugee Status.                                                                                                                               | Each person wishing to benefit from temporary protection must present                                                                                                                                                                                                                                                                                               |

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|                                       | <p>26’); interview at Office of <a href="#">General Commissioner for Refugees and Stateless Persons</a>; outcome can be refugee status, subsidiary protection, or rejection; right of appeal before the <a href="#">Council for Alien Law Litigation</a> (CALL); special procedure for <a href="#">applications at the border</a> and other situations</p> <p><u>Special procedure for undocumented persons:</u><br/>formal notice to Immigration Office to register application; <a href="#">Federal Agency for the Reception of Asylum Seekers (Fedasil)</a> must provide accommodation (if not, a request can be submitted to the Employment Tribunal, should be done through a lawyer – free legal assistance is offered by local bar associations, information available in <a href="#">French</a> and <a href="#">Dutch</a>)</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>themselves in person at the registration centre, between 8:30 and 13:00.; Temporary Protection Certificate issued for adults and minors; registration (without appointment) at municipality (<i>‘commune’</i>) of place of residence; right to work certificate (<i>‘Annex 15’</i>); police visit to confirm applicant’s address; letter inviting request for residence permit card at the <i>commune</i></p>                                                                                                                                                                     |
| <p><b>Rights upon recognition</b></p> | <p>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 or risk having status revoked; automatic right to travel documents (i.e. a ‘blue passport’ obtained from municipality)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>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 <a href="#">travel document</a>, but must obtain certificate from General Commissioner for Refugees and Stateless Persons confirming status and impossibility to obtain a passport</p> | <p>Right to reside (one year); right to work; right to suitable <a href="#">accommodation</a> (secured partially by authorities and partially by <a href="#">citizens</a> – accommodation is mostly organised through the <a href="#">CPAS Centres for Public Welfare</a>, municipalities and regions have organised contact points for information <a href="#">here</a>); 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</p> |

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](mailto: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
- Statbel, the Belgian statistical office's dashboard on statistical data on [Displaced Persons from Ukraine](#)
- European Union Asylum Agency, [Who is Who in International Protection, Temporary Protection overview](#)
- EASO, [Guidance on reception conditions for unaccompanied children \(December 2018\)](#)
- European Union Agency for Fundamental Rights, [Fleeing Ukraine: Implementing temporary protection at local levels](#) (December 2023)
- European Union Agency for Fundamental Rights, [Report on Fleeing Ukraine - Fleeing Ukraine: Displaced people's experiences in the EU](#)
- European Union Agency for Fundamental Rights, [Fundamental Rights Implications for the EU of the War in Ukraine](#)
- European Union Agency for Fundamental Rights, [The Russian aggression against Ukraine – Displaced children finding protection in the EU - Bulletin 3](#)
- European Union Asylum Agency, [Providing Temporary Protection to Displaced Persons from Ukraine: A Year in Review](#) (March 2023)
- [Belgian Presidency of the Council of the European Union, Programme, first half of 2024](#)
- European Council of Refugees and Exiles, [The EU's Response to Displacement from Ukraine: ECRE's Recommendations](#) (October 2023)
- European Council of Refugees and Exiles, [Information Sheet – Measures in response to the arrival of displaced people fleeing the war in Ukraine](#) (March 2023)
- European Council of Refugees and Exiles, Asylum Information Database, Country reports on Belgium, [annex on temporary protection](#)
- European Migration Network (EMN), [Annual Report on Migration and Asylum 2022](#) (July 2023) (Chapter 2, Response to the influx of persons fleeing the war in Ukraine)
- Caritas Europa, [Europe's welcome of refugees from Ukraine and lessons learnt](#) (June 2023)
- Anti-Discrimination Centre Memorial, [The situation of Ukrainian children in European countries after 24 February 2022](#) (June 2023)
- 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.

In February 2024, a new law was [adopted](#) amending the Law on access to the territory, residence, settlement and removal of foreigners to regulate the right of residence of stateless people. It is pending publication and entry into force ten days thereafter.

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

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