

ENG



COMMISSIONER GENERAL FOR REFUGEES AND STATELESS PERSONS

**You are
eligible for
subsidiary
protection
in Belgium**

Your rights and obligations

.be

Responsible publisher:
Dirk Van den Bulck, Commissioner
General for Refugees and Stateless Persons

This brochure is also available
in Dutch and French.

These different language versions can be found on:
www.cgrs.be/en/publications.

Updated: January 2019

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**You are
eligible for
subsidiary
protection
in Belgium**

WHAT ARE YOUR RIGHTS AND OBLIGATIONS?

The Office of the Commissioner General for Refugees and Stateless Persons (CGRS) has granted you subsidiary protection status. This gives you many rights but your status also involves some obligations.

You will surely be asking yourself questions about your future as a 'protected person' in Belgium. You will find answers on the following pages. If you still have questions, please contact one of the services mentioned in the contact list at the end of this brochure, a lawyer or a legal service, your municipality or Public Social Welfare Centre.

I wish you and your family a pleasant stay in Belgium.

Dirk Van den Bulck

Commissioner-General for Refugees and Stateless Persons

For more information?

Even after you have been granted subsidiary protection, the CGRS remains at your disposal

by mail: cgvs.info@ibz.fgov.be

by telephone: 02 205 51 11

You can download this brochure in its entirety at:

www.cgrs.be/en/international-protection/subsidiary-protection-status



RIGHT OF RESIDENCE IN BELGIUM

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM



The Office of the Commissioner-General for Refugees and Stateless Persons (CGRS) has granted you subsidiary protection status. Initially, this status enables you to reside in Belgium for a **limited period** of time. You must take this decision to the administration in the municipality where you live. The Immigration Office instructs the municipality of your residence to enter you in the register of foreign nationals. You will receive an identity document in the form of an electronic A-card. This is a proof of registration in the register of foreign nationals - temporary stay.

The electronic A-card is valid for one year and can be renewed for a period of two years. After these two years, you can again request a two-year renewal.

After five years, counting from the submission of your application for international protection, you will receive an electronic B-card: a proof of registration in the register of foreign nationals – unlimited stay.

There is an important difference between residence for a limited duration and residence for an unlimited duration in terms of exercising certain rights and for your status as a 'protected person'.



WORKING IN BELGIUM

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM



EMPLOYEE WITH A CONTRACT OF EMPLOYMENT

In order to be able to work in Belgium during the period in which your stay is limited (the first five years), you need a type C work permit. This permit is limited in time and applies to all salaried occupations. You have to apply for a type C work permit by yourself. You will need the following documents:

- an application form;
- an information sheet;
- a photocopy of your A-card;
- an extract from the waiting register or the register for foreign nationals with your residence history in Belgium;
- every other document the competent authority requires in order to assess the application.

If you live in Flanders, you can contact the provincial service for Economic Migration in order to obtain the type C work permit.

For more information, see:

www.werk.be

If you live in Wallonia, you can obtain the application form at the FOREM (Service public de l'emploi et de la formation en Wallonie). Fill in and sign the application and then return it to the FOREM which is competent for the municipality where you live.

For more information, see:

<http://emploi.wallonie.be/en/home/travailleurs-etrangers.html>

If you live in Brussels, the competent authority is the Ministry of the Brussels-Capital Region, Economy

and Employment Administration, Economic Migration Direction – professional cards cell.

For more information, see:

http://werk-economie-emploi.brussels/en_US/type-c-work-permit

The permit will be issued through the administration of the municipality where you live.

If you have unlimited residence, you do not need this work permit.

SELF EMPLOYED

If you want to work as a self employed person (trader, agent for a company), you need a “carte professionnelle” (professional card) for as long as you have limited residence; this will be provided by the business authorisation department of the SPF Economie (Federal Public Service Economy). You should apply to the administration in the municipality where you live.

You can obtain information about your rights and obligations in relation to your work (health insurance, child benefit, etc.) from a social services department, the CPAS [Public Social Welfare Centre] in your municipality or from a trade union.

These organisations can also provide information about “income support” (unemployment benefit, etc.) if you are out of work.



YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM



RESPECTING BELGIAN LAW

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM

Belgian law will apply to most aspects of your life in Belgium. However, certain laws of your country of origin (laws of the country whose nationality you have) remain in force, particularly those concerning your “personal status” (majority, conditions for the validity of a marriage contracted in Belgium, etc.).



TRAVELLING ABROAD

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM

You have the right to travel abroad, but if you return to your country of origin, you risk losing your subsidiary protection status.

During the first five years of your stay, you must mention every journey to your country of origin at the municipality where you live.

When you travel abroad, you always have to be in possession of your electronic foreigner's identity card and your passport. Please request the necessary visas at the embassies and consulates of the countries you want to travel to (even for European member states).

If you do not have a passport and you cannot obtain one from your consulate or embassy, you have to apply for a special travel document for people who enjoy subsidiary protection, at the municipality where you are registered.

A special travel document will be issued on condition that your identity and nationality are established and you submit a certificate of impossibility to obtain a national passport or travel document. You can request this certificate from the CGRS, the Immigration Office, the International Organization for Migration (IOM) or the UNHCR.

A certificate of impossibility is not necessary if you belong to one of the categories of foreign nationals who cannot obtain a national passport or travel document according to the Belgian Ministry of Foreign Affairs. Somalians, Tibetans and persons of Palestinian origin do not have to submit such a certificate, for more information: https://diplomatie.belgium.be/en/services/services_abroad/belgian_passport/travel_pass_refugees_stateless_persons_or_foreign.

LONG STAY ABROAD AND RETURN TO BELGIUM

If you leave Belgium for a maximum period of three months, you do not have any special obligations. If you have a valid residence permit upon leaving Belgium, you do not lose your right of residence.

Even if the validity of your residence permit expires during your absence, you will not lose your right of residence. In order to avoid problems, you should request an early renewal at the municipality.

If you intend to stay abroad for a longer period, you keep the right to return to Belgium for a period of one year after leaving.

In this case, you have to respect some administrative obligations:

- Before you leave, you inform the municipality of your intention to leave Belgium and to return. If necessary, you apply to have your residence permit renewed, so that you have a valid foreigner's identity card upon returning.
- After your return to Belgium, you have to present yourself within fifteen days at the municipality with your valid residence permit.

If you respect these obligations, the municipality will re-enter you in the municipal register.



YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM



**CAN THE OFFICE
OF THE CGRS HELP
YOU TO OBTAIN
DOCUMENTS PROVING
YOUR CIVIL STATUS?**

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM

No.

The Commissioner General for Refugees and Stateless Persons is not qualified to grant civil status documents (e.g. certificate of birth, marriage certificate) to persons enjoying a subsidiary protection status. For this, you have to contact your embassy.

For some procedures (marriage, naturalisation), an 'act of notoriety' can replace a birth certificate. You can request this act of notoriety from the justice of the peace of your residence.

Can the office of the CGRS help you to obtain documents proving your civil status?



YOUR CHILDREN



YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM

Your children who arrived in Belgium together with you enjoy subsidiary protection status if you applied for asylum for them. Children must be entered on the annexe 25 or 26 that the Immigration Office provided you with when you applied for international protection.

Your children who were born in Belgium after subsidiary protection status was granted to you, must be registered by the municipality in the aliens' register on presentation of their birth certificate. In that case, they will obtain the same residence status as you.

If you wish that your children born in Belgium after you were granted refugee status also obtain this protection status, they must file their own application for international protection.

Children who arrived in Belgium after you were granted subsidiary protection status must be declared to the Immigration Office, if no family reunification procedure is started.



FAMILY REUNIFICATION

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM

Since you enjoy subsidiary protection in Belgium, certain close family members can obtain a right of residence in Belgium through the family reunification procedure.

The right to family reunification applies to the following members of your family:

- Your husband or wife or registered partner, if you are both older than 21 years. If the marriage or partnership already existed before you arrived in Belgium, the minimum age is 18.
- Your unmarried dependent children under 18, or those of your husband, wife or registered partner.
- Your unmarried handicapped child older than 18 or that of your husband, wife or registered partner, subject to a certificate issued by a doctor who is recognised by a Belgian diplomatic mission or consular post, proving that your child is unable to provide for itself.
- Your parents, if you are under 18 and you entered Belgium without assistance and without being taken care of by a responsible adult.

If these close family members are not staying in Belgium, they can request a visa for the purpose of family reunification from the Belgian diplomatic mission or consular post in the country where they are currently staying. If they are already in Belgium, they have to start the family reunification procedure at the municipality where they reside.

The Immigration Office will process the request.

Moreover, several requirements regarding accommodation, health insurance and sufficient, stable and regular means of existence have to be met. These requirements vary

according to the family member for whom family reunification is requested and the moment at which it is requested.

It is advisable to contact a lawyer to start the family reunification procedure. Certain social services can also give you information on family reunification. You will find a list of social services at the end of the brochure. You can also obtain information from the Immigration Office and from your municipality.

The members of your family who are authorised to stay in Belgium as a result of family reunification will receive limited residence for a period of five years. After this period, unlimited residence will be granted, provided that your family members still meet the conditions for family reunification.

The tracing service of the Red Cross can help you to trace family members you have lost contact with. You will find the address of the Red Cross in the list of addresses at the end ('Rode Kruis Vlaanderen' and 'Croix-Rouge de Belgique').



YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM



HOW DO YOU BECOME BELGIAN?

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM

There are two procedures to obtain Belgian nationality: a declaration of nationality and naturalisation.

Please note: You can apply for Belgian citizenship only when you have received indefinite leave to remain in Belgium.

DECLARATION OF NATIONALITY

The conditions to become a Belgian citizen through a declaration of nationality are too extensive to be listed here. You can find the legal conditions (in Dutch and French) on the website of the FPS Justice: <https://justice.belgium.be/> via the menu 'Personnes et familles' - 'Nationalité' / 'Personen en gezinnen' or 'Nationaliteit'.

You make a declaration of nationality before the registrar of your place of residence. The registrar will give you the necessary information about the documents you have to present to complete your file.

The CGRS does not issue birth certificates: you have to ask your embassy to issue such a certificate or, if this is not possible, you have to go to the Justice of the Peace of your place of residence for a 'Statutory Declaration' (*Acte de notoriété* / *Akte van bekendheid*).

NATURALISATION

Conditions

You have

1. to be at least 18 years old,
2. to stay in Belgium legally,
3. to show 'exceptional merits' in science, sports or the sociocultural domain,
4. to prove that it is hardly possible for you to obtain Belgian nationality through a declaration of nationality.

More information can be obtained from the registrar of your place of residence.

The CGRS does not issue birth certificates: you have to ask your embassy to issue such a certificate or, if this is not possible, you have to go to the Justice of the Peace of your place of residence for a 'Statutory Declaration' (*Acte de notoriété / Akte van bekendheid*).

More information about 'Becoming a Belgian citizen' can be found on the following websites:

FPS Justice:

<http://www.justice.belgium.be>

FPS Foreign Affairs, Foreign Trade and Development Cooperation:

http://diplomatie.belgium.be/en/services/services_abroad/nationality/.





**VOLUNTARY
RENUNCIATION
OF SUBSIDIARY
PROTECTION STATUS**

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM

If you think that the reasons that made you flee your country have ceased to exist (as a result of a political change or of a change in your personal situation), you can renounce your subsidiary protection status.

Procedure:

- You present yourself at the CGRS Helpdesk for refugees and stateless persons with your foreigner's card and, if possible, your travel document.
- You sign a declaration in which you renounce your status. You will receive a 'Certificate of renunciation of status'.
- Then you present this certificate at the municipal office of your place of residence.

Consequences: at the request of the Immigration Office, the municipality can withdraw your residence card or refuse to renew it.



**REVOCAATION OR
WITHDRAWAL
OF SUBSIDIARY
PROTECTION STATUS**

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM

If the validity of your subsidiary protection status has to be reconsidered as a result of new elements or facts, the CGRS will examine if it can revoke or withdraw your status.

The CGRS can also re-assess the validity of your protection status at the request of the Minister or his representative.

THE CGRS REVOKES SUBSIDIARY PROTECTION STATUS

A revocation decision ends the status that was granted when protection is no longer necessary as a result of a change in the circumstances that led to recognition of the status (for example in case of important and lasting changes in your country of origin).

In this case, the CGRS can invite you for a personal interview. During this interview, you will have the possibility to explain all the reasons for the preservation of your status. The CGRS can also ask you to state in writing the reasons for the preservation of your status.

Against a decision to revoke subsidiary protection status, an appeal can still be lodged with the Council for Alien Law Litigation.

If a decision to revoke subsidiary protection status is taken, the Immigration Office can issue an order to leave the territory, thus ending your right of residence. This is only possible during the first five years of residence, counting from the registration of the application for international protection. In this case, the Minister or his representative takes into account the extent of integration in Belgian society.

THE CGRS WITHDRAWS SUBSIDIARY PROTECTION STATUS

The CGRS decides to withdraw subsidiary protection status when it should never have been granted:

- If you have or had to be excluded from subsidiary protection status.
- If you represent a threat to society or national security.
- If the status has been granted on the basis of incorrect or false elements, forged or falsified documents.
- If your personal behaviour subsequently shows that you do not run any risk of serious harm.
- If you have committed one or several crimes that do not fall within the specific exclusion clauses, and if these crimes are punishable by imprisonment if they had been committed in Belgium and you have left your country of origin only in order to escape punishment.

When intending to take a decision to withdraw your status, the CGRS will invite you for a personal interview. During this interview, you will have the possibility to explain the reasons why your status should be preserved. The CGRS can also ask you to submit the reasons for preserving your status in writing if a withdrawal is being considered because you have to be or had to be excluded from subsidiary protection.

In some withdrawal decisions, the CGRS has to render an advice on the possibility of a removal.

Against a decision to withdraw subsidiary protection, an appeal with full jurisdiction can still be lodged with the Council for Alien Law Litigation.

In case of a decision to withdraw subsidiary protection status, the Immigration Office can issue an order to leave the territory, thus ending your right of residence. This is only possible during the first five years of residence, counting from the registration of the application for international protection, when the withdrawal is based on the fact that you committed one or various crimes that do not fall within the exclusion clauses and are punishable by imprisonment if they had been committed in Belgium and that you left your country of origin only in order to escape punishment.

If the withdrawal decision was taken because you have or had to be excluded from subsidiary protection, because your status was granted on the basis of incorrect or false information, forged or falsified documents, because your personal behavior subsequently proves that you do not run a real risk or because you renounced your status, the Immigration Office can end your right to stay at any time and give you an order to leave the territory.

When issuing an order to leave the territory, the Minister or his representative will take into account the nature and the strength of family ties, the duration of residence in Belgium, the existence of family ties or cultural or social ties with the country of origin.

**Addresses of
Belgian authorities,
social services
and provinces**

BELGIAN AUTHORITIES

Office of the Commissioner General for Refugees and Stateless Persons (CGRS)

Eurostation
Rue Ernest Blerot, 39
1070 BRUSSELS
T 02 205 51 11
F 02 205 50 01
www.cgrs.be

Immigration Department

Boulevard Pacheco, 44
1000 BRUSSELS
T 02 793 95 00
Helpdesk (visas, residence permits, family reunification)
T 02 793 80 00
www.dofi.fgov.be
www.ibz.fgov.be

Council for alien law litigation

Laurentide
Rue Gaucheret, 92-94
1030 BRUSSELS
T 02 791 60 00
F 02 791 62 26
www.rvv-cce.be

The Federal Public Service (FPS) Foreign Affairs, Foreign Trade and Development Cooperation

Rue des petits Carmes, 15
1000 BRUSSELS
T 02 501 81 11
www.diplomatie.belgium.be
www.dgcd.be

SOCIAL SERVICES

FLANDERS

Rode Kruis Vlaanderen (Flanders Red Cross)

Motstraat 40
2800 MECHELEN
T 015 44 35 40

opvangasielzoekers@rodekruis.be

Protestant Social Centre

Lange Stuivenbergstraat 54-56
2060 ANTWERPEN
T 03 325 34 05
F 03 272 20 85

CAW De Mutsaard

Maurits Sabbelaan 57
2020 ANTWERPEN
T 03 247 88 20

CAW Leuven

Diestsesteenweg 42
3010 LEUVEN
T 016 46 49 61

CAW Waasland

Prins Albertstraat 35
9100 SINT-NIKLAAS
T 03 776 82 71

CAW Transithuis

Oude Houtlei 124
9000 GENT
T 09 267 85 10

CAW De Viersprong

Spinolarei 10 A
8000 BRUGGE
T 050 44 37 78 (72)

CAW Sonar

Ursulinenstraat 7
3800 SINT-TRUIDEN
T 011 68 86 00

WALLONIA

Reception and promotion of immigrants

(Accueil et promotion des immigrés)

Rue Léon Bernus 35
5000 CHARLEROI
T 071 31 33 70

Social services for foreign nationals (Service social des étrangers)

Rue Lambert-le-Bègue 8
4020 LIÈGE
T 04 223 58 89

Immigrants Centre Namur-Luxembourg (Centre des immigrés de Namur-Luxembourg)

Rue Borgnet 9
5000 NAMUR
T 081 22 42 86
Tuesday: between 9.00 am and 1.00 pm
Thursday: between 1.30 pm and 4.30 pm

Espace Didier 42

6700 ARLON
T 063 43 00 30
Monday: between 1.30 pm and 4.30 pm

Place aux Foires 21 (2ème étage)

6900 MARCHE EN FAMENNE
T 084 45 68 08
Wednesday: between 9.00 am and 12.00 am

CAP Migrants

Rue de Fétinne 98
4020 LIÈGE
T 04 222 36 16
F 04 342 47 77

Help for displaced persons: (Aide aux personnes déplacées):

Mons:

Rue d'Havré, 98
7000 MONS
T 0478 021 990
Monday and Wednesday :
between 9.30 am and 12.00 pm
apd.anneroulet@gmail.com

Braine-le-Comte:

Le Sylvius
Rue Adolphe Gillis, 11
7090 BRAINE-LE-COMTE
T 0478 021 990
donderdag: van 9 tot 11.30 uur
apd.anneroulet@gmail.com

Liège:

Rue Jean d'Outremeuse, 93
4020 LIÈGE
T 04 342 14 44
F 04 340 00 90
Monday, Wednesday, Thursday and
Friday, between 9.00 am and 12.30 pm
contact@aideauxpersonnesdeplacees.be

Huy:

Rue du Marché 33
4500 HUY
T 085 21 34 81
F 085 23 01 47
Friday, between 9.00 am and
12.00 pm

Namur:

Rue Saint-Nicolas 84 (First floor)
5000 NAMUR
T 0492 73 19 75
Wednesday, between 9.00 am and 12.30 pm,
or by appointment :
d.bouchat@aideauxpersonnesdeplacees.be
www.aideauxpersonnesdeplacees.be

BRUSSELS-CAPITAL REGION

Belgian Red Cross

Stallestraat 96
1180 UKKEL
T 02 371 31 58, 02 371 31 63
F 02 371 31 45

Caritas International

Liefdadigheidsstraat 43
1210 BRUSSELS
T 02 229 36 11
F 02 229 36 25

Social services - socialist solidarity

Parmastraat 28
1060 BRUSSELS
T 02 537 95 45

Protestant Social Centre

Cansstraat 12
1050 BRUSSELS
T 02 512 80 80

YOU ARE ELIGIBLE FOR SUBSIDIARY PROTECTION IN BELGIUM

PROVINCIAL ADMINISTRATIONS

The Arrondissement of Brussels-Capital (French: Arrondissement de Bruxelles-Capitale)

Passport office
Rue des Colonies 11
1000 BRUSSELS
Monday to Friday
between 8:30 am and 12:00 noon
T 02 518 30 70
passeport@aabc.brussels

Province of Vlaams-Brabant

Passport office
Provincieplein 1
3010 LEUVEN (Kessel-Lo)
Tuesday and Thursday:
between 10:00 am and 13:00 pm
T 016 26 78 28 or 016 26 78 29
T 016 26 78 58 or 016 26 78 26
F 016 26 78 17
paspoorten@vlaamsbrabant.be

Province of Limburg

Passport office
Universiteitslaan 1
3500 HASSELT
Monday, Wednesday and Friday:
between 9:00 am and 11:00 am
and between 13:30 pm and 15:00 pm
T 011 23 80 10 or 011 23 80 69
F 011 23 80 56 or 011 23 80 44
paspoorten@limburg.be

Province of Antwerpen

Passport office
Italiëlei 4 box 16
2000 ANTWERPEN
ONLY by appointment
Monday to Friday:
between 9:00 am and 11:30 am
T 03 204 03 37 (only in the morning)
reispassen@fdgantwerpen.be

Province of West-Vlaanderen

Passport office
FAC Kamgebouw
K. Albert I-laan 1/5 box 6
8200 BRUGGE
Tuesday, Wednesday and Thursday:
between 9:00 am and 12:00 noon
and between 14:00 pm and 16:00 pm
**Monday and Friday:
only by appointment**
T 050 30 16 13 of 050 30 16 39
T 050 30 16 40 of 050 30 16 43
F 050 30 16 00
wvlpaspoorten@ibz.fgov.be

Province of Oost-Vlaanderen

Passport office
Kalanderberg 1
9000 GENT
by appointment via e-mail:
fed.bevolking@oost-vlaanderen.be
T 09 267 88 21
F 09 267 88 19

Province of Brabant Wallon

Passport office
Chaussée de Bruxelles 61
1300 WAVRE
Monday and Wednesday:
between 9:30 am and 11:30 am
and between 14:00 pm and 16:00 pm

**Tuesday, Thursday and Friday:
make appointment via phone**

T 010 23 67 78
F 010 23 67 30
passeport@gouverneurbw.be

Province of Hainaut

Passport office
Rue Verte 13
7000 MONS
Monday and Wednesday:
between 9:30 am and 12:00 noon
and between 14:00 pm and 16:00 pm

**Tuesday and Thursday:
make appointment via phone**

T 065 39 64 75
F 065 39 64 78

Province of Luxembourg

Passport office
Avenue Tesch, 59
6700 ARLON

Only by appointment via phone

T 063 24 51 34
F 063 22 10 32

Province of Namur

Passport office
Place Saint-Aubin 2
5000 NAMUR
Monday to Friday:
between 9:30 am and 12:00 noon
afternoon: only by appointment
T 081 25 68 73 of 081 25 68 91
F 081 25 68 79
passeports@gouv-namur.be

Province of Liège

Passport office and Visa
Rue Plumier, 12
4000 Liège
Monday to Friday:
between 9:00 am and 12:00 noon
and between 14:00 pm and 16:00 pm
T 04 229 24 25
T 04 229 24 25
passeports@SFGLiege.be

Learn more about the CGRS?



www.cgvs.be



@cgvs_cgra



COMMISSIONER GENERAL FOR REFUGEES AND STATELESS PERSONS

Rue Ernest Blerot, 39
1070 BRUSSELS



02 205 51 11



cgvs.info@ibz.fgov.be



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