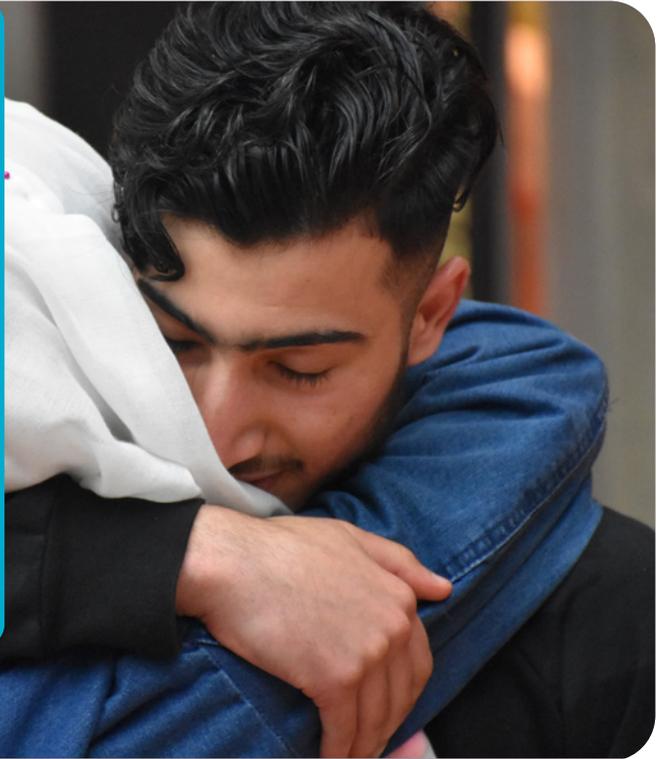


- Conditions and documents
- Procedure and decision
- Assistance to organize the travel
- Arrival and status in Belgium



Family reunification with beneficiaries of international protection in Belgium

Family reunification with beneficiaries of international protection in Belgium



Federal Migration Centre

Myria is an **operational partner of UNHCR Belgium** on family reunification of persons enjoying international protection in Belgium.

In this context, Myria provides **specialized legal and practical advice** via its helpdesk. The helpdesk is primarily aimed at front-line actors such as social workers, counselors, guardians, legal advisor and lawyers who seek a more specialized advice or who want to highlight a structural problem issue on family reunification. On the website you will find more information on this helpdesk, how Myria works and helpful publications on this theme: <https://www.myria.be/en/fundamental-rights/family-reunification/child-entry>.

In addition, Myria also has a **general helpdesk** where it provides advice on all matters related to immigration law, including family reunification. Myria can be reached from 9.30 am to 12.30 pm, Monday and Thursday, on the free number 0800/14 912 (see <https://www.myria.be/en/contact-us>). Myria can also be contacted by e-mail at myria@myria.be. For a visit, an appointment must always be made beforehand. Myria can give advice on the family reunification procedure or intervene with the authorities in case of certain obstacles occur. However Myria will not support the applications for family reunification as frontline actor over the entire procedure.

Text boxes legend



Very important



Does not concern family reunification



Concept to be understood



Tips

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Introduction



Are you a **beneficiary of international protection** in Belgium (**a recognized refugee or beneficiary of subsidiary protection**)? Some members of your family have the right to join you in Belgium. This procedure is called **family reunification**. It applies to some members of your family who stayed behind in your country of origin or who live in another country and who want to join you in Belgium.

The Belgian law determines which family member may benefit from family reunification. If your family members meet the conditions set by the law and can produce the necessary evidence, they can join you in Belgium “as of right”.

In practice, however, the process of family reunification may be complicated and may take a long time.



If you submit your application for family reunification **within the year** after your protection status recognition and if the **relationship with your family member (i.e. child, parent, spouse, ...), existed already before your arrival in Belgium**, the process will be easier: you will not have to provide evidence of sufficient, regular and stable means of subsistence, adequate accommodation and sickness insurance for your family (*see text box page 24*).

The main **legal basis** for the family reunification procedure of beneficiaries of international protection is Article 10 of the Law of 15 December 1980 regarding the entry, residence, settlement and removal of foreigners (further “the Law of 15 December 1980”)¹.



Recognized refugees who became Belgian citizens

This brochure is addressed to recognized refugees or beneficiaries of subsidiary protection who have not obtained Belgian nationality. If you have become a Belgian national, your situation is different. Your application does not fall under Article 10, but under Article 40ter of the Law of 15 December 1980.

1 Article 10 has been modified inter alia by the Law of 8 July 2011, of 4 and 17 May 2016 and 1 June 2016.

CHAPTER 1

Who can join you and under what conditions?



Four categories of persons may join you in Belgium:

1. your spouse or registered partner,
2. your child below age 18,
3. your child aged 18 or over with a disability and
4. your parents if you are an unaccompanied minor benefiting from protection status.



Registered partner

Your partner can only join you in Belgium via family reunification if your partnership is officially registered. The law distinguishes two types of registered partnerships: a partnership considered to be “equivalent to marriage” and a “legally registered partnership”².

It does not concern your **de facto companion**. In practice, few refugees have registered their partnership, since only a few countries allow this.

Your de facto companion will only be able to join you with a visa in view of marriage or through a legal cohabitation. Another option still is to marry in a third country. In all of these cases complementary requirements need to be fulfilled (*see pages 24-28*). Under certain specific circumstances a temporary residence permit can be issued on the basis of Articles 9 and 13 of the Law of 15 December 1980 (*humanitarian visa - see text box page 13-14*).

Family members who do not fall within one of those categories but belong to your family and want to join you in Belgium, can possibly apply for a temporary residence permit based on Articles 9 and 13 of the Law of 15 December 1980 (humanitarian visa). This particular procedure will be developed on page 13-14.

2 If your partnership was registered in one of the following countries, this partnership is “equivalent to marriage”: Denmark, Finland, Germany, Iceland, Norway, Sweden and the United Kingdom (Art. 12 of the Royal Decree of 17 May 2007, *Belgian Official Gazette*, 31 May 2007).

■ ■ ■ Marriage

If you are married or if your partnership is 'equivalent to marriage', your spouse/partner can join you in Belgium on the following conditions:³ :

- A. Both of you must be over 21 years of age. If your union took place before your arrival in Belgium, this minimum age is reduced to 18 years.
- B. Your spouse/partner must come and live under the same roof as you.



In case of a religious or traditional marriage, you can submit the application as a standard family reunification application (Article 10).

If the marriage in the country of origin is recognized as an official marriage, the unit 'visa family reunification' of the Immigration Office will issue a regular visa for family reunification (Article 10). If this isn't the case, the Family Reunification unit can issue the visa in the form of a temporary residence permit based on Articles 9 and 13 of the Law of 15 December 1980 (humanitarian visa). The issuance on the basis of article 9 is often subject to additional conditions at the moment of renewal of the residence right once in Belgium (for example: proof of studies or work, one cannot be a financial burden on the public authorities, proof of integration efforts).



Polygamy

Polygamous marriage is not recognized in Belgium. If you have several wives, only one of them can join you⁴.

This limitation does not apply, however, to the children from a polygamous marriage⁵ : those children can join you in Belgium as long as they meet the general conditions.

3 Art. 10 § 1, 4°, par. 1 of the Law of 15 December 1980.

4 Art. 10 §1, par. 2 of the Law of 15 December 1980.

5 Constitutional Court, decision of 26 June 2008, No. 95/2008, www.const-court.be.

■■■ Registered partnership

If you are not married, your registered partner can join you in Belgium on the following conditions:⁶

- A. Your partnership must be legally registered. This means that you must provide proof that you have made an official declaration of legal cohabitation at a Belgian municipal administration or at the competent foreign authority.
- B. Both of you must be over 21 years of age. If you provide proof that you have lived together for at least 1 year before your arrival in Belgium, this minimum age is reduced to 18 years.
- C. Your relationship must be 'stable and lasting'. This means that you must provide the following evidence:
 - you lived together legally and uninterruptedly in Belgium or abroad for at least 1 year before applying for family reunification.

or:

- you have known each other for at least 2 years and you can provide proof that:
 - you had regular contact by telephone, regular or electronic mail (e.g. email, photos, etc.); and
 - you met at least 3 times during the 2 years preceding the application for family reunification and that these meetings lasted at least 45 days (plane tickets, etc.).

or :

- you have a common child.
- D. Your partner must come and live under the same roof as you.
- E. Both of you must be unmarried and not be in a lasting relationship with another person.

6 Art. 10 § 1, 5° of the Law of 15 December 1980.

Children born to you and your spouse/partner, as well as the children you or your spouse/partner may have had separately, may join you in Belgium on certain conditions.

■ ■ ■ children born to the couple

They must meet the following conditions:⁷

- A. be under 18 years of age;
- B. be unmarried;
- C. come and live with you under the same roof.

■ ■ ■ children of only one of the spouses/partners⁸

SOLE CUSTODY – If you or your spouse/partner has sole custody and responsibility of the children, the children must:

- A. be under 18 years of age;
- B. be unmarried;
- C. come and live with you under the same roof;
- D. provide a copy of the judgment granting you sole custody.

JOINT CUSTODY – If custody of the children is shared with the other parent, the children must:

- A. be under 18 years of age;
- B. be unmarried;

⁷ Art.10 §1, 4°, par. 2 of the Law of 15 December 1980.

⁸ Art.10 §1, 4°, par. 3 of the Law of 15 December 1980.

- C. come and live with you under the same roof;
- D. provide the consent of the other parent that the children can join you in Belgium.

If the embassy or the Immigration Office has doubts about the children's age, they may ask for a bone test to be done in order to determine their age.⁹

3

Children aged 18 or over with a disability

If you or your spouse/partner has a child aged 18 or over with a disability (child born to the couple or not), he or she may join you in Belgium on the following conditions:¹⁰

- A. provide a document certifying the child's state of health. This certificate must be issued by a physician certified by the competent Belgian diplomatic or consular post. This certificate proves that the child is unable to provide for his/her own needs as a result of the disability;
- B. be unmarried;
- C. come and live with you under the same roof.



Other children aged 18 or over

Only your children aged 18 or over with a disability are eligible for family reunification. Your other children aged 18 or over cannot join you in Belgium via a family reunification procedure. In certain specific circumstances, they may be able to join you based on a temporary residence permit (based on Articles 9 and 13 of the Law of 15 December 1980 - humanitarian visa, *see text box page 13-14*).

9 The bone test is not strictly regulated or monitored. The results of the bone test are left to the interpretation of the physician abroad who has been asked to perform the test.

10 Art. 10 § 1, 6° of the Law of 15 December 1980.

Father and mother: only in the case of unaccompanied minors

If you are an unaccompanied minor with refugee or subsidiary protection status, your parents can join you in Belgium via family reunification.¹¹

Your parents need to apply before your 18th birthday. However, when you reach the age of 18 during the asylum procedure, your parents can still submit the application within 3 months after international protection was granted. When your 18th birthday took place after international protection was granted, the Immigration Office strictly applies the rule that the application should be introduced before the 18th birthday¹².

Your **brothers and sisters** are unable to join you on the basis of Article 10 of the Law of 15 December 1980. They can only apply for a humanitarian visa (Articles 9 and 13 of the Law of 15 December 1980, *see text box page 13-14*). However, if the humanitarian application of the minor brothers and sisters was introduced together with the application of family reunification of the parents, the diplomatic post will send the applications to the Family Reunification unit of the Immigration Office. This unit can issue the visa when the visa for the parents is approved, and this without further special circumstances need to be proven.



The principle of the best interests of the child

The principle of the best interests of the child is enshrined in the Belgian Constitution (Art. 22bis) as well as in the International Convention on the Rights of the Child (Article 3). This means that the best interests of the child shall be a primary consideration in any decision concerning children.

-
- 11 On condition that the unaccompanied minor is under 18 years of age when the application for family reunification is made, entered the Kingdom of Belgium without being accompanied by an adult foreigner responsible for him/her by law and has not subsequently been taken into the care of such a person or has been left alone after having entered the Kingdom (Art. 10 § 1, 7° of the Law of 15 December 1980).
 - 12 Following a judgement of the EU Court of Justice of 12 April 2018 (EU Court Of Justice, A and S v Veiligheid en Justitie, C-550/16).

This principle also applies to every decision of family reunification involving minor children¹³. The principle can also be applied in the framework of a humanitarian visa (*see text box page 13*). For example, if it seems that it is in the best interests of the child to be joined in Belgium by persons other than those authorized by the law. This may apply, for instance, to child's brothers and sisters, legal guardian or other members of the family of the child. This is for instance also possible for a de facto adopted child who stayed behind in the country of origin.

5

Other family members?

Other members of your family (children aged 18 or over, grandchildren, nephews, nieces, de facto partners, de facto adopted children, etc.) cannot join you in Belgium by means of family reunification. In certain circumstances, they can be issued a permit to reside in Belgium on humanitarian grounds (Articles 9 and 13 of the Law of 15 December 1980).



Humanitarian visa (long stay)

Unlike family reunification, a humanitarian visa is not a right. It is a **favour** granted by the Belgian authorities to a family member that wants to join you in Belgium but does not fall within the definition of “family” given by Article 10 of the Law of 15 December 1980.

The Law of 15 December 1980 and particularly Articles 9 and 13 do **not provide requirements** that have to be met in order to obtain a humanitarian visa. The decision is left to the discretionary power of the Immigration Office. The Immigration Office will examine on an individual basis whether the circumstances, which are adequately proven, justify an authorization to reside in Belgium for your family member or not.

The Immigration Office has to take a decision in accordance with the **fundamental rights** such as the right to respect for private and family life (Article 8 of the European Convention on Human Rights) and the prohibition of inhuman or degrading treatment (Article 3 of the European Convention of Human Rights) and in accordance with the principle of the best interests of the child (*see text box page 12*).

13 Art. 12bis § 7 of the Law of 15 December 1980.

In addition to the authentic **documents** also to be submitted at the Belgian diplomatic post for an application for family reunification (see page 18), you will have to provide evidence of all the elements that could justify the granting of a humanitarian visa.

In practice, for instance, it is important to prove that your family member in a precarious situation, is **dependent** on you and that you will be able to **maintain** your family member.¹⁴

Furthermore, it is important to prove that **no other family member** can look after the family member concerned, who finds himself/herself thus in an isolated situation.

Finally, to support the humanitarian arguments, it is useful to provide - if possible - a report of **an organization** (such as UNHCR or ICRC) in order to prove the living conditions and future perspectives of your family member in the country of residence or to assess the best interests of the child.

The “long stay” unit of the Immigration Office assesses these applications (contrary to the unit 'visa family reunification' that handles the normal applications for family reunification).

To ensure that the proper unit receives your file, you need to indicate on the visa form that it concerns an application for a humanitarian visa.

The Law does not oblige the Immigration Office to take a decision within a certain **time frame**. The examination period can take a year or more.

In practice, a humanitarian visa is only granted in exceptional cases. It is recommended to contact your lawyer or social worker for advice concerning the chances of obtaining a humanitarian visa and for support for an eventual application.

14 It is important to prove emotional and psychological dependence, as well as financial dependence. In practice, the Immigration Office finds this last element very important. Consequently, it is useful to provide evidence of money transfers to the family member, of the fact that your family member does not have proper means of subsistence and of your own means of subsistence in Belgium.

CHAPTER 2

Where to apply and what documents to provide?



As a general rule, family members who wish to join you in Belgium should submit their application at the Belgian embassy or consulate competent for their country of residence or origin abroad. If they are already in Belgium, they may only exceptionally submit their application at the municipal authorities of their place of residence (*see text box page 21*).



Embassies, consulates and external services providers

The Belgian embassies and consulates are diplomatic posts. They are responsible for receiving visa applications for family reunification. The list of Belgian diplomatic posts abroad is available on the website of the Federal Public Service Foreign Affairs: http://diplomatie.belgium.be/en/services/embassies_and_consulates/belgian_embassies_and_consulates_abroad.

Most diplomatic posts work with external service providers as VFS or TLS to collect the application and to issue the visa. Through the website mentioned above, you can find the website of the external service provider for more information on how to submit an application and how to make an appointment. For most diplomatic posts and external service providers, visa forms will need to be filled out online, and sometimes the appointment will also need to be made online.

Your family members must submit an application for a **D visa** for family reunification at the Belgian embassy or consulate competent for their country of residence or origin abroad. Except in exceptional cases, they must present themselves and explain in person the reason for and context of their application.

If there is no Belgian embassy or consulate in the country where they reside, they must contact the **competent Belgian diplomatic** post for the country in question.¹⁵

When you have received recognized refugee or subsidiary protection status in Belgium, your family members can submit their visa application at any diplomatic post that is authorized to issue long stay visas. This applies to every nationality, except for Somali nationals, and for any standard family reunification application, as well as for a humanitarian visa application (*see text box page 13-14*).

15 To find out which Belgian diplomatic post is competent, please consult the website www.diplomatie.belgium.be.

16 Since 1 January 2019 all Somalis need to apply at the diplomatic post in Nairobi.

In most cases, applications will be collected by **external service providers** as VFS or TLS (*see text box page 17*).

The application will then be transferred to the Immigration Office in Belgium.

1

The documents to attach to the file

Every family member has to provide the following documents to the embassy:

A. A valid **travel document** (national passport or equivalent).

If a person is unable to obtain a passport (for instance when he/she is not in his/her country of origin or when he/she cannot go to his his/her embassy in the country of residence), the Belgian authorities may in exceptionally cases, issue a “laissez-passer”. A “laissez-passer” is a temporary travel document which allows your family member to travel to Belgium. Purely material aspects (the cost of the document, distance to be travelled in order to obtain it etc.) are not considered to be factors rendering it impossible to obtain a passport.

In some cases, family members who are recognized as refugees in a third country, can obtain a travel document for refugees (1951 Convention).

B. The **visa application form** (duly completed and signed) and recent identity photos. Most of the time, the visa forms need to be filled out online through Visa On Web (see the website of the competent embassy and external service providers).¹⁷

At the time of the introduction of the visa application, the embassy or external service provider collects the **visa “handling fee”**. This is the cost that the embassy requires for each visa application for family reunification, and amounts to the equivalent, in local currency, of **€180** per person. The cost of the legalization sometimes still needs to be added.

¹⁷ http://diplomatie.belgium.be/en/services/embassies_and_consulates/belgian_embassies_and_consulates_abroad.

This cost should not be confused with the **administrative fee** (tarief 1 september 2019: 358 euro)¹⁸ required since the 2 March 2015, for the processing of certain long stay (D) visa applications, by the Immigration Office. If you have received the recognized refugee or subsidiary protection status in Belgium, your family members who introduce an application based on Article 10, are exempted from such administrative fee. Your family members need to then prove your particular status at the embassy or external service provider. This exemption does not count for applications based on Article 9 of the Law of 15 December 1980 (humanitarian visa, *see text box page 13-14*), unless for minor applicants, (e.g. minor brothers and sisters of an unaccompanied minor) since they are always exempted from this fee.

C. The **birth certificate** to prove the family tie with your children or parents.

It often happens that refugees are unable to provide a birth certificate or that the one provided is not recognized by the Belgian authorities. In that case, the Immigration Office will usually ask for a DNA test to be carried out (*see page 32*).

D. For your spouse: the marriage certificate.

E. For your registered partner: the certificate of registered partnership and as many pieces of evidence as possible attesting that the relationship is stable and lasting (*See page 9, e. g. through travel tickets, photos and digital messages*).

F. For minor children (born to you or to your spouse/partner):

For the children born to you and your spouse/partner and for the children of only one of the spouses/partners: a certificate to prove that the child is unmarried, if according to the national legislation of the country of origin the child has reached the marriageable age.

For the children of only one of the spouses/partners, depending

¹⁸ By judgments No 245.403 and No 245.404 of 11 September 2019, the royal decrees of 16 February 2015 and 14 February 2017 on the administrative fee were annulled. The Immigration Department is still requesting the payment of the administrative fee. However, it is possible to recover the unduly paid fee.

on the individual situation:

1. The consent from the person abroad who is exercising jointly the custody, to settle with the partner in Belgium.
 2. The court decision granting sole custody to the parent in Belgium.
 3. The death certificate of the other parent abroad.
 4. The divorce certificate of the parent in Belgium and of the parent abroad.
- G. For children aged 18 or over with a disability:** a medical certificate issued by a physician recognized by the Belgian embassy or the consulate, attesting that the family member does not suffer from a disease that might endanger public health.
- H.** A copy of your **residence permit** in Belgium and a copy of the certificate of refugee status, the **decision granting you refugee status or subsidiary protection status**.
- I.** A **medical certificate** no more than 6 months old, obtained from a physician certified by the Belgian embassy or consulate. This certificate must establish that your family member does not suffer from a disease which might endanger public health in Belgium.
- J.** An **extract from the criminal record** or an equivalent document, if your family member is aged 18 or over.

The above-mentioned documents are the basic documents to be submitted in any case. The Belgian authorities may request additional documents. All original documents are kept for the duration of the application process. On request and after verification of the authenticity, a travel document can be returned to your family member. At the end of the application process, all documents will be returned to your family members. Only a copy of the documents is kept in the archives of the diplomatic post.

In addition to these documents, you have to provide **evidence of sufficient housing, health insurance and sufficient, stable and regular means of subsistence** when this is legally required (*see text box page 24*).

The visa application form, as well as the standard forms for medical and health insurance certificates, can be downloaded in French, Dutch and English from the website of the Immigration Office (www.dofi.fgov.be). They are also available at the embassy.

If it concerns documents with changeable facts (extract from the judicial records, proof that the child is unmarried, etc.), in principle, the document needs to be as recent as possible and no more than 6 months old before the application. For documents related to unchangeable facts (e.g. birth certificate) this is less important.

If a person is unable to obtain a document and can justify this, the embassy can still decide to send the **incomplete file** to the Immigration Office in Belgium. The matter should be raised with the competent diplomatic post.¹⁹

Exceptionally the application may be submitted to the municipal authorities in Belgium

Your family member who is already in Belgium, can apply for family reunification at the municipal authorities of his/her place of residence only in the following cases²⁰ :

- your family member has been authorized to reside in Belgium for more than 3 months already;
- your family member has been authorized to reside in Belgium for maximum 3 months and:
 - comes from a country whose citizens are exempted from the requirement to obtain a visa; or
 - has a residence permit from a EU-country allowing him/her to circulate within the European Union; or
 - is a minor child; or
 - is the mother or father of an unaccompanied minor benefiting from refugee status or subsidiary protection; or
 - has a valid visa in view of marriage or legal cohabitation and the marriage or legal cohabitation is concluded before the date on which the validity of the visa expires.

If your family member does not find himself/herself in one of the abovementioned situations, he/she can only apply for family reunification to the municipal authorities if there are “exceptional circumstances” which prevent him/her from returning to his/her country of origin to apply for a visa.²¹ In practice, “exceptional circumstances” are only accepted exceptionally.

19 Or by email: infovisa@diplobel.fed.be.

20 Art. 12bis § 1 of the Law of 15 December 1980.

21 If your family member has been granted a C visa for another reason (for instance family or friend’s visit, tourism), an application for family reunification cannot be submitted to the municipal authorities, unless there are “exceptional circumstances” preventing a return to the country of origin.

All foreign authentic documents that you submit with your application for family reunification (authentic certificates or legal decisions) must in principle be **legalized** by the foreign authorities who issued the documents, as well as by the Belgian authorities (embassy or consulate), except when the simplified “apostille” procedure is applied. The legalization must take place before the recognition of the documents, in accordance with Article 30 of the Code of Private International Law.²² Certain international Treaties foresee an exemption of legalization. To check if a document needs to be legalized or an apostille is required, please consult the website of Foreign Affairs.²³

The cost of legalization varies from country to country and is your responsibility to pay. Le coût de la légalisation varie de pays en pays et est à votre charge²⁴.

In principle, the legalization needs to be as recent as possible and not older than 6 months before the introduction of the application.

The legalization request does not need to be done in person. A family member, lawyer, friend, etc. can also present the certificates to the competent authorities.

If it is not possible to legalize your documents, you must have a valid reason and communicate it to the diplomatic post and the Immigration Office (*See pages 29-31 on the impossibility to submit official documents*).

The purpose of legalization is to authenticate the signature and the status of the person who has issued the document. It does not guarantee the reliability of the content of the document. The civil servant who legalizes the certificates can however determine a shortcoming concerning the content through a comment or remark.

22 All official original documents, certified copies, extracts and court decisions establishing evidence on custody, divorce or not being married, must be legalized. An extract from judicial records also needs to be legalized. Parental consent or a medical certificate do not require legalization by the Belgian diplomatic posts.

23 https://diplomatie.belgium.be/en/services/legalisation_of_documents/search_criteria.

24 The Royal Decree of 26 December 2015 related to the modification of the rates of the Law of 21 December 2013 on the Consular Code, establishes that the price for legalization by Belgian authorities is 10 euro. In practice 20 euro is asked for each legalized document.

The content of the document will only be validated by the recognition of the document during the processing of the family reunification file.

In addition, foreign authentic documents in a language other than German, English, French or Dutch must be **translated** by a sworn translator. The translation must be enclosed with the file. The cost of translation also varies from country to country and is your responsibility to pay.



Refusal to legalize foreign authentic documents

The embassy or consulate may refuse to legalize if:²⁵

- the signature on the foreign document is not that of the competent official;
- the signatory is not competent;
- the stamp or seal is false, falsified or not in common use;
- the document has been drawn up in a foreign language not understood by the diplomatic staff in question;
- the presented document is considered as being contrary to Belgian public order.

If the Belgian authorities refuse to legalize the document, the applicant must be informed in writing and the decision to refuse the legalization must contain the following items:

- a formal and sufficient justification (this means the legal and factual circumstances justifying the refusal);
- the possibilities to appeal against the refusal.

If a Belgian authority refuses to recognize the validity of a foreign authentic document or if two Belgian authorities have divergent opinions on this matter, an appeal may be lodged before the competent court of first instance²⁶.

25 The Circular of the Federal Public Service Foreign Affairs of 14 January 2015 containing instructions on legalization.

26 Art. 23 and 27 of the Code of Private International Law.

Adequate housing, health insurance and sufficient, stable and regular means of subsistence



Exemption from providing evidence of adequate housing, health insurance and sufficient, stable and regular means of subsistence

If your family members submit their application for family reunification **within the year** following the recognition of your protection status and if your **family tie existed before your arrival in Belgium**, you do not need to provide evidence of adequate housing, health insurance for you and your family members, nor should you prove that you have sufficient, stable and regular means of subsistence.²⁷

Belgian law allows for a more favourable treatment of applications by beneficiaries of international protection. However, if you delay in submitting your application, you will need to submit this proof.

It is important for you to start the family reunification process as soon as possible once you have received protection status, to guarantee that the application will be submitted within the year.

However for unaccompanied minors with an international protection status who wish to be joined by their parents in Belgium, proof of adequate housing, health insurance and sufficient, stable and regular means of subsistence are never required. It is irrelevant whether or not the application is submitted within the year following the decision recognizing the refugee status of the minor.²⁸

²⁷ Art. 10 § 2, par. 5 of the Law of 15 December 1980.

²⁸ Constitutional Court, decision No. 95/2008 of 26 June 2008. www.const-court.be.

■ ■ ■ Adequate housing

Unless you are exempted from this condition (see text box page 18), you must provide evidence that you have adequate housing to accommodate your family members who wish to join you in Belgium.²⁹

The housing must be adequate and meet the requirements of safety, sanity and habitability for real estate that is rented as a principal residence.

Adequate housing can be proven by submitting a **registered rental contract** or **proof of ownership** of the house. However, when the house is condemned, the house is not intended as principal residence, or if the rental contract explicitly provides that the house cannot accommodate the number of persons that want to join you in Belgium, these documents will not be accepted as proof of adequate housing.

■ ■ ■ Health insurance

Unless you are exempted from this condition (*see text box page 24*), you must provide evidence that you have health insurance covering all medical risks in Belgium for yourself and family members who wish to join you.³⁰ This proof must be enclosed in your file in the following manner:

- either an **attestation from the mutual benefit association** to which you are affiliated, confirming the possibility of affiliating your family members once they arrive in Belgium;
- or proof that you have taken out **private health insurance** covering the risks in Belgium for yourself and your family (minimum length: 3 months - minimum coverage: 30.000 €). You do not have to pay for the latter private insurance policy before receiving the decision granting the visa.

29 Art. 10 § 2, par. 2 of the Law of 15 December 1980.

30 Art. 10 § 2, par. 2 of the Law of 15 December 1980.

■ ■ ■ Sufficient, stable and regular means of subsistence

Unless you are exempted from this condition (*see text box page 24*), you must provide evidence that you have sufficient, stable and regular means of subsistence to maintain yourself and your family members and to avoid them becoming a burden on the public authorities.³¹

The means of subsistence must be at least equal to **120% of the living wage**.³² On 1 September 2019, this is 1.505,784 Euros net monthly.

Income from complementary schemes (living wage, supplementary family allowances), financial social aid, family allowances, interim allowances and allowances for professional insertion are not taken into consideration. Unemployment benefits will only be taken into account if you can prove that you are actively looking for work.³³

When you do not meet this income requirement, the Immigration Office cannot automatically refuse your application. The Immigration Office will assess, on an individual basis and according to the needs of your family, which amount of means of subsistence is necessary to avoid your family becoming a burden on the public authorities. Therefore, it is important to give all useful information and documents concerning your financial situation and the needs of your family (e.g. monthly expenses) to the Immigration Office.³⁴

In addition to the general exemption (*see text box page 24*), the requirement of sufficient, stable and regular means of subsistence **does not apply** when the application for family reunification **only concerns minor children** of a beneficiary of international protection or of his/her spouse (also not when the application is introduced after the year following the granting of international protection).³⁵

31 Art. 10 § 2, par. 3 and 4 of the Law of 15 December 1980.

32 Art. 10 § 5, par. 1 of the Law of 15 December 1980.

33 Art. 10 § 5, par. 2 of the Law of 15 December 1980.

34 Art. 12bis § 2, par. 4 of the Law of 15 December 1980.

35 Art. 10 § 2, par. 3 of the Law of 15 December 1980.

CHAPTER 3

How to prove family ties?



Establishing family or marriage ties is a core question within the family reunification process with recognized refugees. The law provides various types of proof in the form of a so-called “cascading system.”³⁶ The family ties may be proven either by means of official documents, by other valid proof or by an interview or a supplementary analysis (i.e. a DNA test).

1

Official documents

In order to prove the relationship with your family members, a number of documents must be enclosed with your application. These documents may be **foreign court decisions** (e.g. a judgment of divorce or adoption) or **foreign certificates** (e.g. birth, marriage certificates). These may be supplementary judgments (that is, ones that replace official certificates that were lost or never existed).

Once the visa application file has been completed, these documents will be examined by the Belgian authorities. Every Belgian authority, including the Immigration Office or the Registrar of the municipality, can recognize or refuse to recognize a certificate.³⁷ For example, this can be the case if it is not valid according to the applicable law appointed by Private International Law (fundamental and procedural requirements), if the certificate is not legalized or lacks an apostille, or if the certificate violates public order (e.g. an alleged marriage of convenience), etc.

It is often difficult for beneficiaries of international protection to produce official documents. In some cases the latter never existed or have been lost. It also entails risks to contact the authorities of the country of origin as a beneficiary of international protection, or it can even be incompatible with the protection status. Moreover, when the documents are provided, the Belgian authorities may sometimes express doubts about their validity.

36 Circular of 17 June 2009 containing certain specifics as well as amending and abrogating provisions regarding family reunification, *Belgian Official Gazette*, 2 July 2009.

37 Art. 27 of the Code of Private International Law provides that “a foreign official certificate is recognized in Belgium by any authority without the need for any procedure if its validity is established in accordance with the applicable law under the terms of the present law, taking account in particular of Articles 18 and 21. The certificate must meet the conditions necessary for it to be deemed authentic under the law of the State where it was issued.” Where the authority refuses to recognize the validity of the certificate, an appeal may be lodged at the competent court of first instance.



The impossibility of producing official documents³⁸

If you consider that it is impossible to produce official documents proving the relationship with your family members, or to legalize these documents, you will have to prove this impossibility by legal means. This impossibility must be 'real and objective', that is, independent of your will. This is the case:

- if Belgium does not recognize the country in question as being a State;
- if the domestic situation of the country in question is (was) such that it is impossible to obtain official documents, either because they were destroyed and there are no means of replacing them, or because the competent national authorities are dysfunctional or no longer exist;
- if obtaining official documents requires a return to the State in question, or contact with the authorities of that State, which is difficult to reconcile with the personal situation of the foreigner.

This impossibility is assessed on a case-by-case basis by the Immigration Office, based on evidence that is "sufficiently serious, objective and consistent". These items of evidence should in theory be provided by you, but certain items may already be in the possession of the Immigration Office. For example, items:

- relating to another application for residence by the applicant;
- taken from internal reports from foreign missions;
- obtained from (inter)national institutions or organizations that have knowledge of the general situation of the State in question (e.g. diplomatic or consular posts, the Commissioner General for Refugees and Stateless Persons, the United Nations High Commissioner for Refugees, recognized NGOs within the European Union or the UN, etc.).

³⁸ Circular of 17 June 2009 containing certain specifics as well as amending and abrogating provisions regarding family reunification, *Belgian Official Gazette*, 2 July 2009.

As a general rule official documents must be provided, but other subsidiary types of proof exist. The law provides that if official documents cannot be produced, the Belgian authorities shall first take into account “other valid proof” in order to establish family ties.⁴⁰ This is also valid in case of impossibility to legalize documents.⁴¹ These items of evidence need to be provided only when official documents are impossible to obtain and are subject to the discretionary assessment of the Immigration Office. To be considered valuable, “other valid proof” of family ties must constitute a “bundle of indications that are sufficiently substantial and consistent” which makes it possible to demonstrate the existence of the claimed relationship.⁴¹

If such evidence cannot be provided, the Belgian authorities may conduct **interviews** or any other **inquiry** deemed necessary to verify the validity of the facts or documents in question.⁴² The interview is particularly intended to establish the existence of a marriage bond (or partnership) while the supplementary analysis, in this case the DNA test, is intended to prove the existence of the bond of blood relationship.

In practice, the Belgian authorities propose a **DNA test** as soon as it refuses to recognize the validity of the birth certificate. However, DNA tests should be administered only as a last resort after other types of evidence have been sought.⁴³

39 Art. 12bis § 5-6 of the Law of 15 December 1980.

40 This is derived from the preparatory works of article 12bis §6 of the Law of 15 December 1980 and the Circular of 17 June 2009.

41 “Other valid proof” cited by the Circular include, by way of example, the following: “other proof of filiation”: certificate, document or attestation of birth; marriage certificate drawn up by the competent Belgian authorities for the civil registry mentioning the bond of filiation; notarized document authenticated by the competent authority; affidavit; national identity card mentioning the bond of filiation; marriage contract mentioning the bond of filiation; extracts from register of births; supplementary judgment. “Other proof of the marriage or partnership”: certificate of traditional marriage, when a certificate of civil marriage cannot be submitted; notarized document authenticated by the competent authority, religious attestation; national identity card mentioning the marriage or partnership; extract from marriage certificate or extract from certificate of partnership; supplementary judgments (Circular of 17 June 2009 containing certain specifics as well as amending and abrogating provisions regarding family reunification, *Belgian Official Gazette*, 2 July 2009).

42 Art. 12bis § 6, par. 2 of the Law of 15 December 1980.

43 Article 12bis §6, paragraph 2 of the Law of 15 December 1980 and the Circular of 17 June 2009.



Adoption

The question of adoption is particularly sensitive when it comes to family reunification of beneficiaries of international protection. This is because numerous families of refugees include adopted children.

If the adoption of these children has been established by a foreign certificate or judgment of adoption, these documents will have to be submitted to the competent Belgian authorities for recognition.⁴⁴ Afterwards, the procedure will vary depending on whether or not the country in question has signed the Hague Convention on adoption⁴⁵. The procedure is generally unsecure and time consuming.

Often, however, orphan children are cared for by families in emergency situations without these de facto adoptions being officially recorded. When these children are invited to join their family in Belgium, there are numerous obstacles to be surmounted relating to the absence of official documents. Such procedures are long and difficult. If the orphan child is a family member, adoption will still be possible in certain cases. If this is not the case, in certain circumstances an application for a humanitarian visa can be submitted (*see text box page 13-14*).

Further information can be found on the websites www.justitie.belgium.be, www.kindengezin.be and www.adoptions.be.

3

DNA tests

In the absence of valid evidence, the Immigration Office may suggest that you and your family members undergo a **DNA test** to determine your relationship.

DNA tests make it possible, by taking a few drops of blood, to obtain the genetic imprint of a person and to determine to whom they are biologically related. The results are nearly 100% certain. However, performing a DNA test is not an innocuous act. A family's equilibrium may be upset by the results, especially if these reveal biological truths of which the persons concerned

44 In Belgium, it is the central federal authority (FPS Justice) that is entitled to recognize and register foreign court decisions in the matter of adoption.

45 The Hague Convention of 29 May 1993 on the Protection of Children and Co-operation in Respect of Intercountry Adoption, *Belgian Official Gazette*, 6 June 2005.

were previously unaware. Furthermore, this procedure is costly (200 Euros per person tested).

DNA tests cannot be performed without the **written consent** of the (adult) persons concerned.

In Belgium the blood tests are taken at the Erasmus Hospital in Brussels. Abroad, the blood tests for family members are organized by the Belgian diplomatic or consular representation.

Although a judicial appeal can be lodged against the decision of authorities to refuse to recognize the validity of foreign documents submitted, a DNA test is often a quick way to achieve family reunification. In practice, when there is doubt as to the documents submitted, the Belgian authorities will not agree to issue a visa except on condition of a DNA test. If the result is positive, the visa is automatically granted.

To start up the procedure for DNA testing, members of the family in question sign a consent form (Annex 2bis) at the embassy. This form will be forwarded to the Immigration Office, who will then contact you to also sign a consent form (Annex 3).

The Immigration Office will invite you to an information session on the procedure. You will first need to pay the hospital for the test (200 Euro per person tested) and forward a copy of proof of payment to the Immigration Office. The latter will then contact the embassy or consulate so that the blood tests of your family members can be done. The blood samples will be sent to Belgium by diplomatic pouch (free of charge). You will then be contacted by the Erasmus Hospital for the blood test.

The total costs of the tests will be charged to you, whether the results of the test are positive or negative.

From the moment the blood samples arrive in the Erasmus Hospital, it takes 6 to 8 weeks until the result of the analysis is available. The result is sent directly to the Immigration Office, who will inform you. The test data cannot be used for any purpose other than the family reunification process. They will be stored at the laboratory in case the evidence is contested.

CHAPTER 4

Processing the complete file: deadlines and procedure



Once all the documents required have been submitted, legalized and translated, the file will be deemed to be complete. In this event, your family members will receive **proof of submission** of your application (Annex 15*quinquies*) from the embassy or consulate. The file will be forwarded to the Immigration Office for examination.

The **file number** appears on the proof of submission. This number makes it possible to follow up on the status of the visa application via the website of the Immigration Office (www.dofi.fgov.be).

The date mentioned on the proof of submission determines a **period of 9 months** within which the Belgian authorities must take a decision on the visa application. In particular circumstances in connection with the complexity of the case, or when an inquiry is being carried out in the context of a marriage of convenience, this period can be extended twice by 3 months by a reasoned decision of the Immigration Office. If no decision has been taken within this – possibly extended – period, the visa will be granted automatically.⁴⁶

If, based on a valid reason, a person is not capable to submit a certain document, the diplomatic post can send the file in an incomplete state to the Immigration Office. This should be raised with the diplomatic post and the Immigration Office. In this case, there is no proof of submission and the term to process the application does officially not start running.



Cost of the family reunification procedure

The family reunification process is an expensive one. In addition to the fixed costs set by the Belgian authorities, there are the fees imposed by local authorities which can vary greatly.

A visa application for Belgium costs 180 €/person and the legalization of a document by the Belgian authorities costs 20 € (fixed cost, regardless of the country where the application is submitted, rates on 1 September 2019). Costs that need to be added, and vary greatly from country to country: cost of passports, the issuance, translation and legalization of documents, possible DNA tests, physician's honoraria (for the medical certificate). Finally, there are the travel costs to the embassy, the costs of accommodation in the country of residence and the airline fares.

For a humanitarian visa application for a family member aged 18 or older, the cost of the administrative contribution has to be added (rate at 1 September 2019: 358 euro).

46 Art. 12bis par. 3, 5 and 6 of the Law of 15 December 1980.

CHAPTER 5

Decision



It is the Immigration Office that decides whether the conditions for the issuing of a visa are met. If the decision is positive, the members of your family will receive a **D type visa mentioning "B11"**. In case of a humanitarian visa in the context of family reunification, this is "B17". In principle, the immigration Office's decision is sent the same day as it is taken. It may take a few days, however, for the decision to arrive at the Belgian diplomatic post abroad. As soon as the diplomatic post receives the decision, they will contact your family to deliver the visa.

The D visa entitles the holder to a long stay in Belgium (more than 3 months). With this visa, you can travel to Belgium via other Schengen countries or stay in another Schengen country for a maximum total duration of 3 months within a period of 6 months.

The decision of the Immigration Office to issue the visa is valid for 6 months. It is therefore important to collect the visa before the end of this term. After the visa is placed in the passport, the visa is valid for 6 months, or in particular cases for 1 year.



Period for examination of visa applications (1 September 2019):⁴⁷

- family reunification visa: 9 months maximum (eventually extended twice by 3 months) from the date indicated on the proof of submission;
- humanitarian visa: on average more than 1 year.

The examination period for humanitarian visa applications should not be interpreted strictly. It is simply indicative and may vary depending on the complexity of the file.



Rejection of the visa application

Sometimes the visa is refused unless a DNA-test proves differently. In case the DNA-test is positive, the visa will still be granted (see pages 32-33).

47 See the site of the Immigration Office: www.dofi.fgov.be.

The Immigration Office will refuse the visa if it considers that the applicant does not fulfil the conditions for family reunification. This may be the case, for example, if it considers that there has been fraud, that there is mention of a marriage of convenience, that there is a lack of effective marital or family life, if there is danger to public order, public health or national security in Belgium or if the requirement of sufficient, stable and regular means of subsistence applies but is not met.⁴⁸

When you have received the recognized refugee or subsidiary protection status in Belgium, and the family or marriage ties with your family members existed before the arrival in Belgium, **the negative decision cannot solely be based on the absence of official and legalized documents** that prove these family or marriage ties.⁴⁹

The Immigration Office is also obliged to do an individual assessment. When processing a file, it has to take into account all the elements as a whole.⁵⁰

Finally, the decision to reject the application must be justified and notified to the persons concerned.

If the Immigration Office refuses to grant the visa, an appeal may be lodged at the Council for Alien Law Litigation within 30 days of the notification of the decision. In some cases, a supplementary request for suspension can be lodged under an extremely urgent procedure at the Council for Alien Law Litigation.

If the reasons for the rejection are related to the question of recognition of foreign official certificates, an appeal may be lodged at the court of first instance, by virtue of the rules of private international law.

If the visa application is rejected, a new visa application may also be submitted when new items of evidence can be added to the file.

48 Art. 11 § 1 et art. 74/20 § 1 et art. 74/21, al.1 de la loi du 15 décembre 1980.

49 Art. 11, al. 2 de la loi du 15 décembre 1980.

50 Article 12bis §2, paragraph 3 of the Law of 15 December 1980.

CHAPTER 6

Status of family members in Belgium and renewal of stay



Members of your family who have been authorized to join you must present themselves **within 8 working days** of their arrival in Belgium to the **municipal administration** of the place of your residence.⁵¹ The municipal administration will enter their names in the Aliens' Register and issue an A card (an electronic card that is the equivalent to the certificate of registration in the Aliens' Register – limited duration) **valid for one year and renewable**.

Before enrolment in the Register, the municipal administration will check up the effective residence. Your family members will be given an "Annex 15" while awaiting their card A.

For 5 years, their **A card** will be **renewed** by the municipal administration for a period of one year provided the conditions for family reunification are still satisfied.⁵² (Limited and conditional residence).

Your family members will have to apply for renewal to the municipal administration of your place of residence between 45 and 30 days before the expiry of their A card. The municipality will inform the Immigration Office, who will control whether the requirements for family reunification are still met. The municipality will also verify whether your family members are still living with you under the same roof. If you move, you must inform the municipal authorities.



Father and mother of unaccompanied minors

If you are the father or mother of an unaccompanied minor with a protection status, the requirement of sufficient, stable and regular means of subsistence will not be applicable at the moment of the renewal of your residence permit, except when you apply for a residence permit of unlimited duration (a B-card).⁵³

51 Circular of 21 June 2007 on amendments to the rules regarding residence by foreigners after the entry into force of the Law of 15 September 2006, *Belgian Official Gazette*, 4 July 2007.

52 Art. 13, par. 3 of the Law of 15 december 1980.

53 Constitutional Court, decision of 26 September 2013, No. 121/2013, B-28/6.

At the end of this 5-year period, an unlimited residence permit can be granted (electronic B card - equivalent to the certificate of registration in the Aliens' Register), if the requirements in article 10 are still met (for example to live together under the same roof, to have sufficient means of subsistence if this was a condition at the time of visa issuance). Otherwise, the Immigration Office will refuse the unlimited residence permit, and will grant a new residence permit but limited in time. This permit will be renewed the years after if the following requirements are met: (1) your family member has sufficient means of subsistence, (2) your family member has a health insurance covering all risks, and (3) your family member does not constitute a danger to the public order and / or to national security.⁵⁴

Please note that family members of beneficiaries of international protection will never acquire a residence permit of unlimited duration before the beneficiary him/herself acquires a residence permit of unlimited duration.



The members of your family who join you will not (automatically) receive the refugee or subsidiary protection status in Belgium. However, they have **the possibility to apply for asylum in their own name**. In the latter case, the application will be examined in the light of the contents of your own request for asylum.

Withdrawal or refusal of renewal of the residence permit

During the first 5 years of their stay in Belgium, your family members will have to prove that the requirements for family reunification are still met. If the Immigration Office considers that your family members no longer fulfil the conditions, it may decide to terminate the residence of your family members and withdraw the residence permit. This may happen, for instance, if your family members:⁵⁵

- no longer meet one of the conditions set for the granting of the visa;
- no longer effectively live a married or family life;

54 Art. 13, par. 3 of the Law of 15 december 1980.

55 Art. 11 § 2 of the Law of 15 December 1980.

- in the event of a registered partnership, married or entered into a lasting relationship with another person;
- concluded the marriage, partnership or adoption solely for the purpose of enabling entry into or residence in Belgium.

The residence permit can also be withdrawn if you or your family member have used false or misleading information (or falsified documents) during the family reunification process, or committed fraud or have used other illegal means that have contributed to the acquisition of his residence permit⁵⁶.

In some cases, your residence permit as a beneficiary of international protection can be revoked.⁵⁷ In this case, the residence of the family members may also be terminated.⁵⁸

The Belgian authorities can always decide to carry out checks in view of extending or renewing the residence permit, notably if there were presuppositions based on fraud or in order to verify whether you continue to meet the conditions for family reunification.⁵⁹

Thus, for example, the Immigration Office can withdraw the residence permit of your family members if they are not living together with you anymore or if you cannot prove that you have sufficient, stable and regular means of subsistence.

Please note that you are also **exempted** from the requirements of adequate housing, health insurance and sufficient, stable and regular means of subsistence **at the moment of renewal** of your family members' residence card if the application for family reunification has been submitted within the year after the recognition of your protection status and if the relationship with your family members existed already before your arrival in Belgium.

If the requirement of means of subsistence applies at renewal, the Immigration Office has to take into consideration the contributions of the family members to the household income⁶⁰.

Moreover, the law provides that the Immigration Office has to take account of the nature and solidity of the family relationship, the duration of the residence in Belgium and the existence of family, cultural and social ties with the country of origin when withdrawing or refusing to renew a residence permit of your family member⁶¹.

56 Art. 74/20, §2, par.1 et 74/21, par.2 of the Law of 15 December 1980.

57 See the conditions in Art. 11, §3, par 1-3 of the Law of 15 December 1980.

58 Art. 11, §3, par. 4 of the Law of 15 December 1980.

59 Art. 11, §2, par. 3 and Art. 74/20 §4 of the Law of 15 December 1980.

60 Art. 16, 1 a of the Directive 2003/86/EC of the Council of 22 September 2003 on the right to family reunification, O.J., 3 October 2003, L.251/12.

61 Art. 11 § 2, par. 5 and Art. 74/20 §2, par. 2 and Art. 74/21, par. 4 of the Law of 15 December 1980.

They must also take into account the situation of victims of domestic violence who have left their homes and are in need of protection.⁶²

Where the Immigration Office puts an end to your family member's residence and issues an order to leave the country, your family member will receive an "Annex 14ter" and the A card shall be withdrawn. When this decision is not accompanied by an order to leave the country, your family member will receive an "Annex 37". An appeal against this decision may be lodged at the Council for Alien Law Litigation within 30 days of the notification. In this case, your family member will receive an "Annex 35" awaiting the decision on the appeal.

62 Art. 11 § 2, par. 4 of the Law of 15 December 1980.

CHAPTER 7

Assistance to organize the travel



Once the Immigration Office has decided to grant your family members visas, their travel arrangements to Belgium will have to be made. The cost of airline tickets is often high. In addition to these, there are various other financial costs involved in the family reunification process.

Some organizations can assist your family in organizing their journey. The delegations of IOM (the International Organization for Migration) provide logistical assistance to your family members, in particular to unaccompanied minors (no financial aid).⁶³

Furthermore, some organizations offer loans at low interest to finance the airline tickets of family members for the purpose of family reunification. CREDAL can offer loans to refugees living in the Walloon Region or in Brussels.

CREDAL COOPÉRATIVE DE CRÉDIT ALTERNATIF

GRUPE CREDAL

Einstein Business Center
Parc scientifique de
Louvain-la-Neuve
Rue du Bosquet 15A
1435 Mont-Saint-Guibert
T +32 (0)10 45 25 33
credal@credal.be
www.credal.be

ANTENNE BRUXELLES

Centre Dansaert
Rue d'Alost 7
1000 Bruxelles
T +32 (0)2 213 38 31
F +32 (0)2 213 37 01

ANTENNE CHARLEROI

Rue Monceau-Fontaine 42 box 18
6031 Monceau-sur-Sambre
T +32 (0)71 32 81 32
F +32 (0)71 32 81 32

ANTENNE LIÈGE

Rue des Steppes 24
4000 Liège
T +32 (0)4 221 11 74

ANTENNE NAMUR

Rue du Lombard 2
5000 Namur
T +32 (0)81 84 94 70

ANTENNE MARCHE EN FAMENNE

Route de Bastogne 38A
6900 Marche en Famenne

63 Further information can be found on the website of IOM: <https://belgium.iom.int/family-reunification>.

CHAPTER 8

Arrival in Belgium: various types of registration



Upon arrival in Belgium, your family members will need to go through various types of registration. In addition to the essential registration at the municipal administration within 8 working days of arrival, other registrations are also important: with the mutual health insurer, at school, for training, etc. Please note: the right to certain social rates as well as the right to family benefits will only take effect if your family members have a proper national registration number.

You should be aware that in Belgium, each authority is competent to recognize the validity of foreign official certificates submitted to them.⁶⁴ It can therefore happen that certain certificates are recognized by one authority (e.g. the Immigration Office), but are not subsequently recognized by others (e.g. the municipal administration). These conflicts can give rise to a number of practical difficulties and lead to significant delays.

64 Art. 27 § 1 Code Private International Law.

CHAPTER 9

Further information



If you are looking for more information about the family reunification of beneficiaries of international protection in Belgium, please contact Myria, your social worker, one of the partner associations of Myria or your lawyer.

You can also obtain further information on family reunification on the following sites:

Immigration Office

www.dofi.fgov.be
ghvisa.vluchteling@ibz.fgov.be (Dutch)
rgfvisa.refugie@ibz.fgov.be (French)
ls.asp@ibz.fgov.be (humanitarian visa)

FPS Foreign Affairs

www.diplomatie.belgium.be
infovisa@diplobel.fed.be

Legal helpdesk Agentschap integratie en inburgering (in Dutch)

<https://www.agii.be/thema/vreemdelingenrecht-internationaal-privaatrecht>

Association pour le droit des étrangers (in French)

www.adde.be

Principal partner associations of Myria

■■■ Specialised organisations on family reunification - no (social) guidance on individual files

COORDINATION ET INITIATIVES POUR REFUGIES ET ETRANGERS - CIRE

80-82, rue du Vivier
1050 Brussel
T +32 (0)2 629 77 10
cire@cire.be
www.cire.be

VLUCHTELINGENWERK VLAANDEREN

Kruidtuinstraat 75
1210 Brussel (Sint-Joost-ten-Node)
T +32 (0)2 225 44 00
info@vluchtelingenwerk.be

INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM)

Montoyerstraat 40
1000 Brussel
T +32 (0)2 287 70 00 - 02 287 74 31
IOMBRUSSELSCOFamReu@iom.int

ASSOCIATION POUR LE DROIT DES ETRANGERS (ADDE)

Rue du Boulet 22
1000 Brussel
T +32 (0)2 227 42 41
servicejuridique@adde.be
et pour le droit International Privé :
dip@adde.be
www.adde.be

AGENTSCHAP INTEGRATIE & INBURGERING

Dienst Vreemdelingenrecht en
Internationaal familierecht
Tour&Taxis - Koninklijk Pakhuis
Havenlaan 86C - Bus 212
1000 Brussel

Juridische helpdesk

T 02 205 00 55
www.agii.be/contact#3
Informatie Vreemdelingenrecht :
www.vreemdelingenrecht.be

Algemeen contact buiten helpdesk

T 02 205 00 50
F 02 205 00 60

ATLAS ANTWERPEN- INFOPUNT VERBLIJF en RECHTSPOSITIE

Van Daelstraat 35
2140 Antwerpen
T +32 (0)3 270 33 03
verblijfenrechtspositie@antwerpen.be
www.atlas-antwerpen.be/nl/advies-over-
vreemdelingenrecht/vreemdelingenrecht

Samenwerking met Balie Antwerpen
voor dossierbegeleiding:
www.balieantwerpen.be/nl/pro-deo/
vreemdelingen-advies

■■■ Organisations with individual and social guidance on family reunification or tracing files

BRUSSELS

CARITAS INTERNATIONAL

Liefdadighedsstraat 43
1210 Brussel (Sint-Joost-Ten Node)
T +32 (0)2 229 36 11
F 02 229 36 36
infonl@caritasint.be
info@brabantia.brussels
servicesociale@caritasint.be
rfgh@caritas.be
www.caritas-int.be

SOCIALE DIENST VAN DE SOCIALISTISCHE SOLIDARITEIT (SESO)

Parmastraat 26
1060 Brussel
T +32 (0)2 533 39 84
info@seso.be
www.sesoweb.org

CAW BRUSSEL- TEAM MIGRATIE

Antwerpselaan 34
1000 Brussel
T +32 (0)800/13 500
www.caw.be/contacteer-ons

CROIX ROUGE DE BELGIQUE

SERVICE TRACING
Rue de Stalle 96
1180 Bruxelles
T +32 (0)2 371 31 58
<https://liens-familiaux.croix-rouge.be/contactez-nous>

CONVIVIAL

Rue du Charroi 33-35
1190 Bruxelles (Forest)
T +32 (0)2 503 43 46
info@convivial.be
www.convivial.be/nous-contacter

PROTESTANTS SOCIAAL CENTRUM VZW

Cansstraat 12
1050 Brussel (Elsene)
T +32 (0)2 512 80 80 - 02 500 10 11
info@csp-psc.be
www.csp-psc.be

SIREAS - SASB/SAB

Marsveldstraat 5
1050 Brussel
T +32 (0)2 274 15 51 - 02 649 99 58
sireas@sireas.be
sasb@brutele.be
www.sireas.be/sireas

WALLONIA

ACCUEIL ET PROMOTION DES IMMIGRÉS

Rue Léon Bernus 35
6000 Charleroi
T +32 (0)71 31 33 70
apisocialcharleroi@gmail.com

AIDE AUX PERSONNES DÉPLACÉES

Rue Jean d'Outremeuse 93
4020 Liege
T +32 (0)4 342 14 44

Rue des Belneux 4
7000 Mons
T +32 (0)478 02 19 90

Rue Père Damien 14
7090 Braine-le-Comte
T +32 (0)478 02 19 90

Rue Saint-Nicolas 84
5000 Namur
T +32 (0)81 83 39 51 - 0492 73 19 75
www.aideauxpersonnesdeplacees.be

CAP MIGRANTS ASBL

Rue de Fétinne 98
4020 Liège
T +32 (0)4 222 36 16
info@capmigrants.be

CENTRE DES IMMIGRÉS NAMUR-LUXEMBOURG

www.cinl.be

Place l'Ilon 13
5000 Namur
T +32 (0)81 22 42 86

Rue des déportés 140
6700 Arlon
T +32 (0)497 51 72 95

Avenue Herbofin 16B
6800 Libramont
T +32 (0)61 29 25 18

Avenue du Monument 8A
6900 Marche-en-Famenne
T +32 (0)84 45 68 08

Rue de l'Hôtel de Ville 7A
6690 Vielsalm

ESPACE 28 ASBL

Rue de la Colline 18
4800 Verviers
T +32 (0)87 34 10 53
www.espace28.be

SERVICE D'ACCOMPAGNEMENT AUX ETRANGERS (SAE)

Rue de Gembloux 500/15
5002 Saint-Servais
T +32 (0)81 73 34 48

BELGISCHES ROTES KREUZ

Hillstrasse 7
4700 Eupen
T +32 (0)87 76 59 71
info-integration@roteskreuz.be
http://info-integration.be

CENTRES RÉGIONAUX D'INTÉGRATION

www.discrri.be

Centre d'Action Interculturelle
de la Province de Namur (CAI),
à **Saint-Servais**: www.cainamur.be

Centre Régional de Verviers pour
l'Intégration (C.R.V.I.), à **Verviers**:
www.crvl.be

Centre Régional d'Action interculturelle
de la Région du Centre (Ce.R.A.I.C.),
à **La Louvière**: www.ceraic.be

Centre Interculturel de Mons-Borinage
(C.I.M.B.), à **Saint-Ghislain**:
www.cimb.be

Centre Régional d'Intégration du
Brabant-Wallon (C.R.I.B.W.),
à **Nivelles**: www.cribw.be

Centre Régional d'Intégration des
Personnes Étrangères de Liège
(C.R.I.P.E.L.), à **Liège**: www.cripel.be

Centre Régional d'Intégration de
Charleroi (C.R.I.C.), à **Gilly**:
www.cricharleroi.be

Centre Régional d'Intégration de la
province de Luxembourg (CRILUX),
à **Libramont**: www.crilux.be

FLANDERS

RODE KRUIS VLAANDEREN – Restoring Family Links

Motstraat 40
2800 Mechelen
T +32 (0)15 44 35 22

Tracing

www.rodekruis.be/restoringfamilylinks/nl/contact/contact-tracing/

Gezinshereniging

www.rodekruis.be/restoringfamilylinks/nl/contact/contact-gezinshereniging
www.rodekruis.be/restoringfamilylinks/nl/gezinshereniging

STEUNPUNT ASIEL & MIGRATIE VZW

Sint-Romboutskerkhof 1a
2800 Mechelen
T +32 (0)15 34 07 88
info@vluchtelingendienst.be
www.vluchtelingendienst.be/contact

INFOPUNT MIGRATIE – STAD GENT

Woordrow Wilsonplein 1
9000 Gent
T +32 (0)9 266 71 40
infopuntmigratie@stad.gent

CAW ANTWERPEN - ADVIESCENTRUM MIGRATIE

Lange Stuivenbergstraat 54-56
2060 Antwerpen
T +32 (0)3 235 34 05
adviescentrum.migratie@cawantwerpen.be

CAW OOST-VLAANDEREN - TRANSITHUIS GENT

Oude Houtlei 124
9000 Gent
T +32 (0)9 265 04 20
transithuis@cawoostvlaanderen.be

CAW NOORD-WEST-VLAANDEREN

Onthaal Welzijn - Oostende
Hospitaalstraat 35
8400 Oostende
T +32 (0)59 59 21 21
onthaal.oostende@cawnoordwestvlaanderen.be

Onthaal Brugge
Ruddershove 8
8000 Brugge
T +32 (0)50 66 30 00 - 050 66 30 01
onthaal.brugge@cawnoordwestvlaanderen.be

OK CAW OOST-BRABANT - Dienst Vluchtelingenonthaal

(very limited functioning for large region)
Redingenstraat 6
3000 Leuven
onthaal@cawoostbrabant.be

CAW LIMBURG - Dienst Juridisch Eerstelijnsadvies Vreemdelingenrecht

*(very limited functioning for large region,
competent for the province of Limburg)*
Rozenstraat 28
3500 Hasselt
T +32 (0)472 72 44 59
vreemdelingenrecht@cawlimburg.be

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Auteur

Myria

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Legal advice

Visits are only possible by appointment.

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