



Funded by the
European Union



Application of the Temporary Protection Directive in Belgium: challenges and good practices in 2023

Belgian contribution to the EMN Study

November 2024

The present was conducted by the National Contact Point (NCP) Belgium to the EMN within the framework of the EMN 2023-2025 Work Programme. The study follows a common study template with a predefined set of questions developed by the EMN. The Belgian responses to the study template can be found below.

Application of the Temporary Protection Directive in Belgium: challenges and good practices in 2023

National Contribution to the EMN study

Disclaimer: The following information has been provided primarily for the purpose of contributing to this EMN study. The EMN NCP has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of the EMN NCPs' Country.

For more information on the background and rationale for the study, its aims, objectives and scope, the EU legal and policy context, as well as definitions of key terms used throughout, please consult the EMN study.¹

SECTION 1: LEGAL STATUS

Legal pathways and transition from temporary protection to other types and forms of residence or protection

1. Is it possible for beneficiaries of temporary protection residing in your Member State to apply for other types of residence permits/visas/authorization of stay (e.g. a residence permit for work, family, study or other purposes)? If yes, please specify if this is in addition or as an alternative to temporary protection?

YES. Generally speaking, it is possible for beneficiaries of temporary protection residing in Belgium to apply for other types of residence permits/visas/authorisation of stay based on other migration motives. In case their application is approved, there is a change of residence status, and they will receive a different residence permit/visa/authorisation. If this residence permit/visa/authorisation ends before temporary protection ends, they are still considered beneficiaries of temporary protection and will be able to get a residence permit based on their initial temporary protection status (insofar as their temporary residence permit has not been revoked by the Immigration Office or the person concerned did not renounce their temporary protection status).

More specifically, Ukrainian citizens may access/switch to the following statuses, other types of beneficiaries of temporary protection (i.e. non-Ukrainians) may be subject to other rules:

Short stay:

Ukrainian citizens with biometric passports can enter and stay for 90 days in Belgium without a visa, according to the Association Agreement concluded between the European Union and Ukraine in 2017. This 90-day period may be extended up to a maximum of 180 days if the situation in Ukraine does not allow for a safe return at the end of the 90 days.

Ukrainian citizens who do not hold a biometric passport, but who have received a visa for Belgium, can also obtain an extension of their authorized stay up to a maximum of 180 days.

¹ The EMN Study can be found at the following link: <https://emnbelgium.be/publication/application-temporary-protection-directive-challenges-and-good-practices-2023>.

In short, Ukrainian citizens who are, or have arrived, legally in Belgium and who, due to the situation in their country, stay longer than the authorized stay, are advised to go immediately to the municipal administration of their place of residence to declare their arrival and/or to request the authorisation to extend their stay in Belgium. There, they do not have to prove a force majeure.

Long stay:

Ukrainian citizens who wish to come to Belgium for a longer period of time, for example to work or for family reunification, should normally obtain a D visa (national long-stay visa) before traveling. As the Belgian Embassy's counters in Kiev are closed, it is possible to apply for this visa at the Belgian Consulate General in Warsaw (Poland).

For Ukrainian citizens who have left Ukraine and are already in the Schengen area, it is possible to apply for a residence permit directly at the municipal administration of their place of residence in Belgium. The conditions for granting this residence permit (studies, work, family reunion) are maintained, but if the applicant cannot present the usual official documents, the Immigration Office will look for alternatives with him/her.

Ukrainian citizens who have left Ukraine and are in a country that is not part of the Schengen area can contact the Belgian embassy or consulate responsible for that country.

Flanders:

In Belgium, entry to the territory is a federal competence, while economic migration is a regional competence. In Flanders, specific rules were adopted for Ukrainian seasonal workers: Ukrainian seasonal workers who are currently living and working in Belgium with a work permit (which provides the basis for a work stay of maximum 90 days) exceptionally get the opportunity to extend this work permit, even when they will stay in Flanders for longer than 90 days in total (in application of art. 75, 2nd clause BVR – Decision of the Flemish Government). Nonetheless, in Flanders, a seasonal worker working in agriculture and horticulture, in addition to a work permit, needs a picking card (plukkaart). The prolongation of the validity period of a picking card (plukkaart) is currently under discussion. In other words, a Ukrainian national who manages to extend his work permit, is still limited to the number of hours they can work in these specific sectors as a seasonal worker, because of the limitation of number hours one can work with a picking card.

2. If yes to Q1, are there any special procedures, lowered requirements, dedicated programmes or similar practices in place to assist in obtaining those residence permits/visas/authorization of stay?

YES (see answer to Q1).

Short stay: Ukrainian citizens who do not hold a biometric passport, but who have received a visa for Belgium, can also obtain an extension of their authorized stay up to a maximum of 180 days. In case they are in Belgium and cannot go back, they do not prove a force majeure to extend their authorised stay.

Long stay and Flanders: See entire answer 'long stay' and 'Flanders', Q1.

3. If yes to Q1, in the event of granting of such residence permits/visas/authorization, what happens with temporary protection and/or the access to rights/facilities/benefits provided under temporary protection?

As long as the conditions are fulfilled for the residence status, for example for work or studies, the rights attached to the status will be granted. In principle, no extra benefits will be awarded for people who would qualify for temporary protection. The temporary protection status is replaced by the new status, but can be re-activated if the 'new' status comes to an end before the temporary protection status (see answer to Q1).

4. What is the procedure followed by your Member State when a person to whom temporary protection is applied submits an application for international protection? (a) if they already have been registered as a beneficiary of temporary protection and (b) if they have not (yet) been registered as a beneficiary temporary protection.

For Ukrainian citizens, same answer for (a) and (b).

Ukrainian citizens may register for temporary protection, while at the same time applying for international protection, even though the latter is not encouraged. Nonetheless, on the basis of Article 51/9 Immigration Act, and from 28 February 2022, the CGRS has suspended the processing of all applications of international protection from Ukrainian citizens.

For third-country nationals: (b) if a non-Ukrainian third-country national, who previously resided in Ukraine, applies for international protection, without having registered as beneficiary of temporary protection, the international protection need is assessed from the perspective of the country of origin (nationality). Previous residence in Ukraine is not relevant.

5. Has your Member State encountered any challenges with persons claiming to be fleeing the war in Ukraine who do not fall under the scope of temporary protection established by the Council Implementing Decision?

Yes. Non-Ukrainian nationals with a temporary residence permit in Ukraine, regularly claim to be in a stable relationship with a Ukrainian national falling under the scope of temporary protection, without being married. In these cases, the challenge for the Immigration office is to prove or to evaluate the existence of a family unity between non-married couples. The non-existence of a registered partnership in Ukraine is the source of this challenge.

6. If yes to Q5, please explain how such challenges were addressed and/or what are the legal remedies available for such persons.

Individuals who have been refused Temporary Protection can introduce an appeal against this decision (at the CCE / RVV). Furthermore, they are free to apply for international protection, or other types of procedures to obtain residence permits/visas/authorization of stay.

Traveling to other Member States and outside the EU

7. What, if any, is the mechanism in your Member State to track the movement of the beneficiaries of temporary protection who are travelling to (i) other Member States and (ii) outside the EU?

(i): Temporary protection registration platform

(ii): None.

8. What happens to temporary protection and the related benefits provided when the person travels outside your Member State to (i) another Member State and (ii) outside the EU, including to Ukraine?

Going back to Ukraine (or another non-EU Member State) - up to 3 months – does not lead to loss of the temporary protection status or the right of residence in Belgium. The standard rules on absence and return apply. If beneficiaries of temporary protection leave Belgium for more than three months, returnees must notify the municipality of their residence and ensure the residence card 'A' is still valid upon return. Upon return to Belgium, the municipality must be notified.

If temporary protection is applied for and obtained in another country applying the implementing decision of 4 March 2022 of the Council of the European Union, the temporary protection previously granted in Belgium will come to an end and, where applicable, the residence permit issued (card A, or annex 15 issued pending the issue of the card A) will be withdrawn.

9. Do national authorities in your Member State have knowledge of any challenges encountered by beneficiaries of temporary protection in re-entering the EU or your Member State specifically when coming back from Ukraine or other Member States? If so, why is it considered a challenge and according to which national authority? How has this been addressed by your Member/Observer State?

The Belgian Immigration Office is not aware of any substantial challenges encountered by beneficiaries of temporary protection re-entering the EU or Belgium.

10. How and to what extent has your country made use of the Temporary Protection Registration Platform (TPP) during the research period?

During the period 01/01/2023 - 01/07/2023, the platform was used on a daily basis. A specific team within the International Protection unit (Immigration Office) is in charge of the daily follow-up of the information on the platform.

11. Has your country encountered any (i) challenges and (ii) good practices in the use of the TPP? Please elaborate and specify why it is considered a challenge and according to whom this is a challenge/good practice.

(i) Challenges:

- The information on the platform is not based on fingerprints, so additional information (such as passport number or photograph) is necessary to have more certainty about the identity of the person.
- Exchange of information: not every Member State is able to make the same data available.
- IT problems.

(ii) Good practices:

- Setting up a dedicated team to monitor the platform from the beginning, to guarantee a strict follow-up;
- Periodic consultations take place between the European Commission and the Member States.

12. Does your country upload in the Platform the identity of the adult persons accompanying "separated" children arriving from Ukraine, and respectively, of guardians appointed in Ukraine before departure?

The data of persons who have obtained temporary protection is uploaded daily on the platform. Nevertheless, it is not possible to link adults to "separated" children in this regard. Questions in this regard are addressed separately to the International Protection Unit of the Immigration Office and are answered on short notice.

Assistance to people wishing to go home (back) to Ukraine

13. Does your Member State provide support for the beneficiaries of temporary protection who wish to go home (back) to Ukraine? If so, please elaborate.

Since May 2022, the Federal Reception Agency (Fedasil) provides assistance to Ukrainians who decided to go back to their country of origin and to third-country nationals with legal residence in Ukraine who decided to return to Ukraine.

The procedure to go back to Ukraine is organised by bus to several cities in Ukraine: Kiev, Ivano-Frankivsk, Lviv, Ternopil, Zhytomyr, Mukachevo, Novohrad-Volynskyi, Uman, Rivne, Stryi, Uzhhorod, Vinnytsia.

After approval of an application, Fedasil pays for the bus trip between Belgium and Ukraine and provides financial support (adult € 50 / child € 25) to people going back.

Local partners in Ukraine may provide limited reintegration support for returnees with certain vulnerabilities. For each application, Fedasil - in collaboration with its reintegration partners - makes an individual assessment to determine whether reintegration support is possible and what kind of support local partners in Ukraine can provide. This involves material and practical support provided by the local partner of Caritas International, for example, to start a business, rent or renovate a home and pay medical expenses.

For beneficiaries to be escorted on the return journey (e.g., for people with disabilities or unaccompanied minors), Fedasil examines whether supervision is necessary and possible. An escort is only possible up to the border and not into Ukraine.

14. Has your Member State observed any trends in terms of outflows of beneficiaries of temporary protection? If so, please elaborate.

Number of people voluntarily going back to Ukraine/Month (source: Fedasil):

Year	Month	Number
2022	1	7
	2	8
	3	0
	4	0
	5	5
	6	34
	7	46
	8	55
	9	24
	10	12
	11	2
	12	5
2023	1	0
	2	3
	3	3
	4	2
	5	3
	6	7
	7	5

Registration

15. Have there been any major legal, policy or practical changes regarding registration of beneficiaries of temporary protection during the research period (January 2023 to July 2023)? If there were any, please elaborate.

Practical change: The opening hours of the registration centre were adjusted according to the influx of people registering for temporary protection. When the influx was higher, the opening hours were extended. When the influx was lower, the opening hours were also adjusted accordingly.

16. What procedure was used to extend the validity of documentation based on temporary protection after the first year? Please elaborate on the process.

The municipalities are in charge of extending the residence cards. Some municipalities sent out individual invitations for renewal, others invited beneficiaries of temporary protection publicly (campaigns) to come and renew their cards. Other procedures may have applied as well. For example, the City of Antwerp invited individuals (publicly) to renew their card and to fill in a form online. The form was checked and if the city considered that all conditions were met, individuals received an appointment to apply for a new A card.

17. What challenges did your Member State encounter in the registration process and how were these addressed/planned to be addressed during the research period? Were there any good practices?

Challenges reported by the Immigration Office include:

- the **appearance of new passports, issued after the start of the conflict**. Since an important criterion to be granted temporary protection status is that the person left Ukraine after or shortly before the start of the conflict, the passport and stamps are essential information. However, during the research period, the Immigration Office encountered many applicants who presented new passports, issued after the start of the conflict. As a result, relevant information concerning the whereabouts of the applicant in the timeframe around and before the start of the conflict are missing.
- the **possession of multiple valid passports**, which is common in Ukraine.
- **Double nationality Ukrainian-EU**. Citizens who have an EU nationality are not granted Temporary Protection status. However, this information is not easily available if the applicant does not share it voluntarily.

These challenges were mainly met by taking a signed statement from the applicant, asking him/her to share if there was any missing information and, if not, to confirm that he/she answered the authority's questions truthfully.

In addition, the Immigration Office can contact foreign embassies (Ukrainian and other EU member states) if there are doubts about citizenship.

SECTION 3: ACCESS TO RIGHTS PROVIDED BY THE TEMPORARY PROTECTION DIRECTIVE

Accommodation

18. Have there been any major legal, policy or practical changes regarding access to accommodation for beneficiaries of temporary protection during the research period? If there were any, please elaborate. Are there any changes foreseen in the way access to suitable accommodation or the means to obtaining housing is arranged?

Housing is a regional competence. This includes both the regulation of the social and private rental market as well as the development and implementation of various instruments such as targeting low-income groups, monitoring housing quality and so on. When formulating these policies, the regional government seeks input from local authorities, who have a closer relationship with citizens and a better understanding of local issues. Upon arrival, persons fleeing Ukraine, are registered by the Immigration Office and if necessary briefly accommodated centrally before being referred to regional reception facilities.

Flemish Region: the Flemish housing tool continues to be operational (a central database in which all the reception addresses are recorded - see annual report for more information). The Flemish region has developed a framework to offer specific assistance for establishing the reception by local authorities. This framework includes:

- Subsidies to create places and provide specific guidance to local administrations.
- Support services (VLOT- Flemish Support Services) to assist local authorities in their tasks.

In the fall of 2023, the Flemish Region plans to shift its strategy from focusing in public reception centres to facilitating a transition towards the regular housing market. This strategy will lever integration and inclusion in the labour market and will intertwine multiple policy areas such as labour, housing and integration.

Walloon Region : N/A

Brussels-Capital Region: Since January 2023, the Brussels- Capital Region introduced a temporary housing/accommodation agreement form formalizing the provision of accommodation by the host to the guest. It regulates the payment of charges and a possible maximum occupancy fee, which may or may not be requested by the host. In temporary collective accommodation facilities, it implemented internal accommodation rules and introduced a system of payment for accommodation.

19. What were the key challenges in your Member State in providing access to suitable accommodation or the means to obtaining housing to beneficiaries during the research period? How were these challenges addressed/planned to be addressed and are there any good practices?

Flemish Region:

In Flanders, the private rental market's high rent is a concern. The living allowance, which helps to pay the rent, will be reduced to regular amounts in October after an initial 25% increase. This makes renting privately challenging, especially in larger cities where most displaced persons live. The saturated rental market and limited availability of social housing add to the difficulties. To address these issues, the Flemish government focuses on integrating beneficiaries into the labour market (see labour

market). The income provides beneficiaries with more resources so that they can become self-dependent and access housing. If these resources are not sufficient, regular instruments, like rent subsidies and registration with a social housing company, can be complementary. Local and regional governments work together to guide beneficiaries to the regular housing market. The regional government provides a guidance subsidy per beneficiary on the local territory, strengthening local services to offer comprehensive guidance (housing, work, welfare, and integration).

In addition, the Flemish government has developed a framework that can support all those in need of housing. Rent subsidies and allowances are regulated and granted regionally. Flemish housing companies can expedite housing allocation for 20 % of those in need of housing (irrespective of the place of registration), such as those facing homelessness. They can also prioritise specific local target groups (e.g. psychiatric patients when there is an institution in the region).

The Flemish government has a framework to assist those needing housing, including beneficiaries of temporary protection. Beneficiaries can access social rental housing after registration despite long waiting lists. Housing companies can expedite housing allocation for 20% of those in high need, such as those facing homelessness. They can also prioritize specific local target groups. Local administrations and agencies implement these policies and guide individuals in their housing search. Both local social services (PCSW) and regional services (CAW) assist those in need. Beneficiaries are also prioritised in this regular circuit. However, the high demand in the private rental market and limited social rental market makes this a challenging task.

Walloon Region:

The Walloon Region is responsible for housing, not accommodation. The challenge was therefore to respond to the need to receive persons fleeing Ukraine by putting in place a variety of innovative solutions within a very short timeframe. To organise the reception of persons fleeing Ukraine in the Walloon Region, the Walloon Government has adopted a five-fold strategy:

(1) The Walloon Region stimulated and supervised the reception offered by Walloon citizens in their private homes by making several tools available:

- A charter for the accommodation of persons fleeing Ukraine, establishing principles to live together which needs to be signed by all parties
- A document guaranteeing compliance with the conditions for quality accommodation
- A template 'precarious occupation agreement' providing, for example, for a financial contribution from the beneficiary of 20% of the received income.
- An online platform 'Solidarité Ukraine' which collects offers from private individuals and requests for accommodation for beneficiaries.
- The development of a practical guide for the landlord on the reception of beneficiaries.

In addition, Wallonia has also set up a partnership with the Federal Reception Agency (hereafter: Fedasil) to receive beneficiaries from the Ariane Centre (crisis accommodation managed by Fedasil) in its approved accommodation (see TemoHoWa below).

(2) Identify public, voluntary and private collective accommodation that could be used and activate this accommodation.

The Walloon region, with the help of provincial governors, has established approved accommodation facilities across its territory to provide more permanent housing for beneficiaries. These mostly collective accommodations include former retirement homes, hotels, and more. An external service provider manages these facilities, makes them operational and helps beneficiaries with daily administrative tasks.

An accommodation management tool, TempHoWa platform, has been set up for these facilities. It's accessible to municipal coordinators and accommodation managers who can propose matches. Subsequently, the provincial governors validate them.

Accommodation is allocated based on criteria set by the Walloon Government. It's primarily for beneficiaries whose crisis accommodation is ending and have no other options, or those who directly approach a municipality. A collaboration with FEDASIL also allows refugees from the Ariane Centre to be accommodated.

(3) Activate public housing schemes

The Walloon Government has implemented a measure to expand housing capacity for beneficiaries in Wallonia. This involves the deployment of modular housing units with one, two, or three bedrooms. Financial aid has been provided to municipalities, PCSWs and the Société wallonne du Logement (the portal of the Walloon Housing Company and the public service housing companies of Wallonia) to support this initiative.

(4) Supporting local authorities

Wallonia has granted a regional subsidy to municipalities and supra-local structures to cover costs related to the reception and accommodation of beneficiaries of temporary protection. This includes expenses for equipping facilities, transportation, translation, and more.

To assist beneficiaries in finding permanent housing, Wallonia has created a practical guide detailing the different steps and available support to rent a property in the region. Additionally, a video explaining these procedures was produced.

Brussels-Capital Region:

The Brussels Region finds it challenging to develop temporary collective accommodation shelters in a short delay, while having to respect the rules and procedures of public tenders when legislation on temporary accommodation is often missing or incomplete.

The framework put in place (temporary housing agreement, internal accommodation rules and a payment system see above) allows persons fleeing Ukraine to first settle down, take steps towards integration and search for accommodation on the Brussels rental market. The Brussels-capital region helps them through group information sessions on housing, individual support with the search for accommodation, support during housing visits organised by the Ukrainian Community 'Ukraine Voices'.

To support the most vulnerable and least self-sufficient individuals, the Brussels-capital Region is providing a grant to local authorities to organise:

- A local housing consultation for each municipality: this consultation brings together municipalities and public social service centres (PSCW) to identify individuals who are inadequately housed. In this discussion forum, the most appropriate housing solution and its follow-up are discussed individually.

- Creation of accommodation: the 'sliding contract'. It is a tripartite contract signed by the local authority, the landlord and the tenant accompanied by social monitoring. It sets targets for the tenant to achieve more autonomy in the management of their accommodation. Once the targets have been achieved, the contract 'slips' meaning that the authority withdraws from the contract, which then continues in the same way as a conventional contract without the need for a new signature.

Best practices are seen:

- In legislation: A decree of the Government of the Brussels-Capital region of 1 June 2022 establishing a temporary and exceptional exemption from construction permit for certain acts and works made necessary by a massive influx of displaced persons.
- In the exchange of experiences between EU MS
- In the collaboration with public and private organisations for: real estate market search for buildings, architectural design studies and execution of works.

20. Have these challenges changed since the initial arrival of beneficiaries of temporary protection in 2022?

Flemish Region: see above

Brussels-Capital Region: no

Walloon Region: Yes. The Walloon Region has been proactive in supporting the Federal Government's crisis accommodation efforts by promoting and overseeing the hosting of Ukrainian nationals in private homes by Walloon citizens. Additionally, a collaboration was established between the Walloon Region and Fedasil, which allowed refugees housed at the Ariane Centre (a crisis accommodation managed by Fedasil) to be accommodated. However, due to the repeated saturation and partial closure of the Ariane Centre, along with a lack of crisis accommodation, the Walloon Region has had to provide immediate crisis accommodation.

Labour market

21. Have there been any major legal, policy or practical changes regarding access to the labour market for beneficiaries of temporary protection during the research period* (e.g. concerning the conditions and procedures for (self-)employment such as labour market tests, work permits, access to regulated professions, etc.)? If there were any, please elaborate:

General:

People benefitting from temporary protection are legally admitted to work and to carry out self-employed activities on the basis of federal provisions linked to their temporary protection status (application of the Royal Decree of 2 September 2018 and the Royal Decree of 3 February 2003). These measures were activated upon the activation of the Temporary Protection Directive.

Since the sixth reform of the Belgian state, economic migration is a regional competence. The Flemish Region, Brussels-Capital Region, Walloon Region, and the German-speaking Community can each determine their own economic migration based

on their labour market needs. Therefore, measures adopted to encourage labour market integration largely fall under regional competence.

Flanders:

A decree adopted on 19 April 2023 – which entered into force on 16 May 2023 – imposes the obligation on (1) any person of working age (2) who enjoys temporary protection and (3) is registered in the National Register (4) in a municipality of the Flemish Region to register with VDAB (Flemish Public Employment Service). The registered individual must remain registered as long as he/she fulfils the above-mentioned criteria. The objective of the Decree is to guide individuals benefiting from temporary protection to (vocational) training and the Flemish labour market. A person is exempt from the registration obligation if he/she demonstrates to be working legally, as an employee, self-employed person or civil servant.

Beneficiaries are also encouraged to cooperate with the VDAB when it offers its services.

Source: <https://www.ejustice.just.fgov.be/cgi/api2.pl?lg=nl&pd=2023-05-15&numac=2023042108>

The municipalities (in collaboration with the Public Centres of Social Welfare, hereafter: PCSW) inform beneficiaries, falling within the personal scope of compulsory registration, of the obligation to register with VDAB. This information may be given when they register the beneficiary in the national register. In addition, municipalities may also inform people who were already registered in the national register when the decree entered into force, via other means.

The decree provides no deadline for registering with the VDAB, and – stricto sensu - no sanction exists for those who do not register with the VDAB or do not follow VDAB guidance. In itself, this new obligation has no concrete legal consequence for those concerned. Nonetheless, support from the PCSW (such as financial support, i.e. an integration income) may be refused or withdrawn if the beneficiary does not meet the conditions prescribed in the law on the PCSW and, according to the new rules, is obligated to register.

Walloon Region: No major changes during the reported period.

Brussels Capital Region:

In addition to previously reported measures, beneficiaries can continue to benefit from the existing general rules and conditions as they exist for all third-country nationals to work as employees or self-employed persons in the Brussels-Capital Region. No additional specific measures were developed in this respect.

For example, at the start of the crisis, the Brussels Public Employment Service (Actiris) set up a "Ukraine Task Force", which encompassed all affected departments. The Task Force drew up an action plan. The Region also allocated additional budget to hire 10 FTEs.

22. What were the key challenges that your Member State encountered in (i) providing access to (self-)employment during the research period (e.g. in connection with the issuance of work permits, access to regulated professions and/or other conditions) and (ii) providing measures facilitating employment and labour market activation, such as vocational training, language courses, training or integration assistance for adult beneficiaries of temporary protection?

In Belgium, in September 2023, there were around 47 000 Ukrainians of working age (18-65 years).

Flanders:

At the end of June 2023, 20 933 beneficiaries of temporary protection who were registered in Flanders, were of working-age (18-65 years old). Over 7.000 of them, 33.6% of the overall number, already had work experience in Flanders. In September 2023, the Flemish Public Employment Service (hereafter: VDAB) had inscribed 13 463 Ukrainian nationals, 42% of them had had working experience in Flanders.

With regard to the key challenges regarding (ii) labour market activation for the employees:

- The language barrier: employers' high expectations of knowledge of Dutch make the search for a qualified job - especially for the highly skilled - difficult. In addition, the diploma recognition procedure takes very long. A study by the Public Employment Service VDAB showed that 92% of Ukrainians looking for a job considered the language an important barrier.
- Children and family: the temporary protection population is often female, with (elderly) parents and children. Additionally, a national shortage of childcare facilities and the lack of the women's/families' social network make their family situation a real barrier.
- Health problems, caused by stress and traumatic experiences.
- Lack of knowledge about rights and obligations in the labour market.

With regard to the key challenges regarding (ii) labour market activation for the employers:

- Uncertainty regarding the duration of stay of beneficiaries;
- Lacking language requirements (proficiency in Dutch);
- Access to application procedures.

Walloon Region:

In June 2023, 2 890 individuals were registered at the Walloon Public Employment Service (Forem), 529 of them had accessed work.

With regard to the key challenges regarding (ii) labour market activation for the employees:

- The language barrier: Displaced persons from Ukraine are advised to follow FLE (French as foreign language) training sessions with Forem (the required level is A2 on the Common European Framework of Reference for Languages). People who do not know French or not much, or illiterate people may be referred to Forem's partners.

- Administrative barriers: in the context of obtaining a driving license, diploma equivalence certificates...
- Driving modern lorries: Many people who have the license C and CE had little experience in driving lorries and especially more modern and performing ones in comparison with the ones they used in Ukraine.

Other barriers are similar to the ones encountered in the Flemish region.

Brussels Capital Region:

The need for information on all aspects of life in the Brussels Capital Region was very high. First in terms of residence, reception and housing. Later, the needs shifted towards the need for information on employment and continuing independent activities.

Other barriers are similar to the ones encountered in the other regions (child care, language barriers, need for extra support to find the right job, administrative support for diploma equivalence, ...).

9. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

Flanders:

The Flemish Public Employment Services (VDAB) considers cooperation with various partners, periodic evaluations and addressing obstacles and bottlenecks crucial. Regarding the '**better cooperation'-approach**, the VDAB has taken the following actions:

- Language requirement: More cooperation with other authorities – such as the integration and civic integration agency and educational institutions – to provide language training that meets the needs. This includes:
 - More language training,
 - Additional digital language modules,
 - More flexible language modules
 - More combined and integrated language pathways (language courses combined with components of vocational training).

Challenge to be addressed: VDAB wants to engage more with employers and expand the possibility of language coaching at work. However, this has not been successful so far.

- Informing and sensitising employers, newcomers and mediators on labour market and working conditions:
 - Through printed materials and online resources.
 - Through cooperation with partners and local administrations
 - By reaching out to employers.
- Specific actions for highly educated migrants, including temporarily displaced persons:
 - Intensive guidance by a job hunter who helps the beneficiary to find a job at the level of his/her diploma,

- Coaching by a voluntary mentor: helps to expand the individual's network and knowledge regarding the job or sector he/she wants to work in.
- Putting the long procedure of diploma equivalence clearance at NARIC high on the authorities' list.

A **new sectoral addenda** on easing access to jobs for individuals fleeing the war in Ukraine refugees entered into force on the 1st July 2023. The majority concerns a continuation of efforts decided upon in previous sectoral agreements:

- Sectors can provide support in quickly (1) detecting and targeting suitable vacancies and (2) workplace learning. This is complementary to the sectoral and local approach of VDAB and other partners.
- The aim of the addenda is to constitute multi-actor partnerships, if possible from an intersectoral approach, but with attention to sectoral specificities.
- The addenda focused on the target group of people fleeing the war in Ukraine. To reach this target group, sectors can rely on existing services or services provided by VDAB that focus on broader target groups.
- Language learning: sectors are encouraged to focus on Dutch language support.

New actions in the addenda:

- Communication to companies - Informing employers:
 - Informing companies about the employment of foreign-speaking newcomers and support measures;
 - Organising exchange sessions and needs-surveys;
 - Encouraging companies to review their hiring practices;
 - Informing companies on subsidies, work permits, recognition of foreign diplomas, existing job and language coaching offers, etc.
- Guidance – communication towards target group/intermediaries
 - Providing information sheets, translating websites, etc. Support for introduction to the sector and matching;
 - Organising job days and fairs with partners (e.g. Fedasil, VDAB, local authorities, etc.);
 - Supporting VDAB in screening job seekers. Connecting sectors to and making a sectoral contribution to the information sessions organised by VDAB;
 - Competency screening;
 - Translating training programs;
 - Screening of competencies, strengthening of competencies and certification Provide coaching on the work floor;
 - Providing support with (digital) literacy.

Walloon Region:

- Access to information: Forem (Public Employment Service – Wallonia) organises collective information sessions in reception centres and/or at the request of Public Centres of Social Welfare (hereafter: PCSW) to inform beneficiaries about the

labour market in Wallonia and about Forem's service offer which aims at supporting them in their job search.

- Administrative procedures: Beneficiaries receive support with administrative procedures, and more specifically, to obtain diploma equivalence, either by Forem counsellors or by Forem partners specialized in this field, such as regional integration centres (CIRE - Coordination and initiatives for refugees and foreigners).
- Language barrier: (see answer to Q22) and the Walloon authorities have included Ukrainian as one of its interface languages for its language application that helps individuals to learn different languages: <https://www.wallangues.be/uk/>.
- Targeted support to find a job or to fill bottleneck professions: Forem supports people who attend both skills training sessions and FLE classes (business oriented). A screening test is available in Ukrainian to screen individuals for the following occupations: construction occupation and bricklayer (2 bottleneck professions).

Lorry drivers must present a European driving license (code 95). The training they need – together with the certificate they need to drive (CAP – Certificate for Professional Competence) - has been modified to focus on Ukrainian drivers who own a C or CE driving license obtained before 10/09/2009, in Ukraine. More specifically, a specific training week was organised so that they could obtain this Certificate and start working at the end of the training week.

Brussels Capital Region :

- Information dissemination:
 - The Brussels-Capital Region has launched an information campaign and specific website (in 5 languages) to support Ukrainian nationals. These campaigns also include actions to guide those wishing to work or set up or continue self-employment. <https://www.helpukraine.brussels/>
 - Specific measures were taken to facilitate contact with Actiris' employees (translators and interpreters).
- Facilitating access to the labour market:
 - Since January 2023, the Brussels Employment Service, Actiris, organised 47 information sessions in their headquarters. Since March 2023, they organised 13 information sessions in collaboration with Ukrainian voices. 794 individuals assisted to the latter sessions.
 - In 2023, 3376 individuals received support from Actiris personnel to look for employment.
- Languages: The procedure to access language training and to issue language vouchers was facilitated. By the end of July 2023, 1,046 jobseekers had received language vouchers. The majority of jobseekers chose to learn French (74.8%) and a minority Dutch (9.3%). The remainder chose other courses.

Healthcare

24. Have there been any major legal, policy or practical changes regarding access to healthcare (including mental health support) for beneficiaries of temporary protection during the research period*? If there were any, please elaborate.

Flanders: In 2022, the Flemish government decided to offer additional preventive healthcare services to all displaced persons from Ukraine. These services included tailored information on (preventive) healthcare, basic vaccinations such as MMR, DTP, and polio, and active tuberculosis screening via X-ray thorax or Mantoux test.

Initially, these services were provided through the existing network of general practitioners who received additional funding for this purpose. However, the strategy changed at the start of 2023. The same preventive services began to be offered through two different channels:

The different regional health authorities established a central healthcare point at the central registration center in Brussels. This is where newly arrived displaced persons from Ukraine register.

In 2023, mobile teams started providing vaccinations and tuberculosis screening to all displaced persons from Ukraine who had already settled in the Flanders region. An extra grant was given to a field organisation for following up on tuberculosis screening results and offering counselling to both old and new tuberculosis cases.

Additionally, the capacity of the Centers for Mental Health (CGG) was temporarily increased to provide specialized mental health services to displaced persons from Ukraine who developed severe mental health symptoms. The CGG works closely with welfare and social assistance to reach out to these individuals.

Walloon Region: N/A

Brussels-Capital Region: N/A

25. What were the key challenges in your Member State in providing access to medical care to beneficiaries of temporary protection during the research period?

Flanders: The initial hurdle was a lack of understanding about Belgium's healthcare system where general practitioners play a significant role. There were also administrative obstacles in accessing the Belgian health insurance system, such as the requirement for a Belgian address.

A significant challenge was the low level of awareness and willingness among displaced persons from Ukraine to use the preventive health care services. This led to a minimal uptake: only about 2 to 3% of all displaced persons who were offered preventive services agreed to be vaccinated and screened for TB via X-ray or Mantoux.

'Groeipakket' (hereafter: growth package; child benefits): To facilitate access to 'the Growth package' for beneficiaries, Flanders adheres to the 'no wrong door' principle. Regardless of which professional supporter the family approaches, they receive the necessary support in an accessible way. Various initiatives guide families to the 'Growth package'. Flanders consistently monitors the inflow, particularly in the central referral process set up by the agency. This enables Flanders to prevent any bottlenecks in the central creative team tasked with creating family records. A coordinated approach ensured families were efficiently and swiftly guided to their rights in the 'Growth Package'.

Walloon Region: The primary issue regarding medical care access for temporary protection beneficiaries (BPT) is finding suitable accommodation for those with specific health needs. This is particularly challenging for individuals with severe physical or mental disabilities or serious mental health issues. The accommodation agreements established by the Walloon Region are not equipped to provide daily medical and psychological care, making them unsuitable for beneficiaries with these needs.

Brussels-Capital Region: The Brussels-Capital Region has faced several challenges in ensuring medical care access for beneficiaries of temporary protection. These challenges include:

- A lack of familiarity with the healthcare system.
- Linguistic barriers, including alphabetic differences.

The lack of familiarity with the healthcare system, is reported by stakeholders in the medical sector, whether it's frontline or secondary services, as well as mutual health organizations.

Upon their arrival in Belgium, and more specifically in the Brussels-capital Region, beneficiaries of temporary protection are not acquainted with the healthcare system. This system is significantly different from the one in Ukraine, leading to misunderstandings. For instance, some beneficiaries don't understand why they are billed if they miss a scheduled appointment, even if they had previously booked it. Moreover, the possibility of receiving reimbursements or the support of mutual health organizations for certain medical expenses, which doesn't exist in Ukraine, can also cause confusion. As for linguistic differences, they pose a challenge for all involved parties. Ensuring smooth communication becomes complex when participants don't speak the same language or use the same alphabet. Translation and interpretation services have been heavily in demand, even before the conflict in Ukraine.

26. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

Flanders: In the healthcare sector, various resources such as folders and leaflets were created, including a guide titled "Welcome in Flanders". These resources provide essential information about the healthcare system and other social services in Russian and Ukrainian.

In 2022, the existing networks of general practitioners were given an additional budget. This allowed them to proactively invite all beneficiaries in their communities for a medical intake and for access to (preventive) healthcare services. These resources were distributed to the beneficiaries through various channels, including a central point of care, decentralized social welfare services, and various websites.

Furthermore, additional care points were established in major cities across Flanders and Brussels. These care points aim to provide preventive and curative healthcare services specifically tailored to the needs of beneficiaries.

Walloon Region: A Taskforce comprising the Federal Public Service Public Health, Fedasil and a doctor from each regional body responsible for health convenes when a beneficiary with a serious health problem has no housing solution. This group works together to find an accommodation solution tailored to the person's specific needs.

Brussels-Capital Region: To address these challenges, the Brussels-capital Region found it key to establish ties with Ukrainian communities to comprehend these differences and clarify them for the beneficiaries of temporary protection. This approach was a top priority as soon as the conflict in Ukraine started. A vital step was to ensure everyone understood the health care system. In response to these challenges, the Brussels-Capital Region established the "Brussels Health Orientation Center". This initiative has assisted beneficiaries in navigating and overcoming barriers related to understanding the Belgian healthcare system.

Education

27. Have there been any major legal, policy or practical changes regarding access to education for beneficiaries of temporary protection during the research period? If there were any, please elaborate.

Flemish Community: On the 1st of January 2023, the fourth Ukraine emergency decree on Education entered into force. On 7 July 2023, the Flemish government the Flemish government approved the fifth Ukraine emergency decree on Education.

French Community: No changes during the research period. Nonetheless, previously taken measures were extended. Previously, exceptional measures, also previously used in crises, were introduced. For example, administrative requirements - requested by the "Equivalence Service" - of the French Community's authorities were alleviated; comparative 'level equivalences' (of the authorities) were replaced by a pedagogical assessment carried out by the school's educational team and validated by an admissions committee. Consequently, pupils benefiting from temporary protection are not obliged to request an equivalence, but still can.

28. What are the key challenges and barriers in your Member State during the research period in providing access to primary and secondary education to persons under 18 years old (including measures facilitating the possibility to follow the online Ukrainian curricula)?

Flemish Community: Despite several measures facilitating the creation of additional capacity for OKAN, reception classes for non-native newcomers, the biggest challenge regarding access to secondary education was the demand for specific education for newly arrived immigrants (such as OKAN, reception class for non-native newcomers) in secondary education, which exceeded the number of available places. This resulted in waiting lists for pupils needing a place in OKAN. In primary education this was not an issue. More generally, there is a shortage of teachers on the Flemish level, which further complicates the support of non-native newcomers.

Another barrier was the balance between integration and the temporary status attributed under the Directive (see answer Q29 for more context).

French Community: No major barriers were reported, no specific classes are organised for Ukrainians.

29. What steps have been taken to address these challenges, and are there any good practices in responding to the challenges?

In Belgium, education is compulsory from the age of 5 until the age of 18, regardless of nationality or status. Children can start school as early as 2.5 years old, regardless of their nationality or status.

Flemish Community:

Measures in the context of the fourth Ukraine emergency decree on Education:

- Balancing integration and temporary stay: local authorities who have constructed emergency villages can continue supporting and facilitating a type of education at home for preschoolers (up to age of 5) and pupils who are obliged to follow compulsory education (5-18 years old). The Flemish government provides subsidies to the local authorities with emergency villages in their municipality.

Children who have fled Ukraine and follow collective education at home in Ukrainian, which is organised in the emergency villages, receive temporary support in these villages. The children are prepared for two scenarios. On the one hand, if the war ends quickly, the children can return to Ukraine and continue in Ukrainian education there. On the other hand, children are - more than before - supported to gradually integrate into Flemish education. For the latter scenario a subsidy condition was added: a collective education system at home must also provide lessons in Dutch and, by that fact, promote the transition to the recognised Flemish education system. In this scenario, the pupil may enter the Flemish education system through the OKAN-classes, reception classes for non-native newcomers in secondary education.

Supporting and facilitating this form of home education is the responsibility of the local authorities that set up the emergency villages. When organising the emergency villages, separate classrooms can be installed. Local authorities can work with different partners and have access to several digital learning platforms offering lessons in Ukrainian. The subsidy is limited to local authorities that set up an emergency village because these emergency villages proportionally host more families and children. Support is provided free of charge to children and young people under temporary protection.

The subsidy is calculated on the number of and children that are not inscribed in the regular, recognised Flemish education system.

- Demand for specific education for newly arrived immigrants:
 - Pupils fleeing from Ukraine do not have to fulfil the condition of the maximum stay of one year in Belgium to be considered as 'non-native newcomers'. Consequently, if they enter the education system after one year (for example because they first followed education at home), these pupils can still receive extra teaching periods.
 - Nonetheless, the number of available places for OKAN-classes, reception classes for newcomers in secondary education, was insufficient because of the influx of children benefitting of temporary protection. Consequently, the Flemish government introduced a temporary restriction on the derogation of the age condition for reception classes of non-native newcomers (OKAN). Initially, beneficiaries falling outside of the age category of 12-18 years old and benefitting from temporary protection, could, under certain conditions, still be given access to reception classes for non-native newcomers, even if one of the conditions (age) was not met. Nonetheless, the increase in pupils eligible for reception education put pressure on the capacity of this type of education and the capacity was exceeded. By returning to the initial 12-18 years old condition, the

measure aimed to reduce the intake in OKAN-classes in secondary education. This way, Flemish regions with a capacity problem had more available places for non-native newcomers between the ages of 12 and 18 who are on the waiting list for the OKAN-classes. The temporary measure was valid from 1 January 2023 until the end of the school year. In the context of the fifth Ukraine emergency decree, applicable to the current school year, the derogation of the age condition applies again, even if, when a derogation is considered, the local capacity for the organisation of the OKAN-classes needs to be factored into the decision.

Measures in the context of the fifth Ukraine emergency decree on Education:

- Shortage of teachers:
 - Basic education and secondary education: The decree extends measures to facilitate the hiring of non-teachers to teach non-native newcomers, in the context of extra teaching hours for basic education and specific teaching time for non-native newcomers in secondary education.
 - In the context of preschool education: Preschool education institutions receive additional financial support for non-native preschoolers (school year 2022-2023). A school is entitled to 950 euros of additional support (per preschoolers (up to age of 5)). The extra allowance gives these institutions the chance to hire new staff, which is paid on behalf of the operating budget. This measure is tied to the validity of the temporary protection directive implementing decision, when this comes to an end, this system also ends.
- Extra budget:
 - For higher education;
 - For university language centres;
 - For Dutch classes in the context of adult education.

French Community: All children benefit from free education, regardless of their nationality or status. The French Community has two schemes to welcome newcomer pupils (not just people benefitting from temporary protection): DASPA and FLA (see annual report). These schemes enable schools to recruit staff to welcome newcomer pupils and help them learn French. Schools are able to recruit Ukrainian staff thanks to the exceptional exemption from the French language requirement for teaching staff.

Social assistance/welfare

30. Have there been any major legal, policy or practical changes regarding access to social assistance for beneficiaries of temporary protection during the research period? If there were any, please elaborate.

Flanders:

Temporary strengthening of the capacity of the Centers for General Welfare Work (CAW) to provide first-line psychosocial support for personal and psychological issues to beneficiaries, as well as guidance to host families and volunteers regarding the support they give to these beneficiaries.

Growth Package 'Groeipakket': Individuals who have a right of residence of more than 3 months can access the 'Growth Package', a package of financial benefits tailored to each child in each family. Thus, beneficiaries who register for temporary residence immediately gain access to the 'Groeipakket' if they have eligible children.

IT Growth Package: A modification of the IT application used for calculating and disbursing allowances in the context of family policy is required. This adjustment is necessary to ensure that Flemish families who accommodate beneficiaries do not experience a negative impact on their allowances due to this commitment.

1 Family 1 Plan (Growing Up): Temporary enhancement of the '1G1P' partnerships for supervising families with children with specific educational needs. 1G1P is a flexible offer deployed when modules from directly accessible youth assistance are not immediately available (e.g. counselling, psychological assistance...).

Foster Care, Minor Ndako, Solentra (Growing Up): Flanders is temporarily boosting the capacity of foster care services to speed up the screening and matching process for children who fled Ukraine. Minor Ndako's (an organisation committed to the reception and counselling of UAMs) capacity is also being temporarily increased to allow for the placement of larger groups of children fleeing Ukraine in need of temporary family care. They also provide counseling and follow-up for these families. Solentra, a third-line service (UZ Brussel) that focuses on trauma treatment for refugees, is also being temporarily strengthened. They work with Minor Ndako and can provide outreach to UAMs placed with families through Minor Ndako and Foster Care who are dealing with severe trauma.

GBO: Flanders temporarily strengthens the governing role of local governments within the collaborative Integrated Broad Reception (GBO) an instance that helps to redirect persons toward the service they need, to cater to beneficiaries specifically.

Growing Up Management: Flanders is temporarily boosting the capacity of Growing Up Management, an instance supporting children, young adults and their families in Flanders and Brussels, (including local Child and Family services and consultancies and their doctors) to ensure young children fleeing Ukraine and their families receive quality support and guidance (pedagogically, socially, and medically), and regular functioning is maintained.

VAPH: A person with a disability who is a beneficiary of temporary protection during the research period is eligible for any form of support, including support for which they normally have to meet the condition of prior residence (residence in Belgium for at least five years). They must, like everyone else, be recognized as a person with a disability, meet the age requirements, and follow the generally applicable procedures.

Brussels-Capital Region: N/A

Walloon Region: N/A

31. What are the key challenges and barriers in your Member State in providing access to social assistance/welfare for beneficiaries of temporary protection during the research period?

Flanders:

Language barriers, cultural aspects, lack of awareness about available services, misinformation, and uncertainty about their future are significant challenges for displaced individuals in this context.

Many individuals lack proficiency in Dutch, English, or French and do not have interpreters within their network. This language barrier makes it difficult for them to communicate effectively and access resources, as most are available in Dutch.

Cultural aspects pose additional barriers. Topics such as psychological help and intrafamilial violence are often considered taboo in Ukraine, making it challenging for individuals to seek assistance.

Beneficiaries are often unaware of the services provided by organizations like CAW. The formal nature of visiting a CAW center can be daunting and deter some from seeking help. There is also confusion about the support options available in Belgium.

Misinformation circulating in Telegram groups or informal networks can lead to confusion and unwarranted mistrust, hindering the path to professional assistance.

Finally, the belief that their displacement is temporary leads some people to live in precarious situations for extended periods without seeking sustainable help.

Specifically, for VAPH (see above) assessors faced difficulties in determining the severity of disabilities due to language barriers, especially for deaf individuals. Not all beneficiaries of temporary protection with disabilities have the necessary medical objectification, necessitating new or additional investigations.

Walloon Region: N/A

Brussels-Capital Region: The Brussels-Capital Region encountered the following challenges in providing social assistance to beneficiaries of temporary protection:

- **Understanding the Social Assistance System:** The unfamiliarity of beneficiaries with the Belgian social assistance system posed a significant challenge. It was crucial to inform parents about the family allowance system, including eligibility criteria, application procedures, and expected payment delays, to reduce child poverty.
- **Language Barriers:** Interpreters and translators had difficulty understanding and simplifying subjects that were unfamiliar to beneficiaries.

32. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

Flanders: Several initiatives have been implemented to address these challenges and improve access to support services for beneficiaries:

- **Staff Deployment:** Staff who are familiar with the languages (Russian, Ukrainian, Polish) and culture of the displaced individuals are deployed to facilitate communication and build trust.
- **CAW Services Translation:** The services provided by CAW are translated into languages that are accessible to the displaced individuals.
- **Clarification of CAW Services:** Efforts are made to ensure that volunteers and host families understand the services offered by CAW.
- **Ukraine Info Line:** An information hotline specific to Ukraine-related queries has been established.
- **Volunteer Support - Buddy System:** A buddy system involving volunteers has been implemented to provide support.
- **Mind-Spring Program:** This program includes discussions on cultural differences, raising awareness about CAW services, and sharing experiences with CAW.
- **Communication of Rights and Options:** Information on rights and available resources is regularly communicated to staff.
- **Sharing Correct Information:** Clients who receive assistance are encouraged to share accurate information through Telegram channels.
- **Discussion on going back:** Time is taken to discuss all options concerning returning to Ukraine.
- **Outreach Work:** Outreach efforts are made, such as participating in informal events (e.g., Ukrainian holidays), to build trust over time.
- **Location Based Welcoming Centers:** Welcoming centers are being established in areas frequently visited by potential clients, such as Zorgpunt Antwerpen, to make services more accessible.

These strategies aim to overcome language and cultural barriers and improve access to support services, thereby facilitating better assistance for individuals with temporary protection and their community integration.

VAPH: To obtain the medical objectification required by the VAPH, a multidisciplinary team funded by the VAPH can be engaged. This team is tasked with identifying the disability, including medical objectification, and determining support needs.

Brussels-Capital Region: The Brussels-Capital Region addressed these challenges by involving beneficiaries participating in the discussions. This approach allowed them to gain a deeper understanding of the beneficiaries' situations and identify and address the challenges in the most suitable manner.

SECTION 5: VULNERABLE GROUPS

Support for vulnerable groups

33. What are the key challenges in your Member State in (i) identifying vulnerable persons under the TPD and (ii) providing them the necessary assistance and support during the research period?

Given the delicate nature of this issue, it's challenging to identify or detect such instances at the registration stage unless the applicant discloses it themselves.

After registration, if there are any indications, the individual can be directed to partners at the registration center. There, in a more tranquil and confidential environment, relevant information can be shared.

34. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

A good practice is to implement a tiered system. In this system, the individual in question is provided with essential information during registration, either individually or through other means of information dissemination (for example a leaflet). Following this, they can be directed to other authorities or specialists with more specific expertise on the matter. See for example the part on Trafficking.

Support for unaccompanied minors (UAMs), separated children, and children accompanied by guardians appointed in Ukraine

35. What are the key challenges in your Member State in providing assistance to UAMs, separated children, and children accompanied by a guardian appointed in Ukraine? (e.g. recognition of guardianship, appointment of accompanying adult as a temporary guardian, accommodation and care conditions for individual children accompanied by guardians; monitoring the situation, etc)

Firstly, the Belgian Guardianship Service (Federal Public Service Justice) makes no distinction and considers separated children the same as UAMs. The primary challenge currently faced by the Guardianship Service in Belgium is a shortage of guardians for UAMs. Consequently, it's not possible to immediately assign a guardian to each UAM arriving in Belgium. The Guardianship Service reaches out to each UAM from Ukraine and their surroundings to assess if urgent guardian assistance is required.

In case of special vulnerability, such as possible victims of human trafficking or smuggling, young mothers, indications of violence or abuse or medical or psychological issues, the appointment of a guardian is prioritised. If the UAM had a guardian in Ukraine, confirmation about the documents can often be quickly obtained through the social services or Ukrainian embassy. This allows the Service to no longer consider the minor as unaccompanied and makes a formal decision accordingly. However, for UAM with a travel authorisation or a notarised document prepared before departure, they continue to be considered as unaccompanied. The Service supports the actual caregivers (usually family members) and requests local authorities and social services to ensure follow-up for the family and the UAM. This approach has shown positive results, with UAMs and their families managing well without the support of a guardian appointed by the Guardianship Service.

36. Does your Member State host groups of children evacuated from Ukrainian institutions? If so, how many children were hosted during the research period? Please describe the type of accommodation and care that are offered to this category of children.

No.

Prevention of trafficking in human beings

37. What particular steps were taken in your Member State to protect people fleeing Ukraine and, especially, UAMS, from trafficking in human beings during the research period?

Initially (prior to 2022), in response to the sudden large influx of displaced persons from Ukraine, the Belgian Minister of Justice set up a working group to deal with the potential risks of exploitation/trafficking in human beings.

In cooperation with centres specialised in the reception of victims of human trafficking, a brochure was developed to raise awareness regarding the risks of exploitation and, if necessary, to direct them to organisations specialising in the reception, support and accommodation of victims of human trafficking and smuggling (available in English, Ukrainian and Russian). The brochure was distributed via social media and was also published on the general website for Ukrainians: www.info-ukraine.be.

Subsequently, the Task Force was integrated into the more permanent structure of the interdepartmental coordination cell that works on fighting human smuggling and trafficking, to develop long-term measures.

In this context, a brochure on the risks of economic exploitation for beneficiaries of temporary protection was developed (available in French, Dutch English, Russian and Ukrainian). The brochure is available on the ukraine.be website and the website of FPS Work (SPF Emploi, FOD Werkgelegenheid). The brochure is also available in paper format and was distributed/published in December 2022.

Additionally, a campaign was launched that focused on children. Two brochures were developed:

- One aims at front-line workers who work with Ukrainian children (available in French and Dutch, digital and on paper). The brochure details how trafficking and trafficking in children can be detected. Furthermore, it refers to the central contact point for victims of human trafficking and the three specialised reception centres. The brochure was sent to different stakeholders who work with children (youth welfare services, Fedasil – federal reception agency, Immigration Office).
- Another brochure was developed for Ukrainian children. The brochure explains the risks of exploitation and/or trafficking and includes the contact details of the services that can help them (i.e. the central contact point and approved centres). The brochure was developed in cooperation with Child Focus (a Belgian foundation that supports prevention and investigation of missing children, abducted children, runaway children, and sexually abused and exploited children, along with psychological and legal support to the victims). The brochure is available in Dutch, French, Russian, Ukrainian and English. Available digitally and in paper format.

All the brochures are available on the info-ukraine.be website and the dedicated webpages of the regions (Brussels-Capital, Flanders and Wallonia) and where distributed/published in January 2023.

38. What are the key challenges in your Member State in relation to trafficking in human beings?

Protecting children and protecting individuals from economic exploitation. For effective protection it is crucial that they have access to the necessary information.

39. How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

See answer to question 37. Moreover, more generally, On 30 July 2022, the Federal Public Service Justice launched a new website (single point of contact) called "Stop Human Trafficking". The website is available in 24 languages. It provides key information including the definition, forms and indications of human trafficking as well as the description and contact details of the three specialized reception centers for victims of trafficking. The website also allows online reporting of potential cases of human trafficking. Both victims and witnesses can notify the centers of a potential human trafficking situation by filling in the online form after which a specialized center will contact the persons concerned for follow-up.

From the end of July 2023, victims or witnesses can call a centralised phone number which can put them through to the three centres specialising in housing victims of trafficking. The three centres have always been reachable 24/7: they have 3 fixed telephone numbers during working hours and an on-call system outside working of the working hours. The centralised telephone number will facilitate collaboration, the reception of detected victims, requests for information and reduce the obstacles faced by victims seeking help.

SECTION 7: CONCLUSIONS

40. Please synthesize the main and most important findings of your national report by drawing conclusions from your responses, emphasizing on how challenges were addressed and main lessons learnt during the research period in terms of the key research for this Study, including:

Legal pathways beyond TPD and transition from temporary protection to other types and forms of residence

Generally speaking, it is possible for beneficiaries of temporary protection residing in Belgium to apply for other types of residence permits/visas/authorisation of stay based on other migration motives. In case their application is approved, there is a change of residence status, and they will receive a different residence permit/visa/authorisation. If this residence permit/visa/authorisation ends before temporary protection ends, they are still considered beneficiaries of temporary protection and will be able to get a residence permit based on their initial temporary protection status (insofar as their temporary residence permit has not been revoked by the Immigration Office or the person concerned did not renounce their temporary protection status).

In other words, Belgium allows individuals fleeing the war in Ukraine to switch from temporary protection to another status and, when this status ends, to switch back to temporary protection.

Traveling of beneficiaries of temporary protection

No major lessons to be drawn. Going back to Ukraine (or another non-EU Member State) - up to 3 months – does not lead to loss of the temporary protection status or the right of residence in Belgium. Municipalities are at the forefront of managing people returning to/leaving Belgium and the administrative requirements related to those.

Assistance to people wishing to go home (back) to Ukraine

See answer to Q13, no major lessons to be drawn.

Registration

Registrations happen centrally, while renewals are a local competence. The Immigration Office reported some problems with new and/or multiple passports and the situation of individuals with double nationality (UA/Ukrainian).

These challenges were met by enhanced cooperation with foreign embassies and by requiring signed statements from the applicants.

Accommodation

In all Regions the focus changed from crisis public reception accommodations to long-term accommodation and facilitating a transition towards the regular housing market.

Labour market integration

Both the family situation of beneficiaries (women with children and dependent parents/family) and the language barrier were reported as being major obstacles for access the labour market. The Belgian Public Employment Services have invested in providing counseling to beneficiaries, addressing concerns on language barriers and administrative impediments (e.g. diploma recognition).

In the Flemish region, closer cooperation between authorities/stakeholders was identified as a solution/best practice, while all Public Employment Services adopted practices to improve access to information for beneficiaries regarding rights, obligations and possibilities of accessing the labour market.

During the research period, the Flemish government adopted a decree that imposes the obligation on (1) any person of working age (2) who enjoys temporary protection and (3) is registered in the National Register (4) in a municipality of the Flemish Region to register with VDAB (Flemish Public Employment Service). In other regions, measures adopted before the research period were continued.

Healthcare

The Regions all reported a lack of familiarity with the healthcare system and linguistic barriers as the main barriers. To tackle these challenges, the Regions developed guides and leaflets, gave additional resources to general practitioners in order to inform beneficiaries, installed 'care point's, established strong ties with Ukrainian communities and had different entities working together to reach beneficiaries.

Social welfare

Same as for healthcare, the major challenges were found in a lack of understanding of the system and linguistic barriers. Infolines, buddy systems, discussion groups etc. were initiated to help beneficiaries access and understand the system.

Support for vulnerable groups

The identification as such is seen as the biggest challenge. To facilitate identification persons are first informed through leaflets etc. And directed to partners in case they want to share additional information in a confidential context. The major challenge in Belgium is in regard to UAMs is the shortage of guardians. Priority is given in case of special vulnerability.

Education

The Flemish Community adopted new measures during and after the research period. The French Community continued previous efforts.

In Flanders a new subsidy condition was added for local authorities who have set up emergency villages and give access to collective, remote (Ukrainian) education in these villages. In other words, the Flemish government is increasing its efforts to improve integration of children into Flemish education and teach them Dutch: to receive Flemish Community subsidies, local authorities providing collective (Ukrainian) education must also provide lessons in Dutch and, by that fact, promote the transition to the recognised Flemish education system.

In both communities, the influx of children fleeing the war in Ukraine has led to measures that must facilitate language learning (Dutch and French).

In general, a shortage of teachers has made the Communities adopt measures to facilitate the hiring of extra teaching staff.