

Undocumented migrants in Belgium: between detention, precariousness and mobilisation

By Magdalena Grevesse

The 2024 Belgian federal elections led to a coalition government pursuing a migration policy presented as very strict. In its policy statement, the government announced its intention to intensify its migrant return policy, notably by doubling the number of places in administrative detention centres¹. Belgium will therefore build three new closed centres and a departure centre to replace existing facilities and increase detention capacity from 635 places in 2023 to 1,145 places in 2030². In addition, on 18 July 2025, the Belgian Council of Ministers approved a draft bill allowing home visits, with judicial authorisation, in cases involving foreigners who do not cooperate with return procedures and are considered a threat to public order or national security³.

In Belgium, the number of interceptions of migrants in an irregular situation carried out by the police amounted to 28,331 in 2023 (national statistics, Immigration Office 2023). During police custody, which cannot exceed 24 hours, the Immigration Office, which ensures the implementation of the Belgian governmental policy on the management of migration flows,

¹ *Federal Coalition Agreement 2025–2029*, p. 179,

https://www.belgium.be/sites/default/files/resources/publication/files/accord_gouvernemental-Bart_De_Wever_fr.pdf

² *European Migration Network*, <https://emnbelgium.be/fr/nouvelles/le-conseil-des-ministres-approuve-la-passage-des-marches-publics-pour-les-nouveaux#:~:text=Le%2026%20avril%202024%2C%20le,possible%20de%2020%20places%20suppl%C3%A9mentaires>.

³ *European Migration Network*, <https://emnbelgium.be/fr/nouvelles/le-gouvernement-belge-soutient-un-avant-projet-de-loi-autorisant-les-visites#:~:text=Home-,Le%20gouvernement%20belge%20soutient%20un%20avant%2Dprojet%20de%20loi%20autorisant,ex%C3%A9cutives%20des%20d%C3%A9cisions%20d'%C3%A9loignement>

must decide whether to issue an order for the person to leave the country, accompanied or not by an administrative detention measure. Of the 28,331 persons intercepted in 2023, 1,952 were sent to an administrative detention centre (national statistics, Immigration Office 2023). In most cases, they were released after police custody (8,827 releases in 2023) for various reasons such as lack of identity papers, ongoing proceedings, or the "unremovable" status of the person intercepted (due to the state of war in their country of origin, for example).

The new government's stated intention to make the implementation of an 'effective' return policy based on increasing the number of forced returns an absolute priority is creating a climate of fear that is not conducive to tolerance towards migrants in an irregular situation. The presence of Frontex agents authorised to carry out interceptions at stations and airports and to escort migrants as part of forced returns is a further sign of this.

These measures are accompanied by a deterioration in the living conditions of migrants in the country, reflected in an announced reduction in emergency medical care⁴ and the gradual withdrawal of legal aid funding⁵.

In this context, the possibilities for supporting people in irregular situations, particularly due to the reduction in various subsidies, are increasingly limited, and associations are expressing their discouragement. However, it is the community-based networks, as well as citizen and undocumented migrants' collectives, that are organising resistance to return policies and demanding an improvement in living conditions, particularly in terms of recognition of the right to work. These collectives find political support mainly at the local level. Municipalities play a

⁴ *Federal coalition agreement 2025-2029, p.184,*

https://www.belgium.be/sites/default/files/resources/publication/files/accord_gouvernemental-Bart_De_Wever_fr.pdf

⁵ *Ibid., p. 174.*

key role in this regard, for example by supporting the occupation of empty buildings and access to local social and administrative services.

Several national and regional associations and collectives oppose administrative detention centres and denounce the conditions of detention as inhumane⁶. Several associations are accredited to visit the centres⁷ and support detainees, inform them of their rights and monitor their living conditions. Other local associations are very active and are mobilising by repeatedly organising actions and demonstrations on site.

Plans to create three new closed centres are also prompting action, as is the case in Charleroi through the collective "Ni Jumet, Ni ailleurs !" (Not in Jumet, Not Anywhere Else!), which in 2018 opposed the project, which was ultimately abandoned due to a permit application deemed incomplete. However, the new government directives support the Masterplan for Closed Centres, approved by the Council of Ministers in May 2017. A new planning permission application has therefore been submitted, with work scheduled to begin in 2026 and the centre due to open in 2028. The project has been delayed due to technical and administrative issues. As the possibility of an appeal remains open, the collective is calling for a mass demonstration to denounce the project.

In conclusion, Belgium's current migration policy, which focuses on increasing forced returns and expanding closed centres, reflects a strict migration policy that undermines the fundamental rights of migrants. In response, citizen and community mobilisation are essential

⁶ Currently, there are six in Belgium.

⁷ This accreditation is granted to CIRE, Caritas International, La Ligue des Droits Humains, NANSEN, ASBL Point d'Appui, Vluchtelingenwerk Vlaanderen, MYRIA and members of parliament.

forms of resistance, highlighting the need for a more humane approach that respects the dignity of migrants.

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