

4.1. Belgium

Belgium does not have an explicit M&D policy at the federal level, although a more systematic approach towards M&D has been debated in parliament during the last decade. Belgium has a “migration and development programme” and a special envoy on migration and asylum tasked with coordinating all aspects of migration policy. The latest policy note on migration and asylum (of 2011) does, however, not specifically refer to the development potential of migration. M&D is not a focus of the BTC, the Belgian technical cooperation, but it is one of 12 themes of Belgian development cooperation under the Minister for Development Cooperation. Migration and PCD are not high on the agenda, which can be partially explained by its political sensitivity.. The focus of Belgian M&D projects has been on involving the diaspora in the development of their countries of origin. Belgium participates actively in international fora on M&D, particularly in the GFMD, the Rabat Process and the Budapest Process.

4.1.1. The Migration and Development concept

Belgium does *not have a policy document solely focused on M&D*, nor does it have an overarching policy statement that refers to M&D and provides a definition of the concept.

Although migration is not a priority mentioned in the Belgian law on international cooperation from 1999⁷⁷, it set a standard for all Belgian development cooperation programmes by noting that each programme should contribute to the development of partner countries. In 2002, this principle was applied to M&D when the ‘voluntary return and reintegration’ programme (1997-2002) became the ‘migration and development’ programme and a budget line and small policy unit for M&D were created. The new programme envisaged pro-

moting the development of partner countries, *inter alia*, through mobilising the development potential of migrants.⁷⁸

An important step towards developing a Belgian M&D concept were eight *meetings on M&D held in the Senate in 2003-2004*. In the report ‘Migration and development: forces for the future’⁷⁹ the Senate Committee recommended to create a structure in charge of the coordination of policies concerned with M&D. Furthermore, it was recommended to amend the law of 1999 defining priority countries for cooperation to include criteria linked to the number of immigrants in Belgium who could take part in this cooperation.⁸⁰ The Committee observed that migrant organisations had great potential to contribute to development, but

⁷⁷ Belgian Government, *Law on Belgian International Cooperation*, 1999, viewed on 1 July 2012, http://diplomatie.belgium.be/en/binaries/law_belgian_international_cooperation_tcm312-79173.pdf

⁷⁸ ACE Europe, *Evaluation: migration et developpement - rapport final*, 2005, viewed on 2 July 2012, <http://www.oecd.org/dataoecd/12/44/40804036.pdf>; De Haas, *Engaging diasporas. How governments and development agencies can support diaspora involvement in the development of origin countries*, 2006, viewed on 2 July 2012, <http://www.imi.ox.ac.uk/pdfs/engaging-diasporas-hein-de-haas.pdf>.

⁷⁹ Belgian Senate, *Migranten en ontwikkeling: krachten voor de toekomst*, 2004, viewed on 1 July 2012, <http://www.senaat.be/www/?Mlval=/publications/viewPubDoc&TID=50335878&LANG=nl>.

⁸⁰ IOM, *Laws for legal immigration in the 27 EU Member States*, 2009, viewed on 2 July 2012, http://publications.iom.int/bookstore/free/IML_16.pdf.

that they were seldom involved in development policies and had no access to project funding, as they could only acquire NGO status if a majority of their board members were Belgian nationals. The Committee therefore concluded that migrants and their organisations should be recognised and be eligible for government funding, and that a coordinating governmental body on M&D should be established. The report also recommended a series of measures to facilitate remittances.⁸¹ The Senate also decided to organize a series of hearings in 2007 on 'Migrant remittances', compiled in a report, but recommendations were not made.⁸²

Belgium has since formulated several *main policy goals*⁸³ for its M&D projects, which should:

1. Contribute to reflections about the *causes of migration* from the countries of origin;
2. Develop *reintegration tools* after voluntary return, including economic support during the reintegration of the returnees;
3. Contribute to the fight against *irregular migration* by ameliorating the economic situation in countries of origin;
4. Reinforce the *local authorities* in charge of the management of migration flows;
5. Organise in cooperation with other Member States *information and awareness raising campaigns*, with particular focus on voluntary groups amongst potential migrants.

A study conducted by the European Migration Network found that circular migration and temporary migration have not been prominent themes in discussions on Belgian migration policy.⁸⁴ A comprehensive and fully developed vision on their possible role in migration, as well as contribution to development, is lacking. However, a law dating from 1980 allows immigrants living in Belgium to leave it for a period of less than one year without conditions and for longer than one year if they prove before their departure that the "centre of their interests" will remain in Belgium.⁸⁵

At the regional level, the *Walloon region defined co-development in 2009* in a decree on the integration of foreign persons and those of foreign origin as a 'collaboration between persons of foreign origin, their organisations, their partners, public and private, in their regions of origin as well as their destination region, with a shared framework of reference'.⁸⁶

4.1.2. Institutional framework and policy coherence for Migration and Development

The post of Ambassador for Immigration and Asylum Policy was created in 1990 and tasked with maintaining high-level contacts with third countries to facilitate discussion on issues such as irregular migration, readmission or capacity building with regard to migration and asylum policy. In 2007, the Ambassador was tasked with organizing the first GFMD in Belgium. Now called the *Special Envoy for Asylum and*

⁸¹ De Haas, 2006, op. cit.

⁸² IOM, 2009, op. cit.

⁸³ EMN, *Annual Policy Report 2011: Policy report regarding asylum and migration in Belgium*, 2012, viewed on 29 June 2012, http://www.emnbelgium.be/sites/default/files/publications/annual_policy_rapport_2011_definitief.pdf

⁸⁴ EMN, *Temporary and circular migration in Belgium: Empirical evidence, current policy practice and future options*, 2011, viewed on 29 June 2012, www.emn.intrasoft-intl.com/Downloads/download.do;jsessionid=EDB6A6C3E2F09DB144E7F33B3E9B2642?fileID=1399.

⁸⁵ IOM, 2009, op. cit.

⁸⁶ Parlement wallon, *Décret modifiant le décret du 4 juillet 1996 relatif à l'intégration des personnes étrangères ou d'origine étrangère*, 2009, viewed on 1 July 2012, <http://wallex.wallonie.be/index.php?doc=14418&rev=14995-8406>.

Migration, the Ambassador remains the contact point for M&D policy (for the development department and the Secretary of State for migration) and organises *meetings* with other ministries concerned with M&D issues if the need arises. The Ambassador has two staff and is attached to the Ministry of Foreign Affairs.

Also within the Ministry of Foreign Affairs, under the *Minister for Development Cooperation*, M&D is one of 12 themes of Belgian development cooperation. At the time of writing, the Development Cooperation Department was undergoing *restructuring* and it was not clear whether there would be a focal point on migration in the future. M&D is *not a theme of the BTC*, the Belgian technical cooperation.

As concerns *migration policy*, since 2011 there has been, attached to the Ministry of Justice, a Secretary of State responsible for migration, social integration and the fight against poverty (within Belgium).

In Belgium, regions and communes also carry out M&D programmes, which at times complicates coordination and communication with the federal level. As already mentioned above, the Walloon region has attempted to merge its migrant integration policy with co-development and has made some of its funding available for this. Since 2002, the cooperation agreement initiating the 'Conseil Wallonie-Bruxelles de la coopération internationale' states that two members of the Council should

be particularly concerned with M&D: the NGO associations CNCD-11.11.11 and ACODEV. A budget line for migrant organisations developing projects in their countries of origin was launched in 2011.⁸⁷

PCD is work in progress, and issues such as employment and migration (addressing shortages in the employment market) are politically sensitive. At the time of writing, PCD and migration were not high on the agenda in Belgium partly due to restructuring in the Development Cooperation Department. The 2011 policy note on public enterprises, science policy, development policy and urban policy notes that there is a stronger demand for more coherence between development policy and policies like migration. It also states that on migration, external expertise is required for policy preparation.⁸⁸ The 2011 policy note on migration and asylum (1964/009) does not specifically refer to the development potential of migration.⁸⁹ Like other EU Member States, the government has also made political and legal commitments to promoting Policy Coherence for Development (PCD) in EU Treaties and in EU policy documents respectively – most notably in this context the Global Approach to Migration and Mobility. The Lisbon Treaty, which entered into force in December 2009, states that the Union “[...] shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries”.⁹⁰ More information on these EU policies can be found in chapter 4.12 on the

⁸⁷ CNCD-11.11.11, *Guide pratique du co-développement*, 2012, viewed on 2 July 2012, http://www.cncd.be/IMG/pdf/2012_BrochureOSIM_WEB.pdf.

⁸⁸ Belgian Government, *Note de Politique Generale/Algemene Beleidsnota: Overheidsbedrijven, Wetenschapsbeleid, Ontwikkelingssamenwerking en Grootstedenbeleid, Entreprises publiques, Politique scientifique, Coopération au développement et Politique des grandes villes*, Brussels, 2011a, viewed on 1 July 2012, http://diplomatie.belgium.be/nl/binaries/beleidsnota_magnette_tcm314-158740.pdf

⁸⁹ Belgian Government, *Note de Politique Generale/Algemene Beleidsnota: Hervorming van asiel en migratie*, Brussels, 2011b, viewed on 1 July 2012, <http://www.maggiedeblock.be/wp-content/uploads/2012/01/53K1964009-Asiel-Migratie3.pdf>.

⁹⁰ EU, Treaty on the Functioning of the European Union (Article 208), 2007, viewed on 18 February 2013, <http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-the-functioning-of-the-european-union-and-comments/part-5-external-action-by-the-union/title-3-cooperation-with-third-countries-and-humanitarian-aid/chapter-1-development-cooperation/496-article-208.html>.

European Union. Operationalising the Migration and Development policy

Funds for M&D projects come from the federal government's *ODA budget* under the Ministry of Foreign Affairs, the regions, and the Federal Agency for the Reception of Asylum Seekers under the Ministry Justice. Belgium also spends ODA on the care of asylum-seekers in Belgium, which has raised questions in the Senate before, although as per the OECD members' agreement such support can be reported as ODA.⁹¹ The *Immigration Department* and the *Directorate-General Development Cooperation* jointly manage the financial resources made available for projects contributing to both migration and development policy objectives.⁹²

In 2006, the Ministry of Foreign Affairs sought to learn lessons from the projects under the M&D budget line that had been created in 2002 and jointly decided upon by the Ministry of Justice and Foreign Affairs. These lessons⁹³ were that:

- Common ground could be found although the objectives of the ministries differed;
- Projects were often of a small-scale and ill-adapted to the policy objectives of development aid favouring concentrated and long term actions;
- Target countries were not always a priority for the Ministry of Justice, and;
- Increased understanding on both sides led to the identification of longer term projects.

The Belgian Development Cooperation Department has a specific budget line to co-finance (up to 85%) projects and programmes by diaspora organisations that wish to contribute to the development of their countries of origin. In 2011, an annual tranche of EUR 425 000 was paid to the "Benelux Afro Centre" and to "Cap Santé" respectively from the total amount of EUR 1.25 million granted for the period 2010-2012.⁹⁴ In these programmes, the development of the institutional and management capacities of partner organisations in the South plays a key role.

Since 2004, Belgium has 18 partner countries: Algeria, Benin, Bolivia, Burundi, Democratic Republic of Congo, Ecuador, Mali, Morocco, Mozambique, Niger, the Palestinian Territories, Peru, Rwanda, Senegal, Tanzania, Uganda, Vietnam and South Africa. Its priority region is the African Great Lakes region.

4.1.2.1 Lessons learnt

A list of sample projects in the areas of diaspora engagement, circular migration and voluntary return and reintegration can be found in Annex III.i. Regarding returning experts, Belgium has learnt the following project implementation lessons.⁹⁵

MIDA Great Lakes

In 2005, IOM started implementing the MIDA Great Lakes Programme, to support experts from Burundi, the Democratic Republic of

91 Belgian Senate, Asielzoekers. — Opvang. — *Erkenning van de uitgaven als officiële ontwikkelingshulp.* — *Begroting* 2004, 2005 en 2006, 2006, viewed on 2 July 2012, <http://www.senate.be/www/?Mlval=/consulteren/publicatie2&BLOKNR=122&COLL=B&LEG=3&NR=84&SUF=&VOLGNR=&LANG=nl>.

92 EMN, *Annual Policy Report 2009: Policy report regarding asylum and migration in Belgium*, 2010, viewed on 5 July 2012, http://www.emnbelgium.be/sites/default/files/publications/annual_policy_report_belgium_2009.pdf.

93 UN, *Belgium and policy coherence on migration*, 2006, viewed on 5 July 2012, http://www.un.org/esa/population/migration/turin/Symposium_Turin_files/Policycoherence.pdf.

94 EMN, 2012, op. cit.

95 Parts of this section are adapted from EMN 2012, op.cit., 2011, op. cit. and EMN, *The organization of migration and asylum policies in Belgium*, 2009, viewed on 5 July 2012, www.emn.intrasoft-intl.com/Downloads/download.do;jsessionid=EDB6A6C3E2F09DB144E7F33B3E9B2642?fileID=685.

Congo and Rwanda to play an active role in the development of their country of origin through temporary assignments, including transfers of skills, knowledge and tools. At the time of writing, the programme was in its fourth phase of implementation, with a budget of EUR 3.8 million allocated by the Ministry of Foreign Affairs.

According to an independent evaluation of the third phase, in 2008 more than 100 institutions in Burundi, the Democratic Republic of Congo and Rwanda had been reinforced since 2001 through the organisation of more than 240 missions of Great Lakes professionals residing in Europe. The missions have principally been oriented towards the health and education sectors, 35 % and 54 % respectively. The main beneficiaries were university institutions and other educational or professional institutions. These missions have been fully supported by the local governments in the three countries; 95 % of the beneficiary institutions and 98 % of all direct beneficiaries (students) saw the MIDA-support as useful and vital for certain (university) courses. Representatives of the institutions in the three countries also recognized the value of the missions for their own institutions. For health institutions, non-profit organisations and other public institutions, positive aspects included the updating and contribution of knowledge in new fields, the introduction of new prac-

tices and an upgrading of the institutions' credibility with the arrival of experts, resulting in a large increase of patients. Generally, the relevance and effectiveness of the "physical transfer" component were emphasized, both in terms of activities and results. The effectiveness of the other two components (virtual and financial transfers) was regarded as more limited.⁹⁶

4.1.3. Involvement in international fora on Migration and Development

Belgium organised the first GFMD in 2007 because it was, and still is, convinced that a cooperative and multilateral approach is required to address the global effect of M&D.⁹⁷ On this note, Belgium would like the GFMD process to continue as it allows an informal setting to meet and discuss migration issues in order to reach a common understanding, a key condition for progress in this field. After its chairmanship in 2007, the Belgian government has been actively involved in the GFMD process, as part of the Steering Group, twice as co-chair of round tables and through participation in round table government teams. The government has also provided financial resources for the organisation of the GFMD.

Belgium is particularly active in the Rabat Process and the Budapest Process. It also closely follows all migration dialogues within the EU.

⁹⁶ EMN, 2009, op. cit.

⁹⁷ GFMD, *Non paper: Global Forum on Migration and Development*, 2006, viewed on 10 July 2012, http://www.un.org/esa/population/meetings/fifthcoord2006/GlobalForum_IttMig.pdf

4.1.4. Sources

ACE Europe, Evaluation: *migration et développement - rapport final*, 2005, viewed on 2 July 2012, <http://www.oecd.org/dataoecd/12/44/40804036.pdf>.

Belgian Government, *Law on Belgian International Cooperation*, 1999, viewed on 1 July 2012, http://diplomatie.belgium.be/en/binaries/law_belgian_international_cooperation_tcm312-79173.pdf

Belgian Government, *Note de Politique Generale/Algemene Beleidsnota: Overheidsbedrijven, Wetenschapsbeleid, Ontwikkelingssamenwerking en Grootstedenbeleid, Entreprises publiques, Politique scientifique, Coopération au développement et Politique des grandes villes*, Brussels, 2011a, viewed on 1 July 2012, http://diplomatie.belgium.be/nl/binaries/beleidsnota_magnette_tcm314-158740.pdf.

Belgian Government, *Note de Politique Generale/Algemene Beleidsnota: Hervorming van asiel en migratie*, Brussels, 2011b, viewed on 1 July 2012, <http://www.maggiedeblock.be/wp-content/uploads/2012/01/53K1964009-Asiel-Migratie3.pdf>.

Belgian Senate, *Migranten en ontwikkeling: krachten voor de toekomst*, 2004, viewed on 1 July 2012, <http://www.senaat.be/www/?Mlval=/publications/viewPubDoc&TID=50335878&LANG=nl>.

Belgian Senate, *Asielzoekers. — Opvang. — Erkenning van de uitgaven als officiële ontwikkelingshulp. — Begroting 2004, 2005 en 2006*, 2006, viewed on 2 July 2012, <http://www.senate.be/www/?Mlval=/consulteren/publicatie2&BLOKNR=122&COLL=B&LEG=3&NR=84&SUF=&VOLGNR=&LANG=nl>.

CNCD-11.11.11, *Guide pratique du co-développement*, 2012, viewed on 2 July 2012, http://www.cncd.be/IMG/pdf/2012_BrochureOSIM_WEB.pdf.

De Haas, *Engaging diasporas. How governments and development agencies can support diaspora involvement in the development of origin countries*, 2006, viewed on 2 July 2012, <http://www.imi.ox.ac.uk/pdfs/engaging-diasporas-hein-de-haas.pdf>

EMN, *The organization of migration and asylum policies in Belgium*, 2009, viewed on 5 July 2012, www.emn.intrasoft-intl.com/Downloads/download.do?jsessionid=EDB6A6C3E2F09DB144E7F33B3E9B2642?fileID=685.

EMN, *Annual Policy Report 2009: Policy report regarding asylum and migration in Belgium*, 2010, viewed on 5 July 2012, http://www.emnbelgium.be/sites/default/files/publications/annual_policy_report_belgium_2009.pdf.

EMN, *Temporary and circular migration in Belgium: Empirical evidence, current policy practice and future options*, 2011, viewed on 29 June 2012, www.emn.intrasoft-intl.com/Downloads/download.do?jsessionid=EDB6A6C3E2F09DB144E7F33B3E9B2642?fileID=1399.

EMN, *Annual Policy Report 2011: Policy report regarding asylum and migration in Belgium*, 2012, viewed on 29 June 2012, http://www.emnbelgium.be/sites/default/files/publications/annual_policy_rapport_2011_definitief.pdf.

EU, *Treaty on the Functioning of the European Union*, 2007, viewed on 18 February 2013, <http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-the-functioning-of-the-european-union-and-comments/part-5-external-action-by-the-union/title-3-cooperation-with-third-countries-and-humanitarian-aid/chapter-1-development-cooperation/496-article-208.html>.

GFMD, *Non paper: Global Forum on Migration and Development*, 2006, viewed on 10 July 2012, http://www.un.org/esa/population/meetings/fifthcoord2006/GlobalForum_lttMig.pdf.

IOM, *Laws for legal immigration in the 27 EU Member States*, 2009, viewed on 2 July 2012, http://publications.iom.int/bookstore/free/IML_16.pdf.

Parlement wallon, *Décret modifiant le décret du 4 juillet 1996 relatif à l'intégration des personnes étrangères ou d'origine étrangère*, 2009, viewed on 1 July 2012, <http://wallex.wallonie.be/index.php?doc=14418&rev=14995-8406>.

UN, *Belgium and policy coherence on migration*, 2006, viewed on 5 July 2012, http://www.un.org/esa/population/migration/turin/Symposium_Turin_files/Policycoherence.pdf.