

REFUGEE RIGHTS EUROPE

LEFT IN-BETWEEN

DOCUMENTING THE SITUATION FOR REFUGEES AND
DISPLACED PEOPLE IN BRUSSELS, BELGIUM

ACKNOWLEDGEMENTS

DATES OF RESEARCH

22-25 June 2018

STATISTICAL ANALYST

Mohamad Alhussein Saoud

RESEARCH COORDINATORS

Fee Mira Gerlach

Samer Mustafa

FIELD RESEARCHERS

Smret Gebreslassie

Fee Mira Gerlach

Samer Mustafa

Diala Nammour

Mautasim Takrouni

Marta Welander

REPORT AUTHORS

Elizabeth Hobbs

Marta Welander

REPORT EDITOR

Helena Eynon

GRAPHIC DESIGN

Pippa Stanton

Me And You Create

www.meandyoucreate.com

hello@meandyoucreate.com

PHOTO CREDITS

Samer Mustafa

TRANSLATORS

AMHARIC

Jonas Huruy Kidane

ARABIC

Mohamad Alhussein Saoud

DARI/FARSI

Nahzley Anvarian

FRENCH

Diala Nammour

PASHTO

Usama Khilji

TIGRINYA

Jonas Huruy Kidane

SPECIAL THANKS TO ...

The Belgian Aid Network, Cris at The Humanitarian Hub and Geert at Startpunt for providing valuable insights into the research locations ahead of the study and for making valuable connections on the ground in Brussels.

Alessandro Aversano and the team at Belgium Kitchen for facilitating access to, and providing information regarding, research locations in Brussels.

Miriam for her guidance and unwavering commitment to upholding the human rights of all.

The Lush Foundation for their generous support towards the study, making it all possible.

All individual donors who generously donated via our crowdfunding page.

Refugee Rights Europe's team members, volunteers, advisors and Board for continued support behind the scenes.

And above all, sincere gratitude to the individuals in displacement who took part in the study.



Photo credit: Samer Mustafa

TABLE OF CONTENTS

INTRODUCTION 04

METHODOLOGY AND LIMITATIONS 05

ARTICLE ONE

All human beings are born free and equal
in dignity and rights. 07

ARTICLE THREE

Everyone has the right to life, liberty and
security of person. 11

ARTICLE FIVE

No one shall be subjected to torture or
to cruel, inhuman or degrading treatment
or punishment. 15

ARTICLE TWENTY-FIVE (1)

Everyone has the right to a standard
of living adequate for the health and
well-being of himself and of his family. 19

ARTICLE TWENTY-EIGHT

Everyone is entitled to a social and
international order in which the rights and
freedoms set forth in this Declaration can
be fully realized. 23

CONCLUSION 31

INTRODUCTION

Belgium, like other European Union (EU) member states, has tried to discourage asylum applicants within their territory and has seen an escalation in the level of state hostility against refugees.

Over the last few years, Belgian authorities have increasingly implemented policies centered around raids and arrests. As part of this hard-line stance there has been an increase in restrictive legislation, the introduction of a system of pre-registration and campaigns to dissuade asylum applicants from seeking to remain. This is exemplified in the legislation regarding asylum and reception implemented during March 2018, which has lowered the Belgian asylum-related standards on several counts, reaching the absolute minimum as prescribed by EU Directives. This EU member state has also added new criteria for the rejection of claims for asylum.

DUE TO A GENERAL BELIEF AMONGST DISPLACED PEOPLE THAT THEIR CHANCES OF BEING GRANTED ASYLUM ARE HIGHER IN THE UK, MANY INDIVIDUALS HAVE NOT CLAIMED ASYLUM IN BELGIUM.

The Interior Minister and the Immigration Minister have made clear their view that the state cannot take any responsibility when individuals do not claim asylum on Belgian territory.¹ This is particularly problematic, because for many refugees in Belgium, their desired destination is actually the UK. Due to a

general belief amongst displaced people that their chances of being granted asylum are higher in the UK, many individuals have not claimed asylum in Belgium. This makes them ineligible for shelter and means that many people end up sleeping rough in Maximilian Park, Gare du Nord and the surrounding area. The situation in Brussels appears to have intensified since the destruction of the so-called 'Jungle' camp in Calais, France, which hosted up to 10,000 individuals at its peak

THE SITUATION IN BRUSSELS APPEARS TO HAVE INTENSIFIED SINCE THE DESTRUCTION OF THE SO-CALLED 'JUNGLE' CAMP IN CALAIS, FRANCE, WHICH HOSTED UP TO 10,000 INDIVIDUALS AT ITS PEAK.

The situation in the park and the surrounding streets is extremely bleak, with a lack of adequate sanitation and hygiene facilities. Meanwhile, non-governmental organisations (NGOs) and some individuals are filling the void that is being left by the Government, working relentlessly to support people in displacement in the city. For example, Médecins du Monde and Médecins Sans Frontières (MSF) offer health checks, clothing, counselling and legal advice. A network of local citizens has also been providing shelter to displaced people during the winter. Since August 2017 there has been a huge increase in the number of such homestays, with displaced people now having had a bed in a Belgian home for the impressive equivalent of 50,000 nights. In response to such citizen solidarity, the Belgian Government proposed introducing warrants, which would grant police the right to break into the homes of people suspected of helping migrants who have been ordered to leave the country, which has led to protests.²

A NETWORK OF LOCAL CITIZENS HAS ALSO BEEN PROVIDING SHELTER TO DISPLACED PEOPLE.

A POLICE OFFICER HAD OPENED FIRE ON A VAN CARRYING REFUGEES AND DISPLACED PEOPLE.

The climate of fear amongst refugees and displaced people appears to have heightened since May 2018, when a two-year-old Iraqi Kurdish girl was killed. A police officer had opened fire on a van carrying refugees and displaced people, and this was the sixth death of a refugee trying to cross to the UK from continental Europe since December 2018.³ It also highlighted the unsympathetic stance of the Belgium Government, with the leader of the N-VA – the Flemish Nationalists who comprise part of the ruling coalition – claiming, “*you have to dare to put the responsibility of the parents in the picture here. Just speaking about these people as victims does not seem right to me.*”⁴ This indicates the climate of contempt and hostility that refugees in Belgium are facing on a daily basis.

THE RESEARCH FINDINGS ARE OUTLINED IN THIS REPORT AND PAINT A CLEAR PICTURE OF THE UNSUSTAINABLE SITUATION THAT IS UNFOLDING IN BRUSSELS, JUST A STONE'S THROW FROM THE HEART OF EUROPEAN POWER.

In this context, Refugee Rights Europe (RRE) deployed a field research team to Brussels to conduct new research regarding the situation for refugees and displaced people there. From 22 to 25 June 2018, RRE surveyed a total of 118 individuals, 95.8% of whom were men and boys, 3.4% were women and girls and 0.8% (one respondent) identified as 'other.' 10.4% of the respondents said that they were minors; i.e. under the age of 18. The research findings are outlined in this report and paint a clear picture of the unsustainable situation that is unfolding in Brussels, just a stone's throw from the heart of European power.

¹ <https://www.ft.com/content/4848628a-0831-11e8-9650-9c0ad2d7c5b5>

² <https://euobserver.com/migration/140768>

³ <https://www.theguardian.com/global-development/2018/may/18/belgian-authorities-admit-two-year-old-girl-was-shot-after-police-chase>;

⁴ <https://www.theguardian.com/global-development/2018/may/25/belgian-authorities-accused-of-botching-inquiry-into-death-of-mawda-shawri-two-year-old-shot-by-police>

METHODOLOGY AND LIMITATIONS

The purpose of RRE's first-hand research is to provide policymakers, advocacy groups and the general public with a clear insight into the human rights infringements and unsustainable conditions faced by refugees and displaced people within European borders.

In contrast to the United Nations Refugee Agency (UNHCR) and the International Organization for Migration (IOM) who are responsible for demographic data collection in many of the state-run camps across Europe, our data and research are independently collected, with the aim of prompting policy development rooted in the Universal Declaration of Human Rights.

REFUGEE RIGHTS EUROPE'S RESEARCHERS CONDUCTED 118 SURVEYS IN AMHARIC, ARABIC, ENGLISH, FARSI/DARI, FRENCH, PASHTO AND TIGRINYA.

The research presented in this report was collected in Brussels from 22 to 25 June 2018. Over this period, Refugee Rights Europe's researchers conducted 118 surveys in Amharic, Arabic, English, Farsi/Dari, French, Pashto and Tigrinya. The format was semi-structured and captured the lived experiences of individuals ranging from 15 to 68 years of age. The large majority of respondents were men and boys, with only four women taking part. Men and boys constituted the largest demographic groups visible and accessible in Brussels at the time of the study, with women and girls being fewer in numbers overall, and in some cases thought to be hidden away from public view.

Each member of the Refugee Rights Europe research team had field experience of working with refugees

and displaced people or similar groups. The team were recruited from RRE's pool of researchers and included native speakers of the respondents' key languages. The study was guided by ethical checklists that were underpinned by data protection policies, child safeguarding policies and a robust risk register to ensure the security and dignity of all participants. Researchers were expected to observe strict adherence to all Refugee Rights Europe's data protection policies, referral policies, child safeguarding and principles of full and informed consent.

THE FORMAT WAS SEMI-STRUCTURED AND CAPTURED THE LIVED EXPERIENCES OF INDIVIDUALS RANGING FROM 15 TO 68 YEARS OF AGE.

Given the volatility of the situation in Brussels, and the absence of any form of camp or stable living area, it was necessary

for us to be flexible in our surveying approach. Rather than applying a method of random selection and stratification, we surveyed as many individuals as possible through so-called snowball sampling. This took place in and around Maximilian Park in Brussels. As a result, selection bias could not always be avoided, and we were at times unable to steer the sample and stratification as much as we would ideally have liked.

WE ESTIMATE HAVING SURVEYED APPROXIMATELY 20% OF THE PEOPLE WHO WERE SLEEPING ROUGH IN AND AROUND THE MAXIMILIAN PARK AREA OF BRUSSELS.

There is a level of uncertainty about the exact population of displaced people in Brussels, since this is in constant flux. This means that it is not possible to determine exactly how large a sample we obtained, and how representative it is of the demographic groups in the area. However, based on a rough estimation that there were 500-600 displaced individuals in the area at the time of the study, we estimate having surveyed approximately 20% of the people who were sleeping rough in and around the Maximilian Park area of Brussels at the relevant time. This allows us to present a number of useful insights into the current situation on the ground in Brussels, during the summer of 2018.



Photo credit: Samer Mustafa

*Refugee Rights Europe relays the voices of displaced people in Europe, reporting what respondents tell us. Meanwhile, we have not been able to verify claims through official sources. Throughout the report, wording such as "30% had experienced police violence" means that 30% of respondents said they had experienced police violence, but such claims have not been possible to verify.



“WHEREAS RECOGNITION OF THE INHERENT DIGNITY AND OF THE EQUAL AND INALIENABLE RIGHTS OF ALL MEMBERS OF THE HUMAN FAMILY IS THE FOUNDATION OF FREEDOM, JUSTICE AND PEACE IN THE WORLD [...] NOW, THEREFORE THE GENERAL ASSEMBLY PROCLAIMS THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS AS A COMMON STANDARD OF ACHIEVEMENT.”

Universal Declaration Of Human Rights, Preamble

ARTICLE ONE

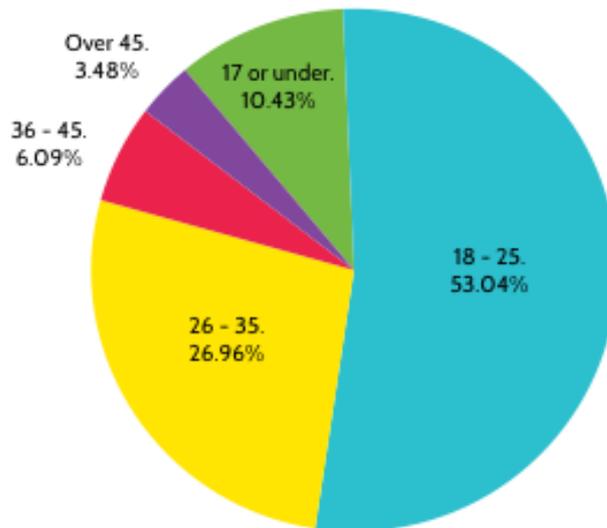
All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

ABOUT THE RESPONDENTS

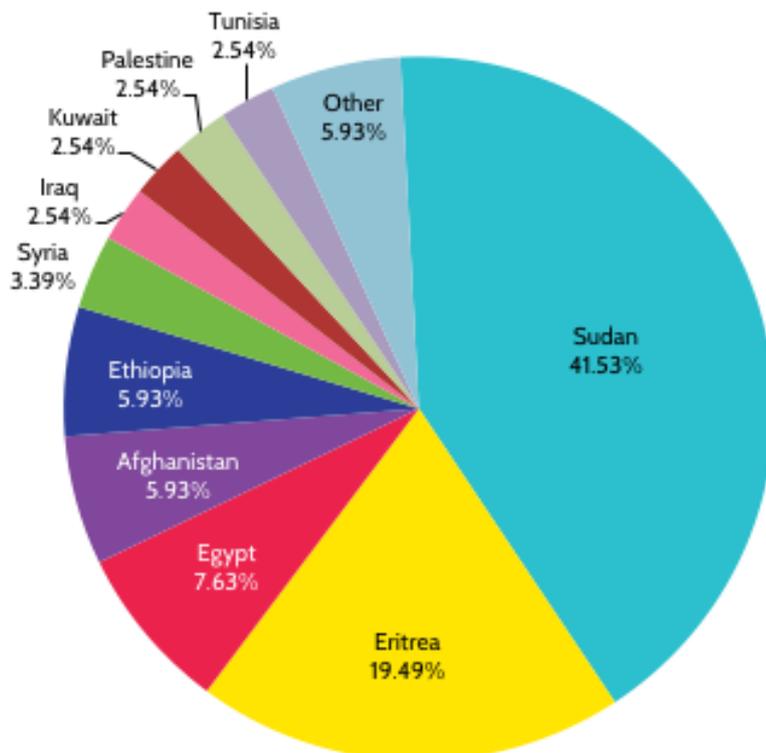
A total of 118 respondents took part in the study. 95.8% of these were men and boys, 3.4% were women and 0.8% (one respondent) identified as 'other'.

The largest age group was made up of those aged 18-25 (53%), whilst 10.4% of the respondents said that they were minors (aged 17 and under), with the youngest participant being just 15 years of age.

HOW OLD ARE YOU?



WHERE ARE YOU FROM?



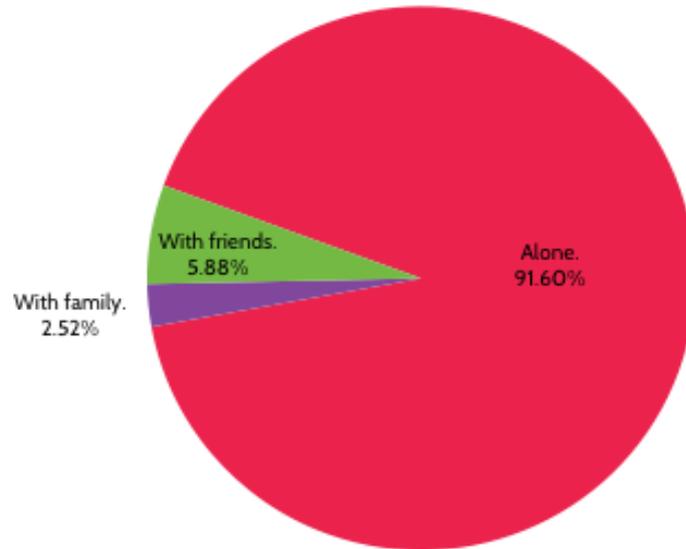
41.5% of the respondents taking part in this study were from Sudan, followed by 19.5% from Eritrea and 7.6% from Egypt; with 5.9% from Afghanistan and a further 5.9% from Ethiopia. The sample also included 3.4% of respondents from Syria, whilst participants from Iraq, Mali, Palestine and Tunisia each represented 2.5% of the sample. Other nationalities (5.9%), included a small number of respondents from Algeria, Burkina Faso, Cameroon, The Gambia, Morocco and Niger.

Although any official figures relating to the demographic breakdown of the displaced people in Brussels at the time of the study were inaccessible, we believe that our sample is nonetheless relatively representative of the demographic composition, albeit with a potential over-representation of Sudanese respondents and an under-representation of individuals from Eritrea and Ethiopia. This was due to a limited willingness to take part in the study within these two country groups.

ACCOMPANIED STATUS

A striking 91.6% of those surveyed said that they were in Brussels alone, with 5.9% responding that they were with friends. However, only 2.5% reported being with family.

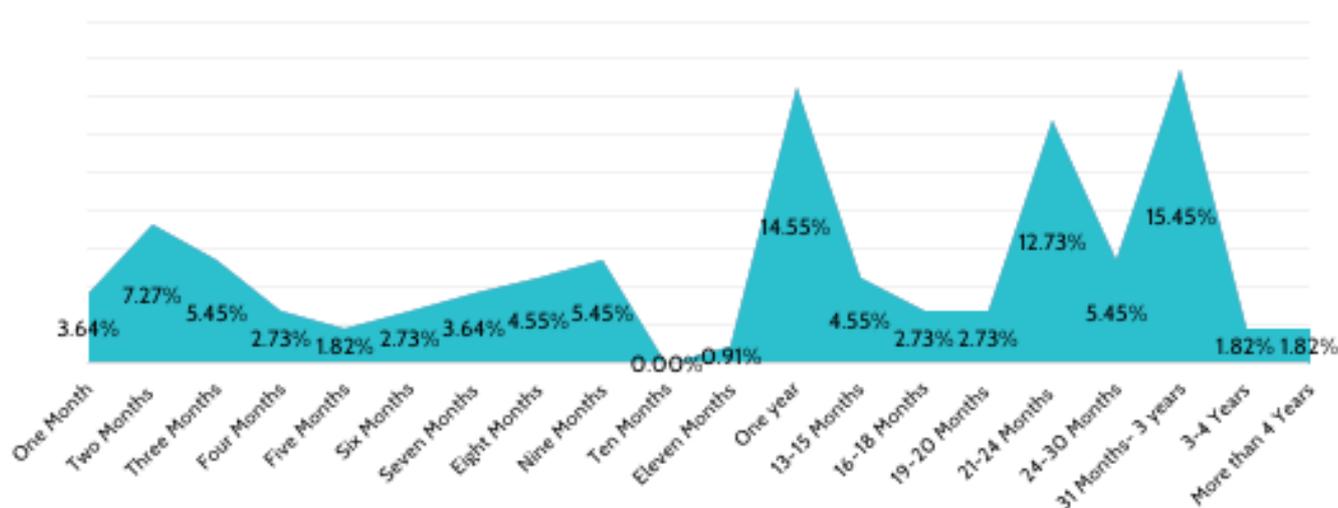
WITH WHOM ARE YOU IN BRUSSELS?



LENGTH OF TIME SPENT IN DISPLACEMENT

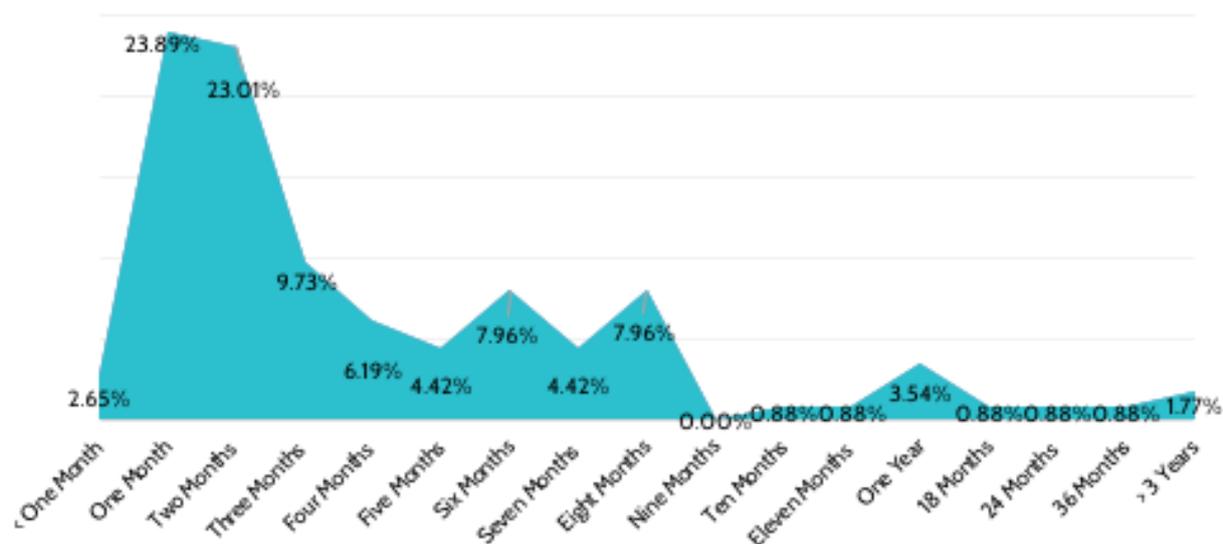
Many respondents had spent extended periods of time in displacement, with 79.1% having been in Europe for six months or longer. 61.8% had been in Europe for one year or longer and alarmingly, almost one-quarter (24.6%) had already spent more than two years in Europe.

HOW LONG HAVE YOU BEEN IN EUROPE?



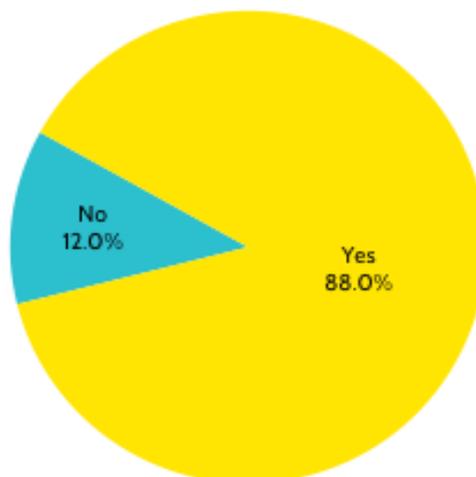
The average length of time spent in Belgium was 5.4 months. Nearly one-third of respondents (30.1%) had been in Belgium for six months or longer.

HOW LONG HAVE YOU BEEN IN BELGIUM?



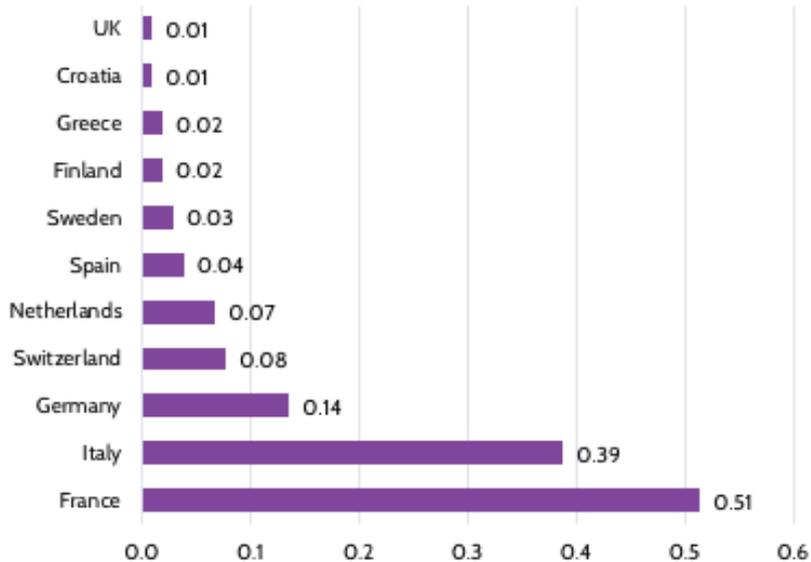
88% of respondents had spent some time in another European country before arriving in Belgium. 51.5% had previously spent time in France before coming to Belgium, with 38.8% having been in Italy, 13.6% in Germany, 7.8% in Switzerland and 6.8% in the Netherlands.

WERE YOU IN ANOTHER EUROPEAN COUNTRY BEFORE?



Generally, respondents explained that they had left other European countries due to either a fear of rejection or upon actual asylum rejection; or otherwise due to the difficult circumstances in which they found themselves on arrival or during the waiting period for asylum. One 16-year-old Eritrean boy explained: *"In Italy, they had no services for us minors. I didn't feel safe there and had very bad experiences."*

WHAT EUROPEAN COUNTRY WERE YOU IN BEFORE YOU CAME TO BELGIUM?



ARTICLE THREE

Everyone has the right to life, liberty and security of person.

SAFETY AND SECURITY

An alarming 82.5% of respondents told researchers that they 'don't feel safe' or 'don't feel safe at all' in Belgium. Only four individuals stated that they felt 'safe' or 'perfectly safe', whilst 14% felt 'so-so'. This lack of a sense of security was brought on by the insecure and unhealthy living environment in Maximilian Park and the surrounding streets, and the desperation that was felt by many.

DO YOU FEEL SAFE IN BELGIUM?

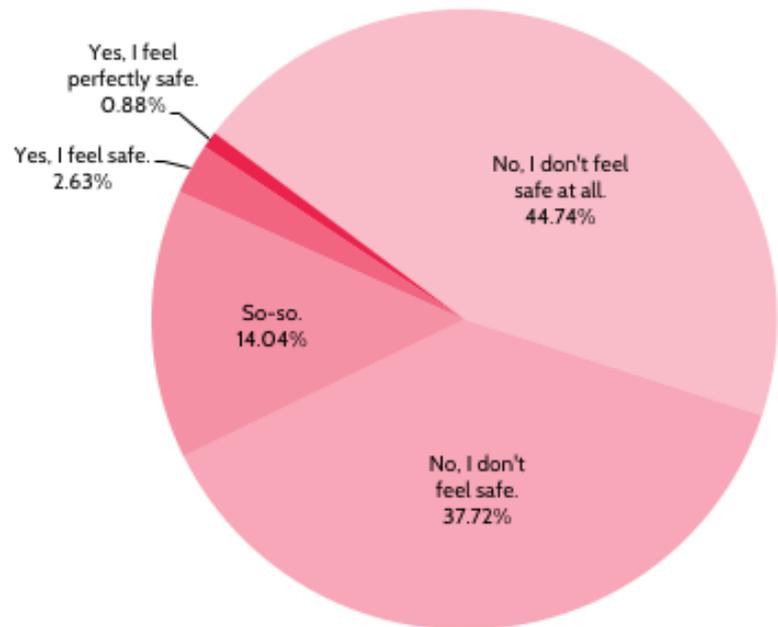
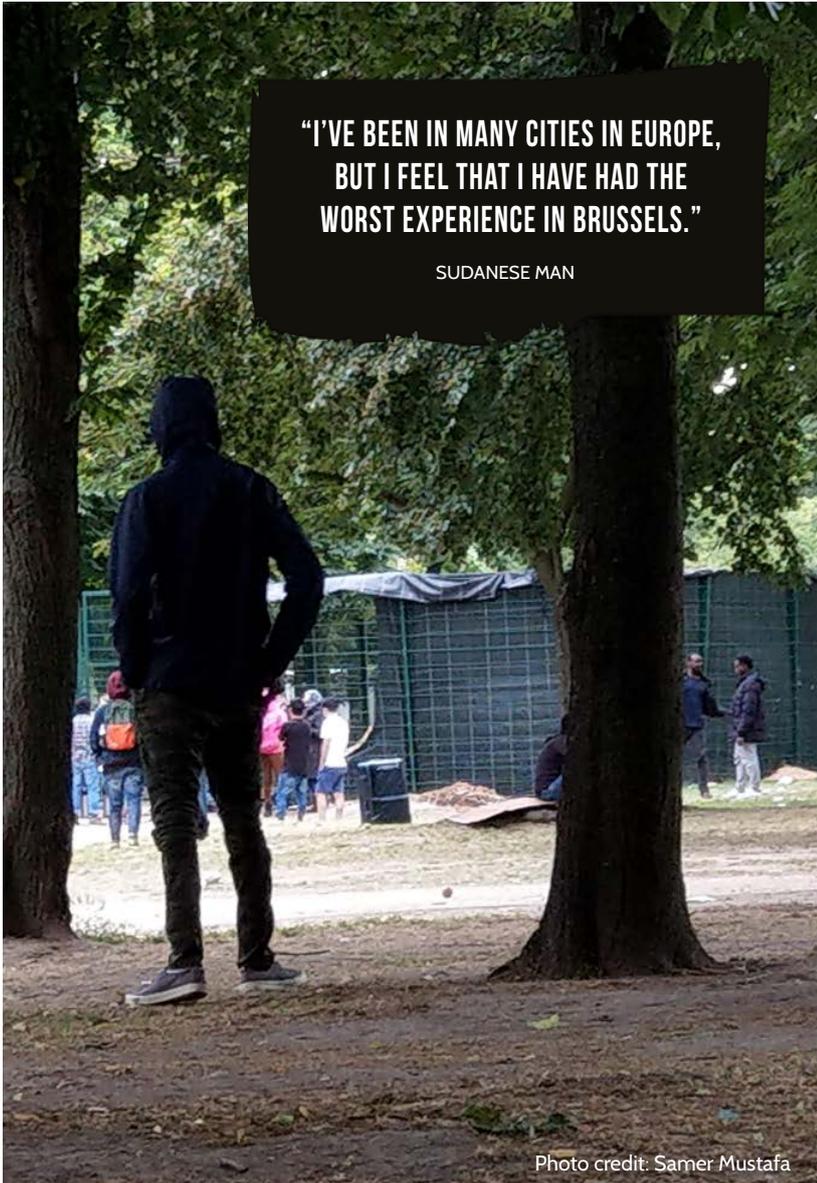


Photo credit: Samer Mustafa

There appeared to be a widespread sense of insecurity amongst the respondents that was rooted in a lack of trust in the different stakeholders present in and around Maximilian Park. Many Eritrean and Sudanese respondents spoke separately about fears that there would be GPS chips placed inside the clothing that was handed to them, to enable the authorities to track their movements. They appeared to have a deep distrust of anyone claiming to be there to support them.

ANOTHER MAJOR SOURCE OF INSECURITY WAS THE WIDESPREAD FEAR OF DEPORTATION.

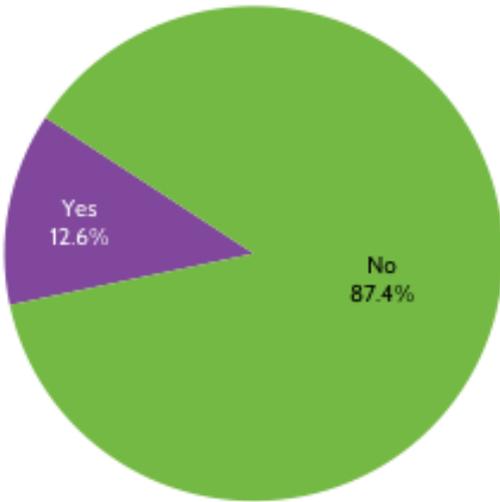
Another major source of insecurity was the widespread fear of deportation. Many Sudanese respondents were concerned that the Belgian authorities might be unaware of the dangers that they face in Sudan, therefore making asylum claims unlikely to be accepted. This fear of deportation, along with the alleged dangers that the individuals would face upon return to their country of origin, were indeed cited as the main reasons that people did not want to stay in Belgium.



**"I'VE BEEN IN MANY CITIES IN EUROPE,
BUT I FEEL THAT I HAVE HAD THE
WORST EXPERIENCE IN BRUSSELS."
SUDANESE MAN**

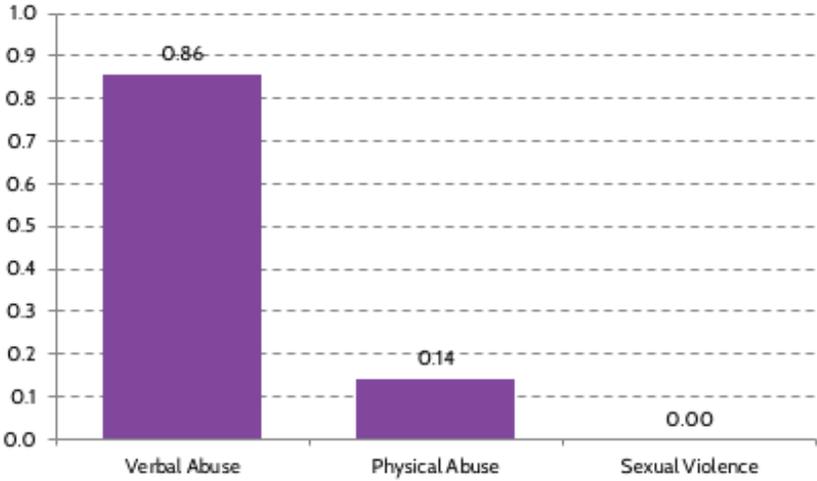
Photo credit: Samer Mustafa

**HAVE YOU EXPERIENCED VIOLENCE
BY CITIZENS IN BRUSSELS?**



Whilst the levels of citizen violence were reportedly very low in Brussels - at a mere 12.6% - compared to other research locations across Europe, some of the respondents cited physical and verbal attacks as reasons for not feeling safe in Brussels. Amongst the 12.6% who had experienced citizen violence, 85.7% of cases involved verbal abuse, often in the form of racial slurs. One 55-year-old man from Kuwait told researchers: "When I was in a train, a passenger said, 'what are you doing here in my country? Get out of here!'" Several refugees reported similar experiences. A Sudanese man noted, "I've been in many cities in Europe, but I feel that I have had the worst experience in Brussels. Where I sleep, people throw garbage at me from the building and say racist things." Meanwhile, a 22-year-old Eritrean man recounted, "I experienced racism in the bus station and when I was in a residential area unknowingly." A 23-year-old from Sudan said that he had been woken up in the park and insulted, and several men reported that they had been verbally abused by young people in the street.

**WHAT TYPE OF CITIZEN VIOLENCE HAVE YOU EXPERIENCED
IN BRUSSELS?**



**SEVERAL MEN REPORTED THAT THEY
HAD BEEN VERBALLY ABUSED BY
YOUNG PEOPLE IN THE STREET.**

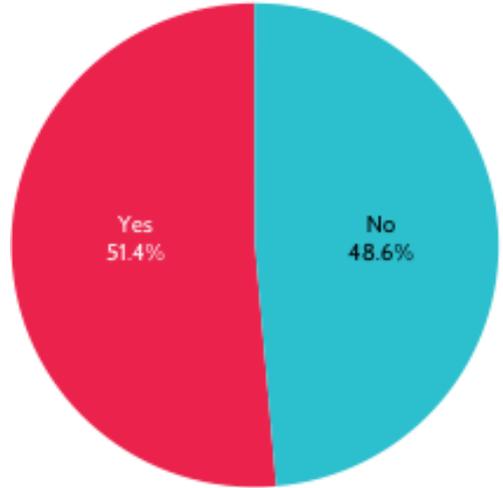
Only 14.3% of those who had experienced citizen violence classified it as physical violence (meaning that only 1.8% amongst all respondents had experienced physical citizen violence in Brussels).

**"WHERE I SLEEP, PEOPLE
THROW GARBAGE AT ME."
SUDANESE MAN**



Photo credit: Samer Mustafa

HAVE YOU HAD ANY OF YOUR BELONGINGS TAKEN WHILE YOU HAVE BEEN IN BRUSSELS?

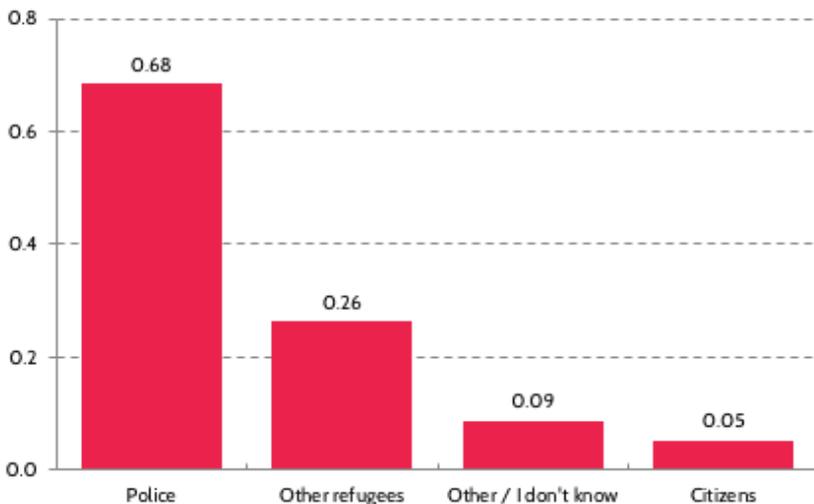


THE CONFISCATION OF MOBILE PHONES IS OF PARTICULAR CONCERN, BECAUSE THE DEVICE – AND THE ADDRESS BOOK WITHIN IT – WILL OFTEN BE THE ONLY WAY FOR PEOPLE IN DISPLACEMENT TO CONTACT THE FAMILY THEY HAVE LEFT BEHIND.

Another factor which appeared to contribute towards a sense of insecurity in Brussels was the reoccurring loss of vital personal belongings. 51.4% of respondents reported that their possessions had been taken since arriving in Brussels. 68.4% of these said that the items were removed by the police, with 26.3% stating that they were taken by other refugees. 5.3% of respondents reported that non-police citizens had taken their personal property.

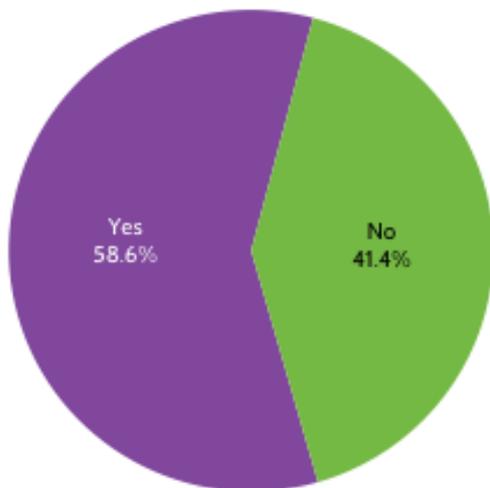
The belongings that were removed were often items of clothing, with a number of respondents reporting that the police had taken their shoes. An Algerian man also alleged that the police had taken money from him and several other people reported having had their phones seized. Another respondent recounted that the police had questioned how he had obtained the money that was in his pocket and suggested that he must have stolen it from someone else, and therefore confiscated it. The confiscation of mobile phones is of particular concern, because the device – and the address book within it – will often be the only way for people in displacement to contact the family they have left behind.

WHO TOOK YOUR BELONGINGS?



A worrying 58.6% of respondents had witnessed another refugee die whilst in Brussels; a traumatic experience for many. Some of the deaths reported had resulted from road accidents, and a number of individuals had tragically lost their lives when holding on to the bottom of an international coach with the hope of reaching the UK.

HAVE YOU WITNESSED A REFUGEE DIE WHILE IN BRUSSELS?



SOME OF THE DEATHS REPORTED HAD RESULTED FROM ROAD ACCIDENTS.



“SINCE I AM IN EUROPE I AM TRULY SHOCKED. I DID NOT IMAGINE IT SO BAD.”

25-YEAR-OLD, ERITREAN MAN

Photo credit: Samer Mustafa

ARTICLE FIVE

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

POLICE TREATMENT

44.7% of respondents said that they had experienced violence from the police in Belgium. 66.7% of them described the violence as physical, while 52.9% had experienced verbal abuse. 19.6% had experienced tear gas in Belgium, which is a lower prevalence rate than in many other parts of Europe. Indeed, when asked about their experiences prior to their arrival in Belgium, 66.4% said they had experienced tear gas or other forms of police violence elsewhere in Europe.

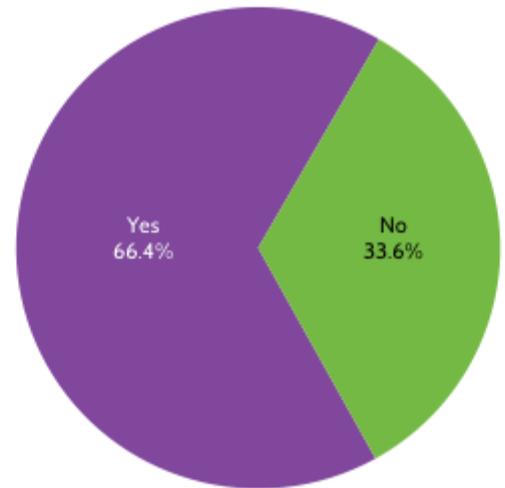
Numerous respondents provided examples of their experiences of police violence in Belgium. Some

reported that the police had used their boots to kick individuals who were sleeping in the park. A 26-year-old man from Sudan recounted: "I got beaten by police when I was in the station and in the park. And in Calais they beat me and took my fingerprints by force."

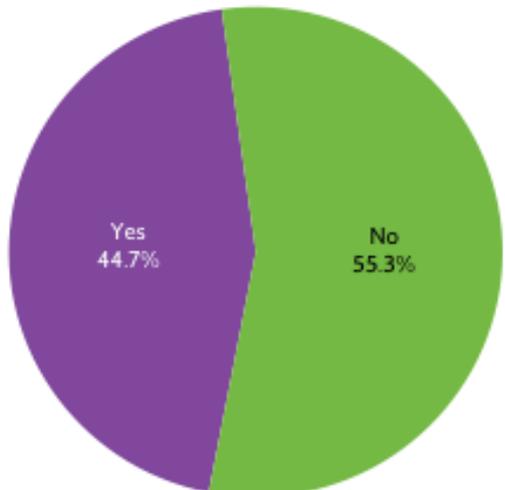
THEY FELT AS THOUGH THEY WERE PERCEIVED AS CRIMINALS AND THREATS, RATHER THAN AS HUMANS SEEKING SAFETY.

One 25-year-old Eritrean said: "I had heard about the cruelties and hardships in Libya so they did not surprise me but since I am in Europe I am truly shocked. I did not imagine it so bad." Several other Eritreans interviewed mentioned that they felt as though they were perceived as criminals and threats, rather than as humans seeking safety. They appeared to be surprised and shocked at this realisation.

HAVE YOU EXPERIENCED ANY FORM OF POLICE VIOLENCE IN OTHER EUROPEAN COUNTRIES?



HAVE YOU EXPERIENCED ANY FORM OF POLICE VIOLENCE IN BELGIUM?

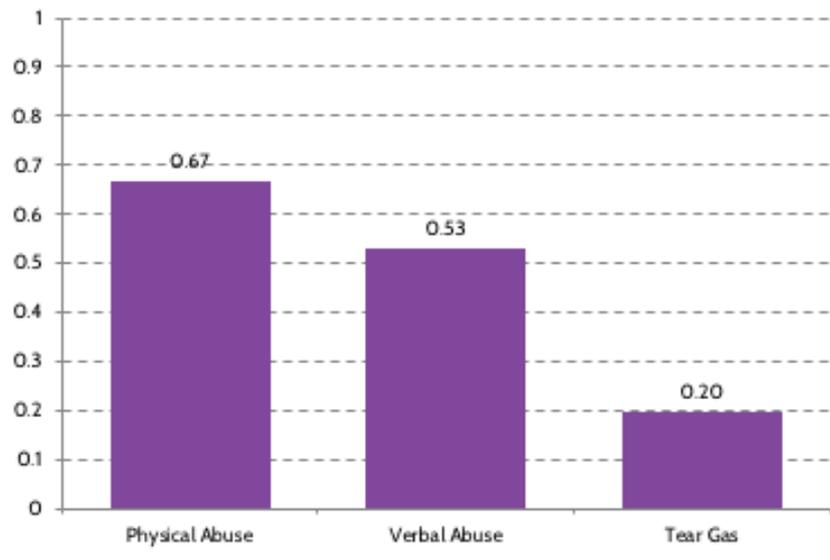


There were certain disconcerting reports of seemingly unconventional forms of abuse. For instance, respondents claimed that police would sometimes inject refugees at the police station with a sedative; some reported having felt side-effects in the aftermath, such as mental health issues and prolonged drowsiness. There appeared to be no medical records of what substances had been injected, and those administering these doses did not appear to check whether the people might be allergic or intolerant to the injected substance, which raises serious concerns.

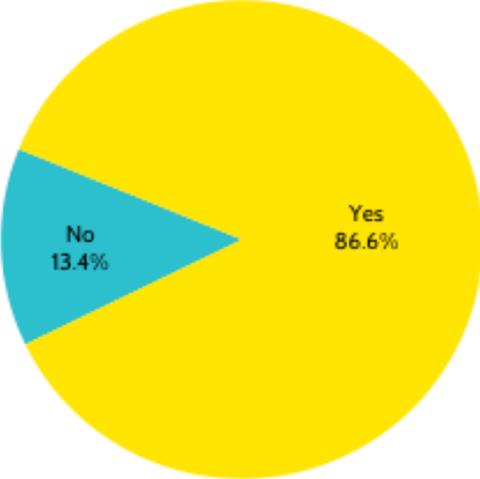
OTHER RESPONDENTS REPORTED THAT THE POLICE HAD TAKEN THEM 'UNDERGROUND' AND MADE THEM TAKE OFF THEIR CLOTHES.

Other respondents reported that the police had taken them 'underground' and made them take off their clothes; and these included female interviewees. For example, one 17-year-old Eritrean girl had allegedly been arrested, placed in handcuffs and made to go underground where she found that the temperature was very cold.

WHAT KIND OF POLICE VIOLENCE HAVE YOU EXPERIENCED IN BELGIUM?

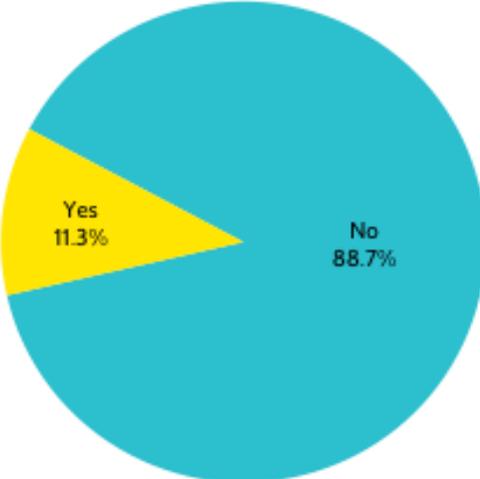


HAVE YOU EVER BEEN TOLD BY POLICE TO MOVE FROM WHERE YOU WERE SLEEPING?

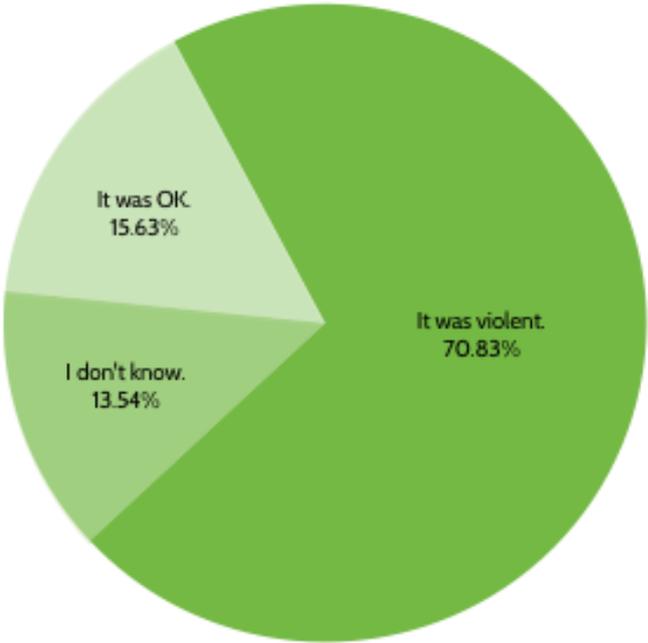


86.6% of those interviewed had been driven away by police from their sleeping spot, 70.8% of whom described the incident as 'violent,' whilst 15.6% said that it was 'peaceful.' Only 11.3% of these individuals had been told where they could sleep instead. In this context, a 27-year-old man from Afghanistan, who had claimed asylum in Belgium but was left to sleep rough whilst waiting for the outcome of his claim, explained that the police had woken him up, refused to look at his asylum papers and instead accused him of being in Belgium illegally. He explained to researchers: *"The police asked me why I came here illegally. I showed them my asylum claim papers but they didn't want to look and didn't believe me. I'm not doing anything wrong."* Meanwhile, a 21-year-old man from Sudan explained: *"They kicked me when I was sleeping and said 'go away.'"*

DID THE POLICE TELL YOU WHERE YOU COULD GO INSTEAD?



HOW WOULD YOU DESCRIBE THIS INCIDENT?



POLICE FROM ONE BOROUGH WOULD DRIVE THE DISPLACED PEOPLE AWAY FROM THE PARK.

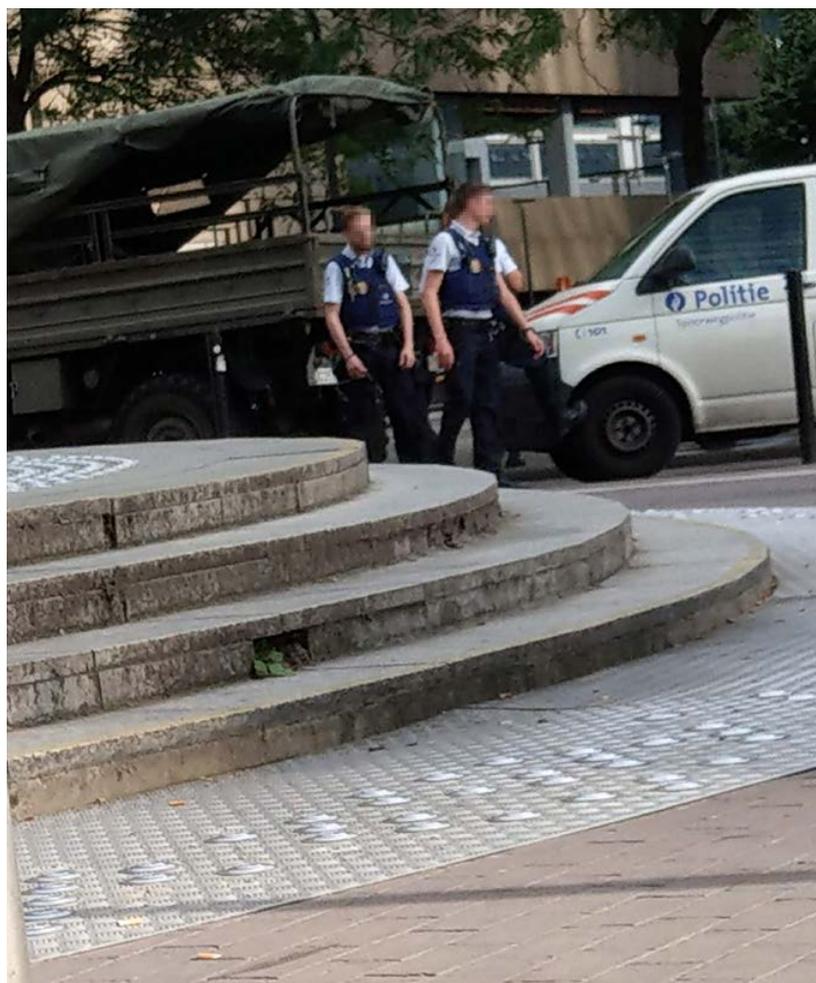
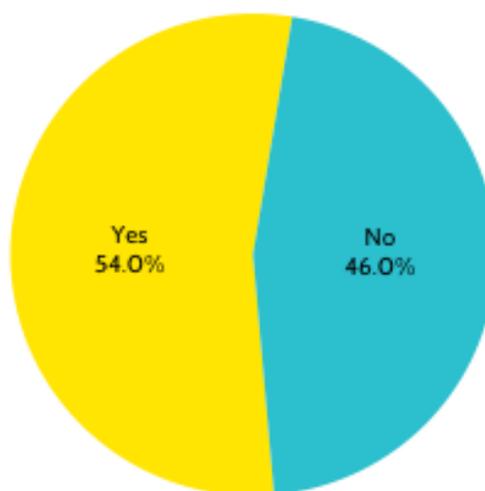
A representative from one of the local grassroots groups explained to the research team that Maximilian Park borders two boroughs of Brussels, and that the police from one borough would drive the displaced people away from the park and tell them to sleep in the train station. This would be followed by raids in the train station by the police from the other borough, typically telling people to go back to the park. This would seem to provide a probable explanation for why respondents said that they kept being sent back and forth, and why they were confused about where they could sleep.

ARRESTS AND DETENTIONS

54% of respondents had been arrested or detained during their stay in Belgium. Some respondents were under the impression that the police can arrest and detain “without reason”. When detained, some respondents said that people tend to give a false name because they are scared, which then leads to further complications because the local charities, as well as their friends, are unable to help because they cannot trace their whereabouts.

WHEN DETAINED, SOME RESPONDENTS SAID THAT PEOPLE TEND TO GIVE A FALSE NAME BECAUSE THEY ARE SCARED.

HAVE YOU BEEN ARRESTED OR DETAINED IN BELGIUM?



One Sudanese minor told researchers that his brother had been detained for approximately four months. He did not know where his brother was being held, or how he could contact him.⁵ A 16-year-old from Eritrea also emphasised that he had witnessed the police in Belgium detaining people, and he did not know where they were taken; people could go missing for several weeks and sometimes months. Several Sudanese respondents said the same. Others added that when the police release individuals from detention, they sometimes do this at night, after dark and in locations that are far away from the centre of Brussels.

ONE OF RRE'S RESEARCHERS OBSERVED THREE POLICE OFFICERS IN THE TRAIN STATION, AS THEY WERE TAKING THREE YOUNG MINORS IN HANDCUFFS TO A POLICE VAN.

During the study, one of RRE's researchers observed three police officers in the train station, as they were taking three young minors in handcuffs to a police van. When the researcher enquired where the minors would be taken, the police replied: “Go away! This is none of your business!” and started coming after the researcher.

⁵ RRE connected the minor with relevant charities in Brussels for support and guidance.

ARTICLE TWENTY-FIVE (1)

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

LIVING CONDITIONS AND SHELTER

WHERE DO YOU USUALLY SLEEP?



Living conditions for displaced people in Brussels remain wholly inadequate, with the large majority of respondents living in and around Maximilian Park. The conditions in which people are forced to live are characterised by little access to appropriate sanitation facilities and reliance on the limited food distribution points arranged by local organisations and civil society.

LIVING CONDITIONS FOR DISPLACED PEOPLE IN BRUSSELS REMAIN WHOLLY INADEQUATE, WITH THE LARGE MAJORITY OF RESPONDENTS LIVING IN AND AROUND MAXIMILLIAN PARK.



An alarming 94% of respondents reported that they were currently living in the street, the park or in the surrounding area. 7.7% reported that they were staying in accommodation centres at the time of the study.

Meanwhile, some of the respondents were able to get a few nights' rest in the homes of Belgian host families, who opened their doors to destitute individuals in the park. This would allow them to sleep in safety for a few nights. However, despite the overwhelming generosity of large numbers of citizens in Brussels, the number of displaced people greatly exceeded the number of available home-stays, which meant that the majority still had to endure the realities of the park instead.

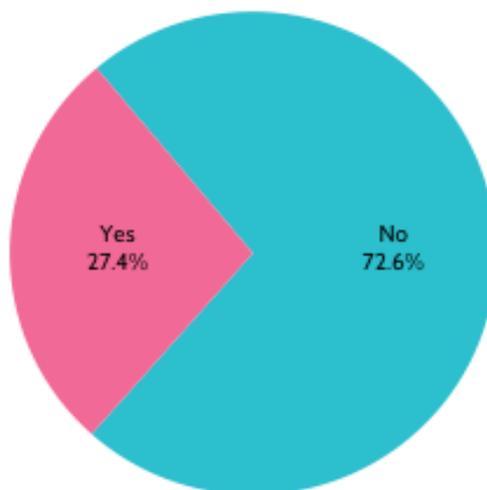
FOOD

In addition to the poor living conditions and lack of shelter, 72.6% of respondents told RRE that they did not have access to sufficient food every day. The majority of displaced people in the area relied on food handouts from local volunteer groups, who are distributing food in the park.

THE MAJORITY OF DISPLACED PEOPLE IN THE AREA RELIED ON FOOD HANDOUTS FROM LOCAL VOLUNTEER GROUPS.

Whilst food distributions appeared to take place on a daily basis, many respondents explained that they would sometimes miss the distribution time, which meant that they would then not eat all day. The regularity of food intake was therefore disrupted for many people.

DO YOU HAVE ENOUGH FOOD TO EAT EVERY DAY?



PHYSICAL HEALTH

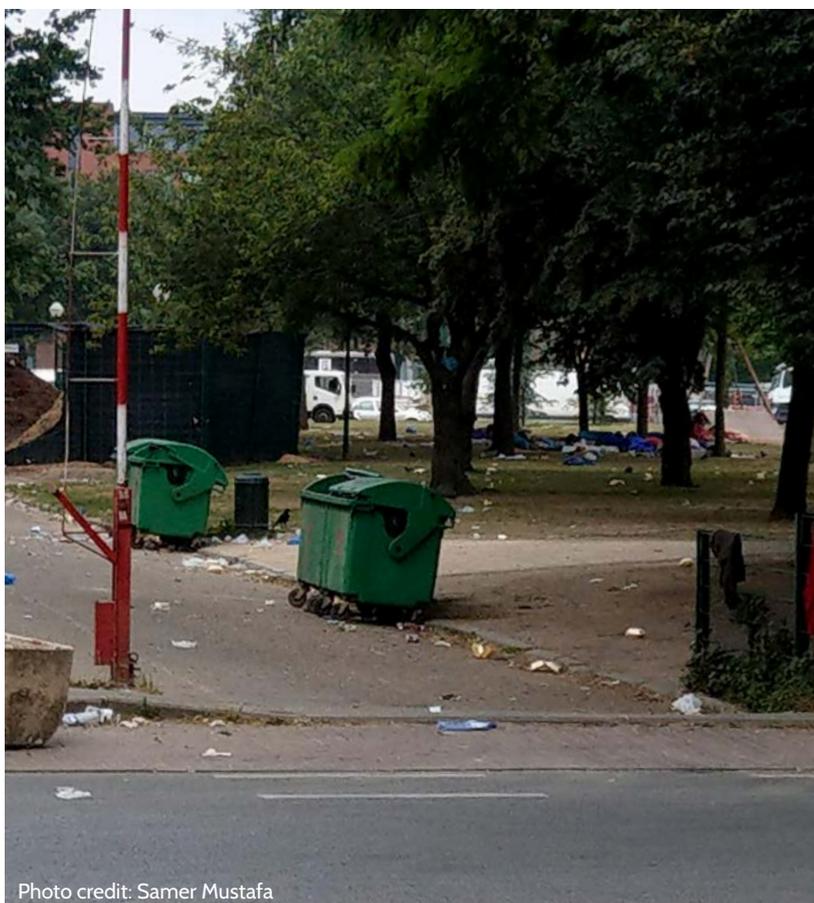


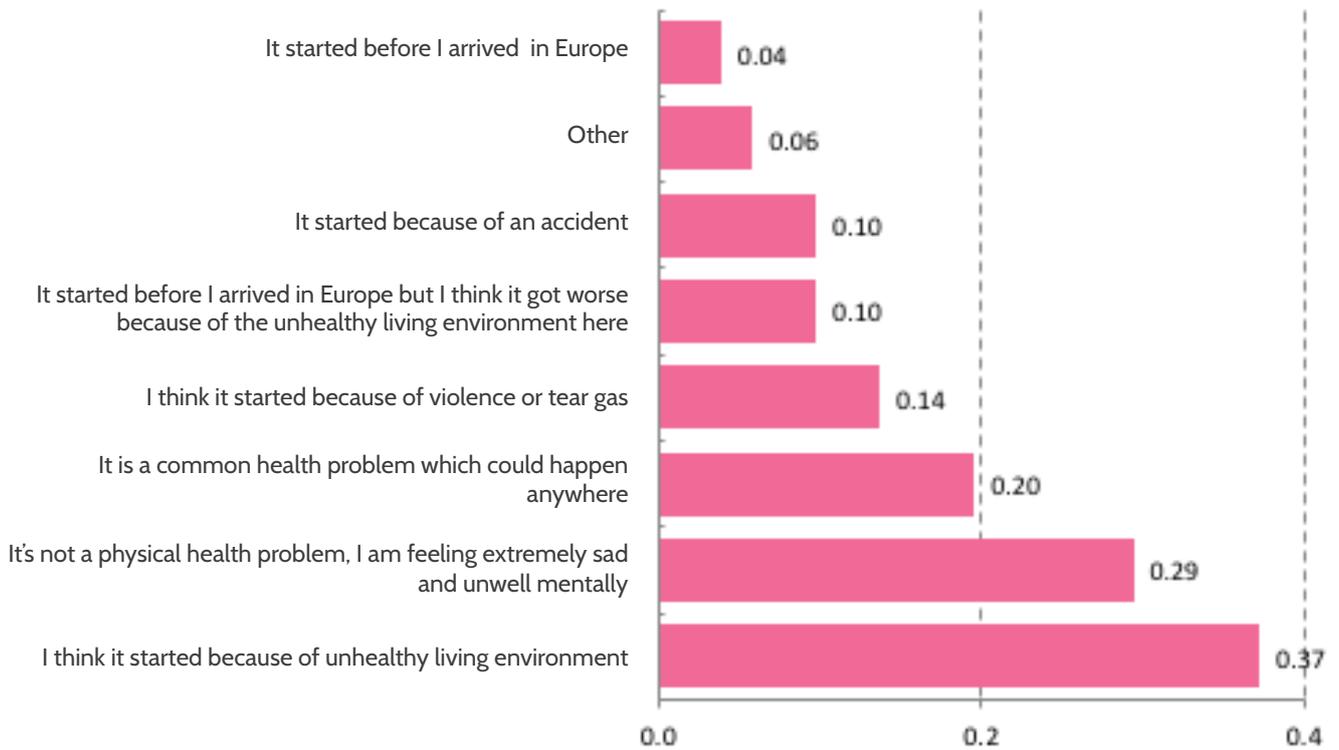
Photo credit: Samer Mustafa

The poor living conditions experienced are likely to have a detrimental impact on the health of the refugees and displaced people in Brussels, with 45.1% of respondents reporting that they had experienced a health problem since arriving in Belgium.

HAVE YOU EXPERIENCED ANY HEALTH PROBLEMS IN BELGIUM?



HOW WOULD YOU DESCRIBE THE HEALTH PROBLEM?



37.3% of these respondents believed that these problems were caused by the unhealthy living environment on the streets of Brussels, while 29.4% described their health issue as a mental health concern.

58% of those who had experienced a health problem told researchers that they had been unable to access medical care in Belgium.

HAVE YOU RECEIVED MEDICAL CARE IN BELGIUM?

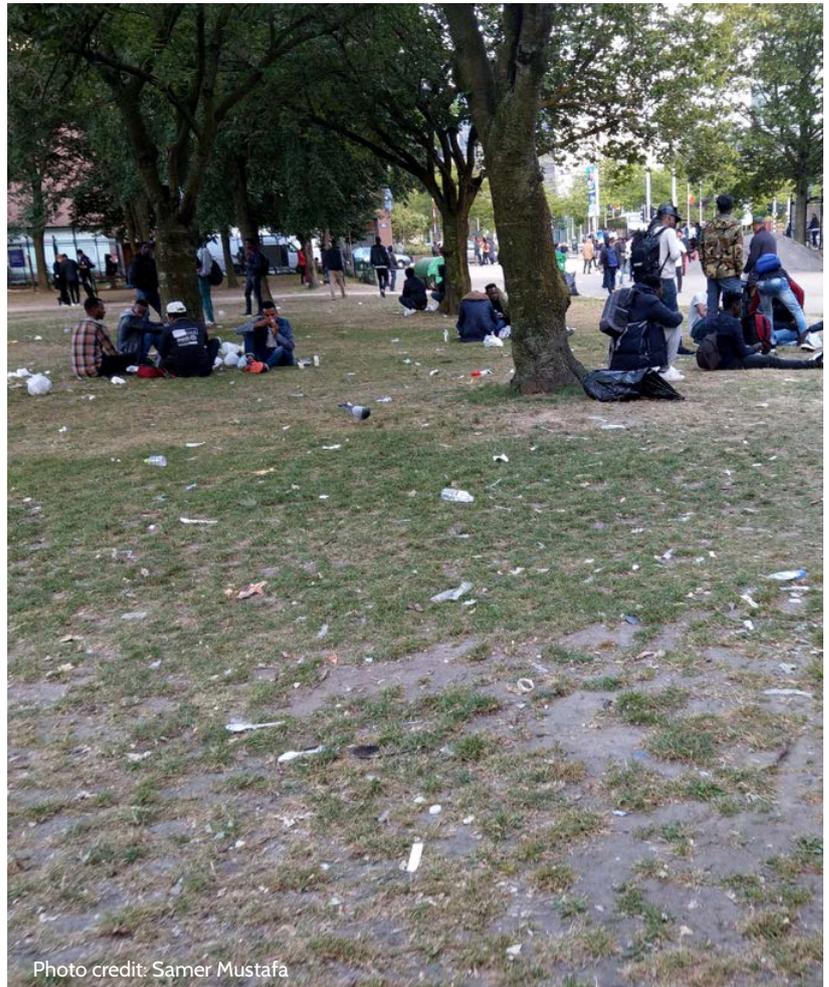
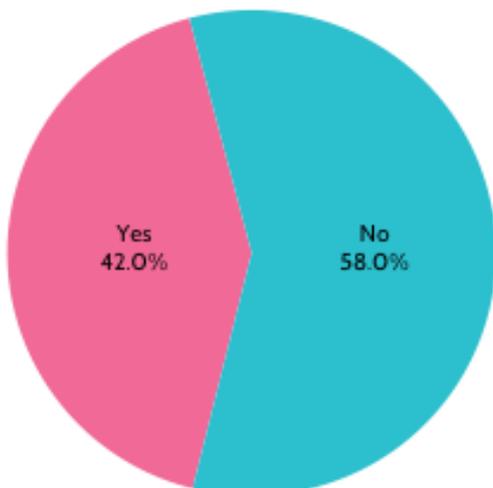


Photo credit: Samer Mustafa

Worryingly, 29.4% of respondents referred to their health concern as a mental health problem, rather than a physical ailment. The length of time that respondents had spent in displacement, coupled with their precarious living situation, appears to be having a detrimental impact on their mental health.

INDEED, A NUMBER OF THE DISPLACED PEOPLE INTERVIEWED DEMONSTRATED SIGNS OF POTENTIAL PSYCHOLOGICAL ILLNESS.

Indeed, a number of the displaced people interviewed demonstrated signs of potential psychological illness. For instance, a 27-year-old Afghan man, who was awaiting the outcome of his asylum claim in Belgium whilst living on the streets, said: *“I am going completely crazy. I am afraid I will kill myself”*.⁶ Others were concerned that the sedative injections that were allegedly given at the police station may have contributed to feelings of anxiety and sadness.



“I AM GOING COMPLETELY CRAZY. I AM AFRAID I WILL KILL MYSELF”

27-YEAR-OLD, AFGHAN MAN

Photo credit: Samer Mustafa

⁶ RRE connected the individual with local groups for support and guidance.

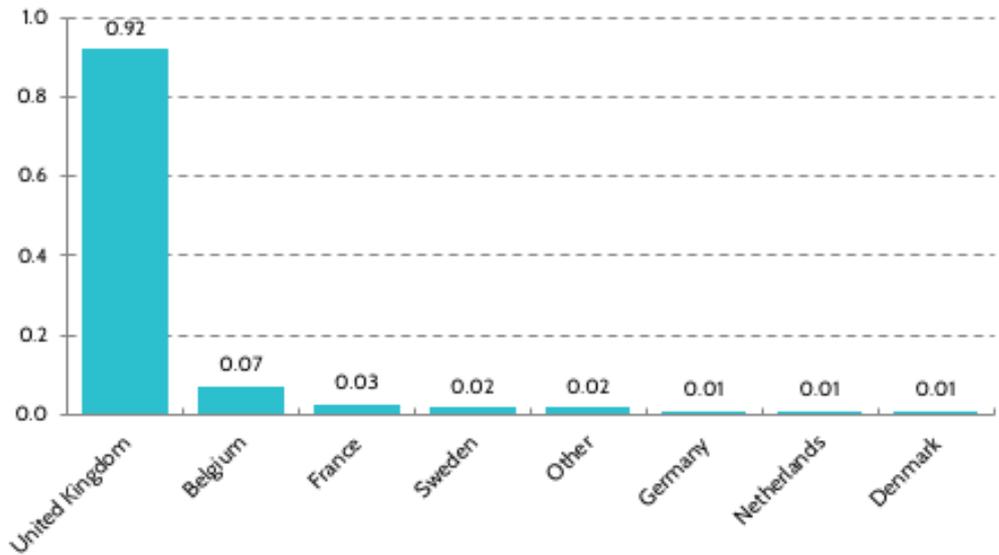
ARTICLE TWENTY-EIGHT

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

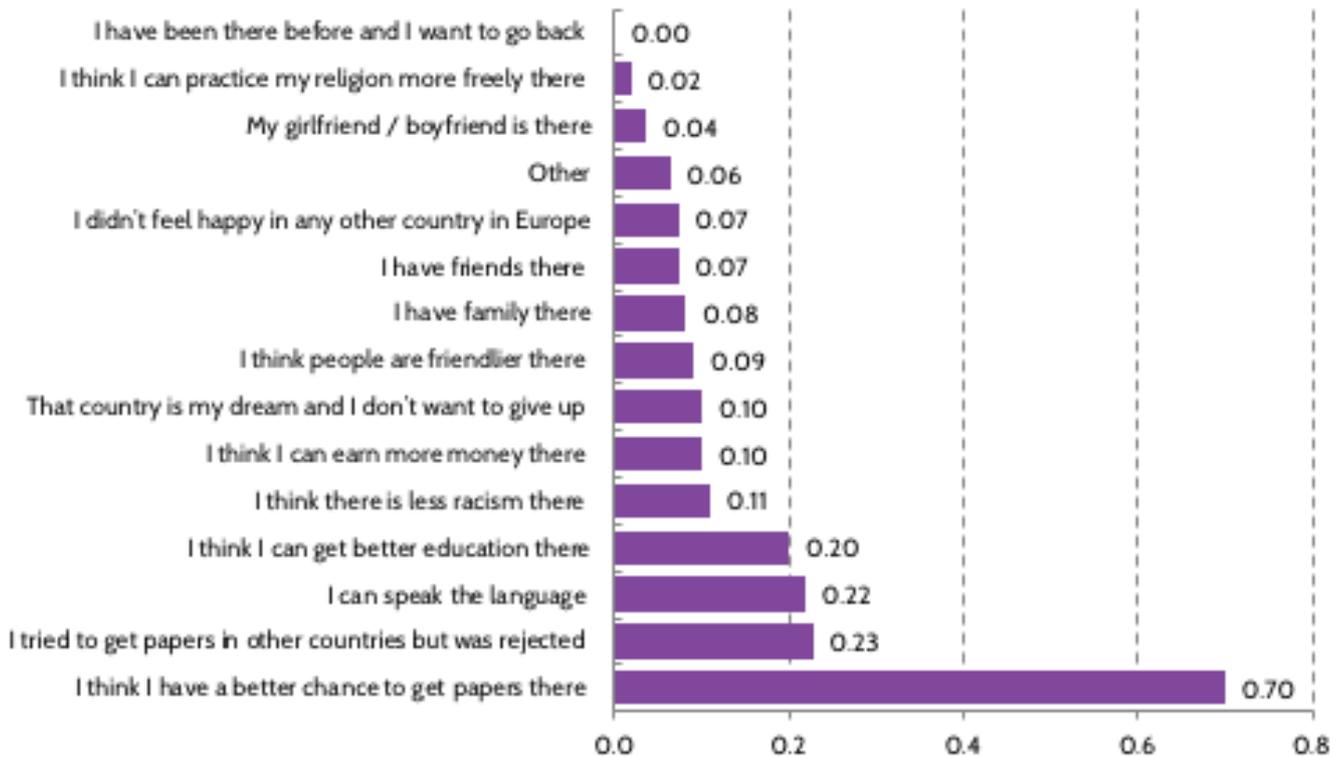
ONWARD JOURNEY

Of the people surveyed, only 7.1% of respondents believed that Belgium would be the best country for them to remain, although 92% answered that they thought the UK would be best for them. Indeed, researchers noted that a number of individuals had recently arrived in Brussels from Calais, where they had previously tried to reach the UK.

WHAT DO YOU THINK IS THE BEST COUNTRY FOR YOU?



WHY DO YOU THINK THAT'S THE BEST COUNTRY FOR YOU?



When asked to specify their main reasons for targeting a specific country, 70% cited that they believed they would have a greater chance of being granted asylum. Meanwhile, 21.8% told researchers that they wanted to go to that country because they could already speak the language and hence would not need to start their adult life from scratch, by first having to learn a new language. 20% of respondents felt that they could receive a better education in their preferred country, whilst 10.9% believed that there would be a lesser amount of racist prejudice in their desired country.

21.8% TOLD RESEARCHERS THAT THEY WANTED TO GO TO THAT COUNTRY BECAUSE THEY COULD ALREADY SPEAK THE LANGUAGE.

For 8.2% of respondents, their country of preference was based on family ties. For instance, a 22-year-old Eritrean woman explained: “I want to go to the UK because my husband is there.” Many of the Eritreans and Ethiopians interviewed appeared to have friends, family or partners in the UK and therefore they wanted to go there as opposed to any other European country. An Egyptian expressed the opinion that Egypt’s historical colonial links with the UK had informed his target destination: “We don’t belong to France or Belgium, the UK is our destination.”

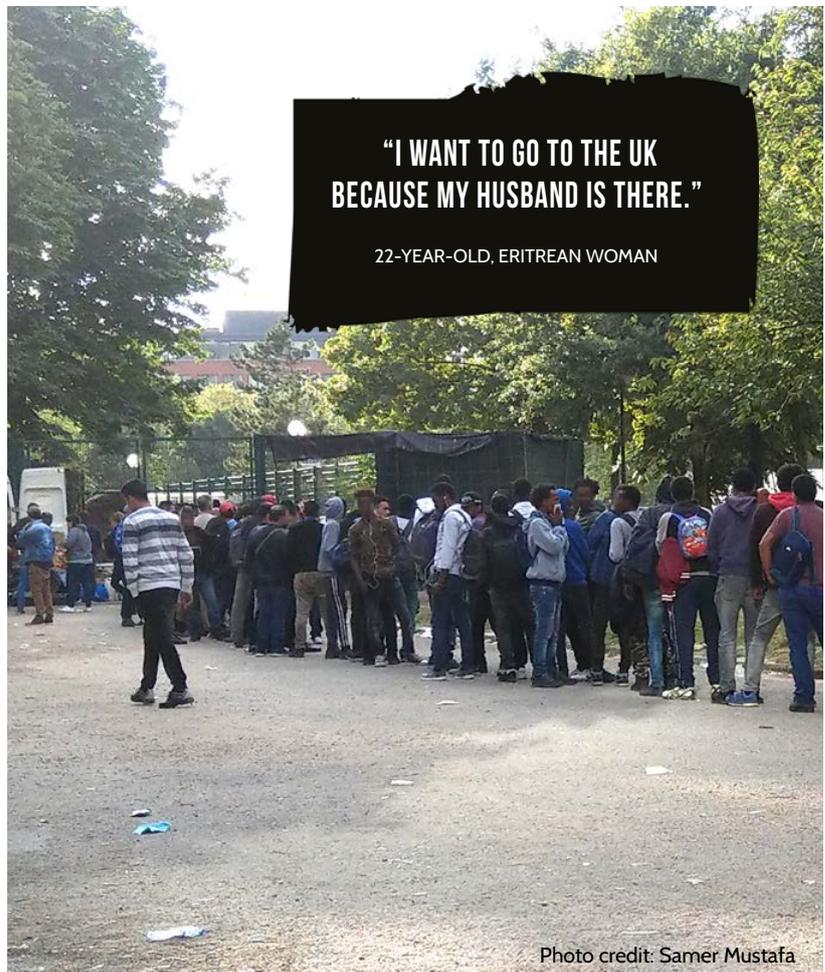
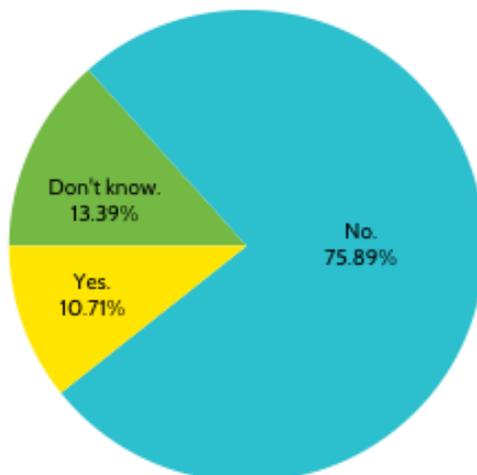


Photo credit: Samer Mustafa

Of the people surveyed, only 10.7% were planning to remain in Belgium if asylum was granted (some of these individuals said they would have preferred to claim asylum in the UK, but they had made the decision to apply for asylum in Belgium for various reasons). One respondent from The Gambia explained: “I want to stay in Belgium because the doctors took care of me and took time to study my case. I have a stomach problem. [...] The Belgian family where I stay is very kind to me and concerned about my health. In Italy, the doctors didn't give me any help.”

DO YOU WANT TO STAY IN BELGIUM?



THE BELGIAN FAMILY WHERE I STAY IS VERY KIND TO ME AND CONCERNED ABOUT MY HEALTH. IN ITALY, THE DOCTORS DIDN'T GIVE ME ANY HELP.”

GAMBIAN RESPONDENT



Photo credit: Samer Mustafa

At the time of the research, 10.4% of participants had indeed already applied for asylum in Belgium, but were nonetheless sleeping rough in the park and the surrounding streets, despite the provisions of the EU Directive on Reception Conditions. One Afghan male respondent, aged 27, who had claimed asylum in Belgium and was waiting for a decision explained: *“I am a young guy, and I don’t want to smell bad but I live in the streets [under a cardboard box] and I can’t shower often. When I go on the train I think people can smell my bad smell and I feel so horrible. I ran away from the Taliban and they bombed my village.”*

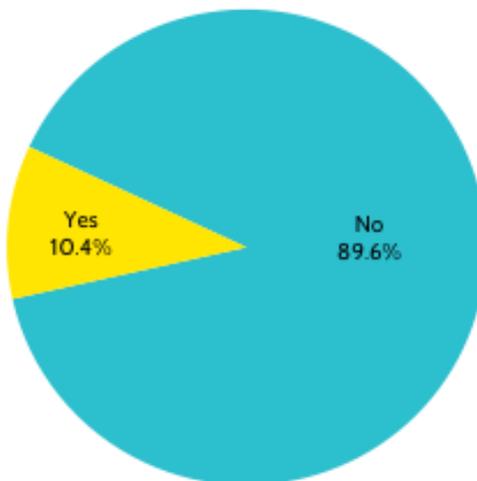
MANY RESPONDENTS APPEARED AFRAID THAT THEY WOULD BE REFUSED AND DEPORTED IF THEY PRESENTED THEMSELVES TO THE ASYLUM OFFICE IN BELGIUM.

When others were asked why they would not wish to seek asylum in Belgium, one 28-year-old man from Sudan suggested: *“It’s not good, I can’t get papers here. I see a lot of Sudanese people who have been here so long. If they apply for asylum they are sent to another country [due to the Dublin Regulation]”*. A 16-year-old Eritrean girl explained: *“I want to go to UK because they won’t accept me in Belgium”*.

Many respondents appeared afraid that they would be refused and deported if they presented themselves to the asylum office in Belgium. The overtures of the Belgian authorities to the Sudanese Government appear to have been a significant contributor to such fears. Indeed, in January 2018, it emerged that the Belgian Immigration Minister, Theo Francken, had allowed the forced repatriation of individuals to war-torn Sudan, a country with one of the world’s worst human rights records⁷ and whose president, Omar al-Bashir, is wanted by the International Criminal Court for allegations of genocide and crimes against humanity. Francken, who posed for photographs with the Sudanese ambassador, claimed that it was necessary to ‘return illegal immigrants’ and ‘clean up’ Maximilian Park area.⁸

Others cited the general treatment by the authorities as a major reason for wishing to leave Belgium. For instance, a 17-year-old boy from Egypt explained: *“I don’t want to stay here because it’s not good here. The police is not good here.”* Another young boy, a 16-year-old from Eritrea, also commented on the extent of police violence, reporting that he had been ‘grabbed’ by police while two individuals in his group of friends had been detained whilst walking to the train station.

HAVE YOU APPLIED FOR ASYLUM IN BELGIUM?



⁷ Cerulus, L. (2018) ‘Belgian government pulls back from brink in Sudan migrant crisis’ Politico 9th January (online) < <https://www.politico.eu/article/theo-francken-belgian-government-pulls-back-from-brink-in-sudanese-migrant-crisis/> > (Accessed: 11th August 2018).

⁸ Didden, F. (2018) ‘What Belgium’s migrants torture crisis tells us about Europe’ Refugees Deeply 17th January (online) < <https://www.newsdeeply.com/refugees/community/2018/01/17/what-belgiums-migrant-torture-crisis-tells-us-about-europe> > (Accessed: 11th August 2018).

FAMILY RELATIONS

13% of respondents said they had family elsewhere in Europe, of which 73.3% were siblings, 13.3% cousins, and another 13.3% uncles and aunts. Other family members cited included spouses and parents.

DO YOU HAVE FAMILY IN EUROPE?

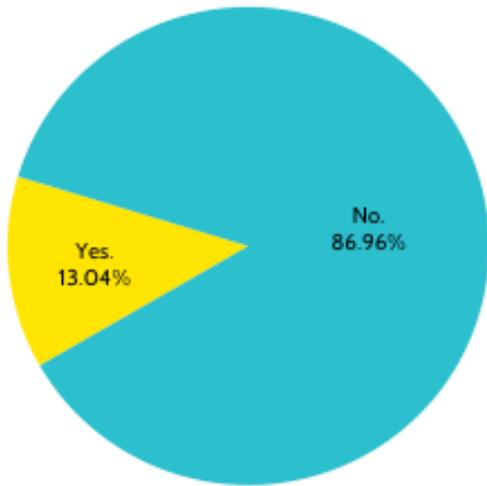
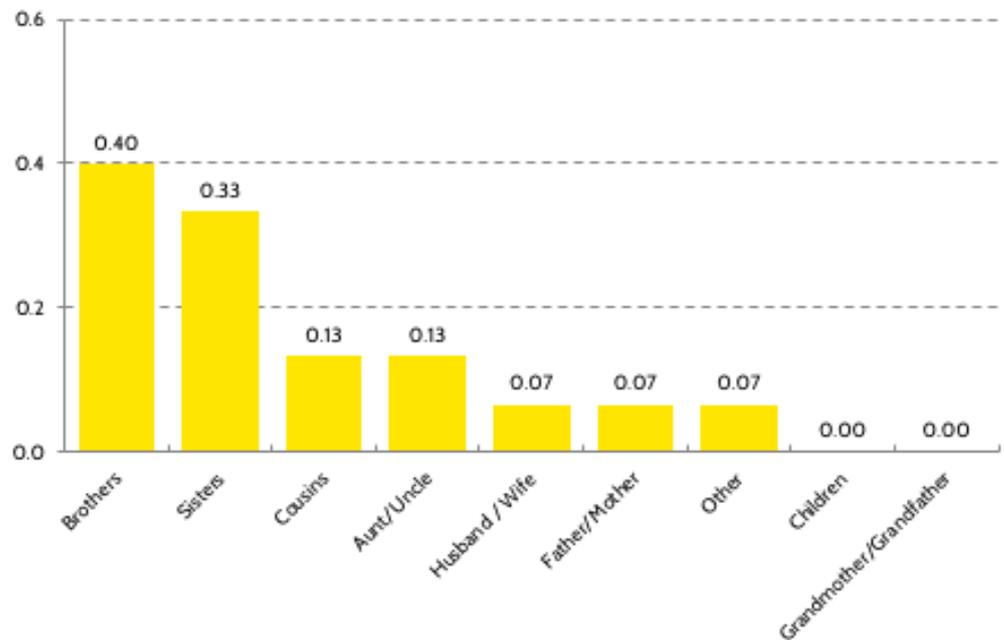


Photo credit: Samer Mustafa



WHICH FAMILY MEMBERS?



Of those who had family members in Europe, 50% stated that they had family in the UK. Another 50% had relatives in Sweden, followed by 21.4% with family members located in Germany.

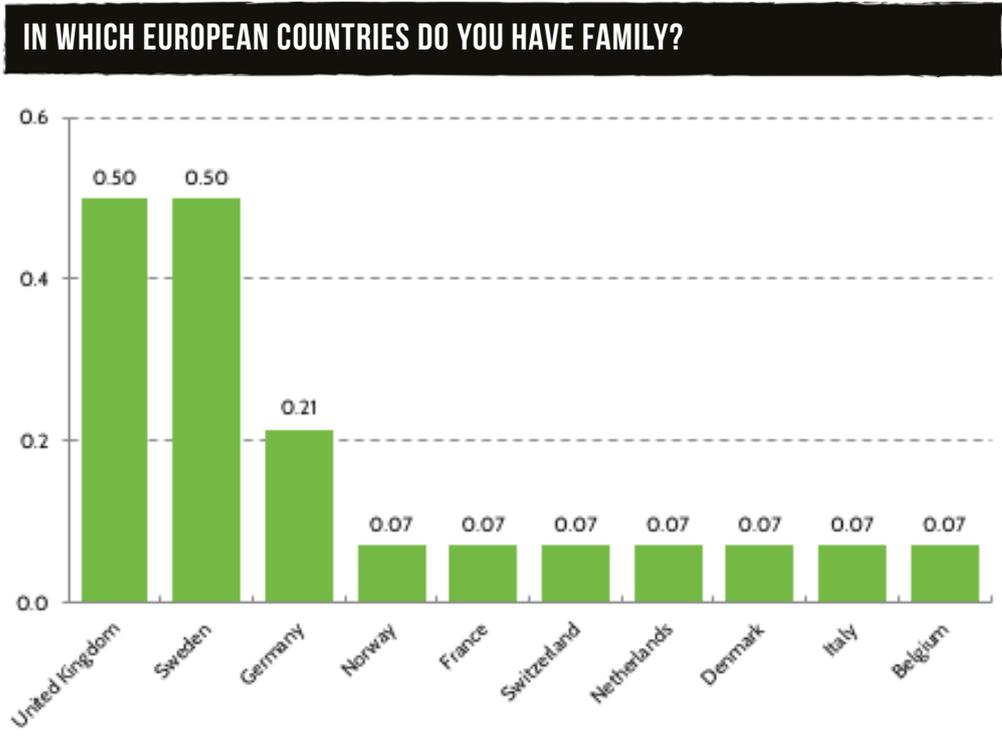
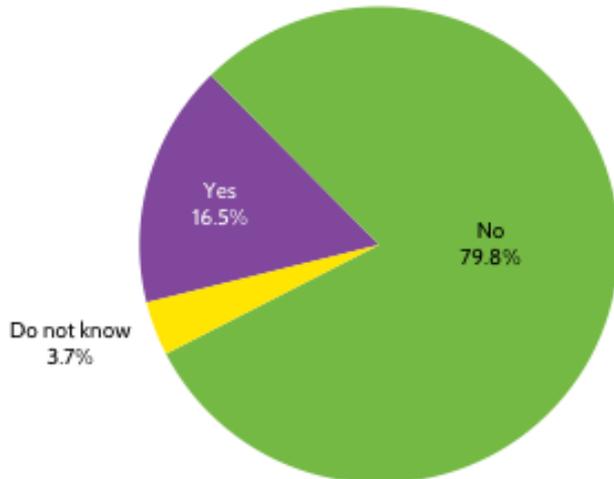


Photo credit: Samer Mustafa

ACCESS TO INFORMATION, ADVICE AND ALTERNATIVES

DO YOU HAVE ACCESS TO INFORMATION ABOUT YOUR RIGHTS AND OPPORTUNITIES TO CHANGE YOUR SITUATION?



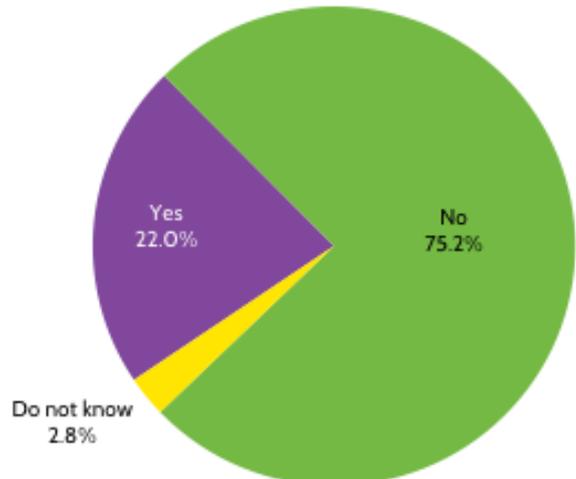
A worrying 79.8% of respondents did not have access to information about their rights and opportunities, whilst 75.2% said that they were unable to access information about European immigration and asylum rules, including information about family reunion.

THE GOVERNMENT HAS ADMITTED TO THE DISTRIBUTION OF LETTERS SPECIFICALLY TARGETING IRAQI AND AFGHAN NATIONALS IN ORDER TO DISCOURAGE THEM FROM APPLYING.

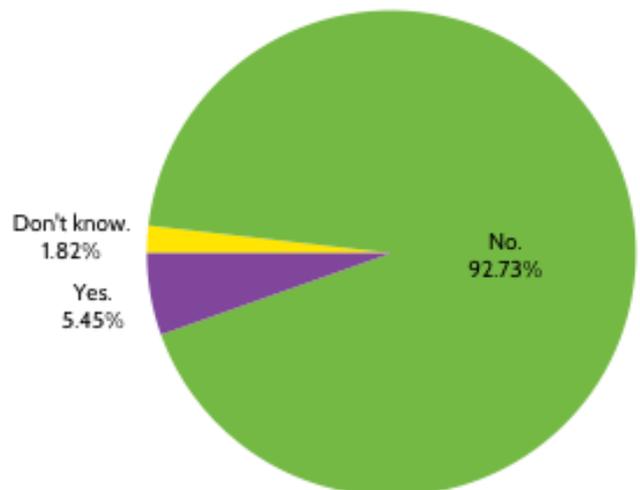
Desk research indicates that there is a perception amongst NGOs that disinformation may have discouraged individuals from lodging an asylum claim in Belgium. For example, the Government has admitted to the distribution of letters specifically targeting Iraqi and Afghan nationals in order to discourage them from applying.⁹

92.7% of respondents told researchers that they could not go back to their own country.

DO YOU HAVE ACCESS TO INFORMATION ABOUT EUROPEAN IMMIGRATION AND ASYLUM RULES?



CAN YOU GO BACK TO YOUR COUNTRY?



⁹ <https://prod.emnbelgium.be/sites/default/files/publications/ECRE%20-%20Belgium%20Report%202017.pdf>



NOTHING IN THIS DECLARATION MAY BE INTERPRETED AS IMPLYING FOR ANY STATE, GROUP OR PERSON ANY RIGHT TO ENGAGE IN ANY ACTIVITY OR TO PERFORM ANY ACT AIMED AT THE DESTRUCTION OF ANY OF THE RIGHTS AND FREEDOMS SET FORTH HEREIN.

Article Thirty

CONCLUSION

The research findings outlined in this report highlight an untenable situation unfolding in the city of Brussels. Seemingly one of the main transit points for individuals trying to reach the UK, the situation appears to have intensified since the demolition of the so-called 'Jungle' camp in Calais during 2017.

Repeated evictions of Maximilian Park and Gare du Nord are compounded by poor living conditions, an acute lack of sanitation and an absence of available information about the asylum system. The combination of these factors creates a situation of immense hardship and poverty facing displaced people in Brussels, right in the heart of Europe.

SPECIFICALLY, THE RESEARCH FINDINGS HIGHLIGHT THE FOLLOWING KEY CONCERNS:



LIVING CONDITIONS

The vast majority of respondents were sleeping rough at the time of the study, with little-to-no access to appropriate sanitation facilities, despite some of them having applied for asylum in Belgium. A number reported not having enough food to eat.



POLICE AND CITIZEN VIOLENCE

A large number of respondents reported feeling unsafe on the streets of Brussels, largely due to the uncertain living environment but also due to the heavy-handed approach adopted by the Belgian authorities and a constant uncertainty and fear of deportation or push-backs. A large percentage of the respondents had been subjected to physical and verbal police abuse. This often appeared to take the form of intimidation tactics, in order to try to uproot people from their sleeping spots. Respondents also reported that the police would occasionally confiscate their belongings, including shoes and clothes, and some participants claimed to have been injected with sedatives or asked to strip off their clothing in an underground room at cold temperatures.



HEALTH AND ACCESS TO MEDICAL CARE

Large numbers of respondents reported experiencing health issues during their time in Belgium. The extended period of time spent living in displacement is likely to be conducive to poor health, and there appears to be insufficient support for those experiencing mental health problems.



ACCESS TO INFORMATION

Refugees and displaced people in Brussels appear to have very little access to information about how to change their situation, and of European asylum rules more generally, which further prevents them from seeking a constructive solution to the tragic situation within which they are currently finding themselves.



WOMEN AND CHILDREN IN DISPLACEMENT

The situation for unaccompanied minors and women in displacement in Brussels is particularly alarming, where they face an increased risk of exploitation and trafficking. A number of minors interviewed were living on the streets, unable to access to information on their rights and reporting several incidences of police violence. Despite only a small number of women and girls taking part in the study, respondents recounted harrowing experiences at the hands of authorities and on the streets.

BASED ON THESE RESEARCH FINDINGS, REFUGEE RIGHTS EUROPE PROPOSES THE FOLLOWING RECOMMENDATIONS:



LIVING CONDITIONS

- The Belgian Government must ensure the urgent provision of basic shelter to all refugees and displaced people arriving on their territory, in-line with international human rights provisions, in particular the UN Declaration of Human Rights, Article 25, which sets the standard for an adequate standard of living.
- In addition, the Belgian Government must ensure that all individuals who have claimed asylum within their jurisdiction are provided with accommodation whilst their claims are being assessed, not just in emergency situations brought on by cold weather conditions, conforming with the 2003 Council Directive 2003/9/EC and the subsequent 2013/33/EU laying down minimum standards for the reception of asylum seekers.
- In accordance with Article 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the subsequent General Comment No.12 of the Committee on Economic, Social and Cultural Rights, European states must fulfil the right to food whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal.
- In accordance with the United Nations General Assembly Resolution A/RES/64/2923 which recognises the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights, the Belgian Government must ensure that refugees and displaced people are provided with safe drinking water and adequate sanitation facilities.



POLICE AND CITIZEN VIOLENCE

- Through the Interior Ministry, the Belgian Government must provide unequivocal instructions to its police forces not to resort to the disproportionate use of force, in particular against displaced people who are posing no threat, e.g. whilst being asleep, or in other similar circumstances.
- The Belgian Government must provide training for police forces to ensure awareness of, and compliance with, international human rights obligations, specifically Article 5 of the Universal Declaration of Human Rights and Article 4 of the Charter of Fundamental Rights of the European Union.
- The Belgian Government should put in place monitoring and accountability processes to ensure that all allegations of police violence and abuse can be independently investigated, and appropriate enforced action taken through a transparent process.
- Reports of human rights abuses in detention centres must be urgently investigated to ensure that the rights of refugees and displaced people are upheld in-line with international, EU and national law.



HEALTH AND ACCESS TO MEDICAL CARE

- In accordance with the UN Declaration of Human Rights, Article 25, the Belgian Government must ensure that people in displacement are able to access essential health care without discrimination and regardless of their immigration status.
- In accordance with Article 19, paragraphs one and two of the 2013/33/EU Directive, the Belgian Government must ensure that medical care, including mental health care and care for special needs, is provided to all asylum applicants within their jurisdiction.
- At the European level, the European Commission, through the Asylum, Migration and Integration Fund (AMIF) and other relevant funding mechanisms, must ensure that sufficient resources are made available to front-line civil society organisation providing emergency care, general health care, sexual and reproductive health services, and mental health support to displaced people in Brussels.



HEALTHCARE AND SANITATION

- The Belgian Government, with the support of the European Asylum Support Office (EASO), must provide transparent and clear guidance on asylum policy and procedures, to enable people to make timely asylum claims that are fair and transparent, helping to reduce the length of time spent trapped in unhealthy environments or attempting dangerous journeys across closed borders.
- Information must be made available in a timely manner, and in languages and formats that are accessible to displaced people in Brussels.



WOMEN AND CHILDREN IN DISPLACEMENT

- In accordance with Article 21 of the 2013/33/EU Directive, the Belgian Government, through its local authorities, must take into account the specific situations relating to vulnerable persons, such as unaccompanied children, women travelling alone, victims of human trafficking and those who have been subjected to rape or other serious forms of psychological, physical or sexual violence.
- Reception facilities and asylum processes must be resourced by the Belgian Government to respond to gender-related needs, including the provision of safeguarding mechanisms for women and children, as well as for vulnerable individuals in other demographic groups.

As such, effective and long-lasting policy action is urgently needed to secure the human rights of refugees and displaced people on Belgian soil. The Universal Declaration of Human Rights must be at the centre of any policy initiative to ensure that refugees and displaced people are given the protection and opportunities expected by international standards.

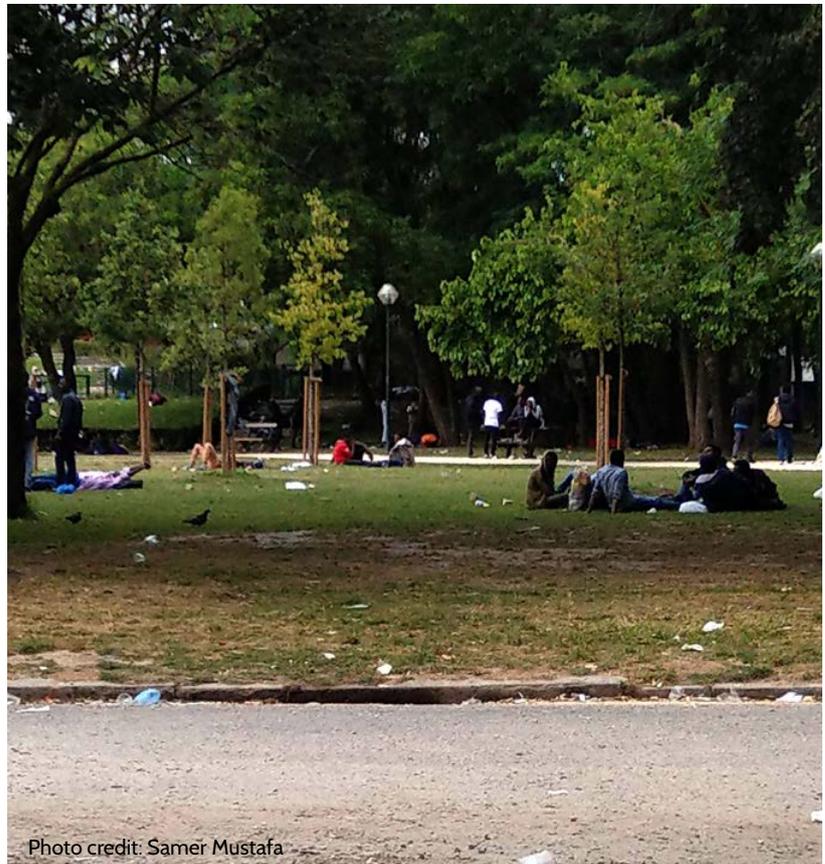


Photo credit: Samer Mustafa



www.refugeerights.org.uk

| info@refugeerights.org.uk

| [@Refugee_RE](https://twitter.com/Refugee_RE)