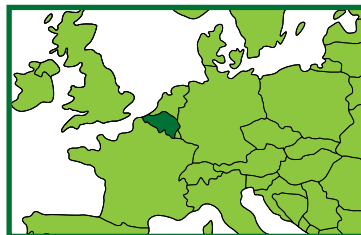


BELGIUM

Marie Godin and Andrea Rea²⁵



Migration Trends

Despite labour immigration being heavily restricted until the early 1990s, immigration to Belgium continued throughout the past few decades, especially with the purpose of family reunification. Over the following years, demand for foreign labour was constantly high, as was the number of migrants present in the country (Bribosia and Rea, 2001; Martiniello, 2001). Asylum applications increased in number during the 1990s and reached a peak of 42,691 in 1999, before dropping down to 11,115 in 2007. Since 2000, the number of work permits granted has been constantly rising and a labour shortage list was created.

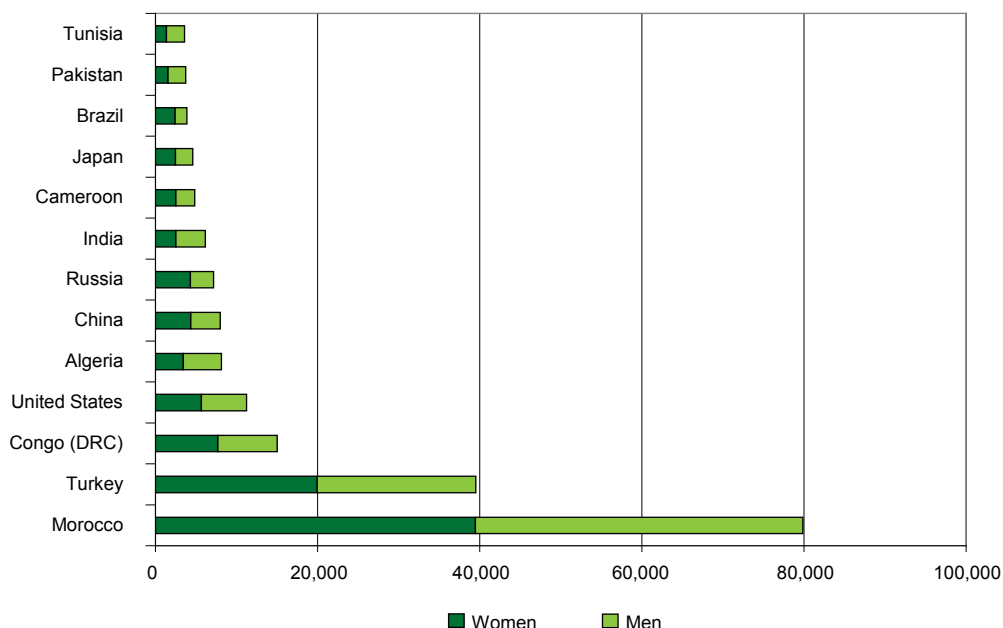
In January 2008, there were 971,448 foreign nationals, accounting for 9.1 per cent of the total population. With more than a 12 per cent foreign-born population, Belgium has, in relative terms, one of the largest immigrant communities in Europe (OECD, 2009:43).²⁶ A significant majority of migrants (68%) originated from the European Union (EU), especially from Italy, France and the Netherlands. However, from 2004 to 2008, the Romanian and Polish population grew significantly with an increase of 272 per cent and 245 per cent respectively. According to Okkerse and Termotte (2004), foreigners coming from other EU Member States, or those who have obtained the Belgian citizenship show a level of education similar to that of the nationals. Among third countries, Morocco and Turkey are the most represented.

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²⁶ For the purpose of this report, we consider only the situation of foreign nationals in Belgium.

New migration waves are characterized by gradual feminization. Between 1989 and 2006, the share of women in the foreign population increased from 46.0 per cent to 49.1 per cent, although significant differences are observed depending on the country of origin. Women are largely overrepresented in certain nationalities, such as Brazilian (63.3%), Russian (60%), Chinese (54.3%), and Cameroonian (51.5%). On the other hand, women tend to be underrepresented for certain countries of origin such as Tunisia (38.2%) and India (40.9%) (Figure 1).

Figure 1: Migrants by nationality and gender (selected countries), 2007



Source: *Registre national*, 31 December 2007.

There are differences in concentration of migrants across different Belgian regions. In the beginning of 2008, Brussels Capital Region hosted 30.4 per cent of migrants (28.1% of the total population), 36.5 per cent resided in the Flemish Region (5.8% of the population) and 33.1 per cent in the Walloon Region (9.3% of the population) (Table 1).

Table 1: Foreign population in Belgium by region – 2000-2008

	2000	2001	2002	2003	2004	2005	2006	2007	2008
Flanders	293,650	280,962	275,223	280,743	288,375	297,289	314,202	-	354,370
Brussels	273,613	262,771	260,040	260,269	263,451	265,511	273,693	-	295,043
Wallonia	329,847	317,952	311,471	309,065	308,461	308,362	314,578	-	322,035
Total	897,110	861,685	846,734	850,077	860,287	870,862	900,473	932,161	971,448

Source: *INS- National Institute of Statistics* – data at 1st January of each year.

Labour Market Impact

Statistical data collection is a particularly challenging task in Belgium due to the lack of common procedures at the federal level. Moreover, only the Flemish institutions use the statistical category of “*allochthones*” which refers to those native or foreign-born persons who have at least one foreign-born parent (Jacobs and Rea, 2009). It is also for this reason, that the EU Labour Force Survey (EU-LFS)²⁷ has become an important database on labour market indicators. However, in terms of methodology, the sample²⁸ is too small to carry out a proper analysis on the basis of nationality.

In Belgium, migrants seem to have especially contributed to filling labour shortages. Nevertheless, over the last decade, several factors have further changed the labour market insertion of migrants, including: the introduction of the posted worker option²⁹, the phenomenon of sub-contracting which can lead to an increase of irregular workers, and the transition measures imposed on new EU Member States.³⁰

In 2008, foreigners constituted 9.5 per cent of the nearly five million total active population in Belgium. The share of EU nationals is as high as 70 per cent of the total active foreign population, with French, Italian and Dutch nationals representing the major share (Employment, Labour and Social Dialogue Federal Public Service, SPF ETCS).

There are three types of work permits in Belgium: type A for those who have worked in Belgium for at least four years under a temporary type B permit, type B which is tied to the specific employer and job, valid for up to one year (renewable) and subject to labour market tests, and type C for migrants that are in Belgium for non-economic reasons, such as asylum-seekers and students. The past decade witnessed a continued decrease in the number of Type A permits (from 6,468 in 1995 to just 99 in 2006), partly as a reflection of the promotion of naturalization as a means of integration. Recent data from the Employment, Labour and Social Dialogue Federal Public Service indicates that while in 2007 23,028 Type B permits were granted, in 2008 the number rose to 24,980. As for countries of origin, the most represented among holders of B permits in 2008 were: Poland (12,230), Romania (3,716), India (1,961), Bulgaria (1,744), USA (712) and finally Japan and China (492 and 363 respectively).³¹

The Flemish Region granted the highest quota of B work permits. While in 2000 permits for highly qualified workers accounted for 73 per cent of holders of B permits in Flanders, in 2006 this share decreased down to just 27 per cent (4,126 out of 15,271). With the new provision introduced in 2006, the Flemish labour market massively welcomed seasonal workers from new EU Member States for the agriculture sector. As a consequence, the share of B permits granted in this sector increased from 3 per cent in 2000 to 55 in 2006.

²⁷ It is important to underline that the categories used by the EU-LFS, coordinated at the Belgian level by DGSIE, do not refer to the same definitions as in this report (See this website: http://circa.europa.eu/irc/dsis/employment/info/data/eu_lfs/ and <http://statbel.fgov.be/lfs> for more details).

²⁸ 47,840 households interviewed annually.

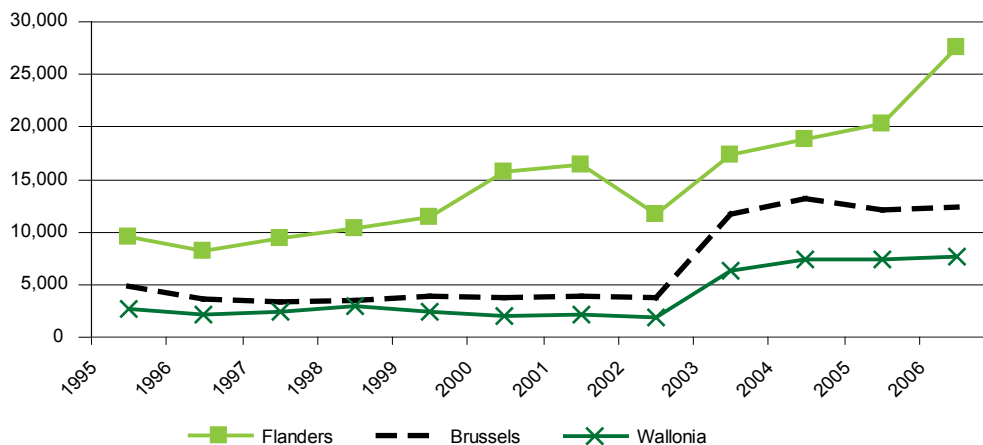
²⁹ According to the European Directive 96/71/EC.

³⁰ From 2004 to 2009, for EU10 and from 2007 onwards for EU2.

³¹ Grouped together these account for 85% of all the B work permits granted.

In the Brussels-Capital Region, highly qualified workers have always accounted for the majority of the total B permit holders (67% in 2006), with a particularly notable increase in the numbers of Indian workers in the recent years. Furthermore in the Walloon Region, the share of B permits for highly qualified occupations is substantial, but with a smaller share (about 40% in 2008).

Figure 2: Number of work permits (A,B,C). First permits and renewals, 1995-2006

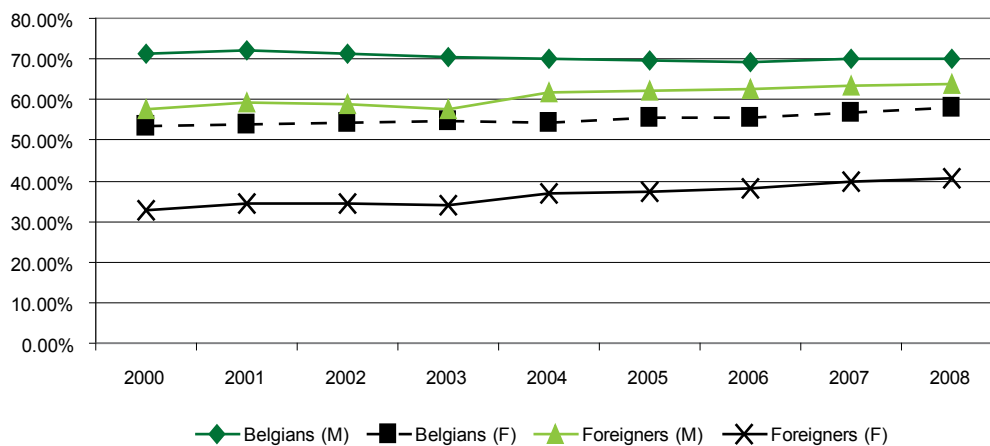


Sources: GERME calculation on Database Wallonie; Vlaams Ministerie voor Werk en Sociale Economie 2007; Database Bruxelles corrected with the permits A of SPF ETCS from 1995 to 1998.

Overall, between 1995 and 2006, the Flemish Region has granted the largest number of work permits (A, B and C). In particular, in 2006, the Flemish Region granted twice as many work permits than the Brussels-Capital Region, and four times more than the Walloon Region. As reflected in Figure 2, the increase in 2003 coincided with the introduction in Brussels and Wallonia of the C permit.

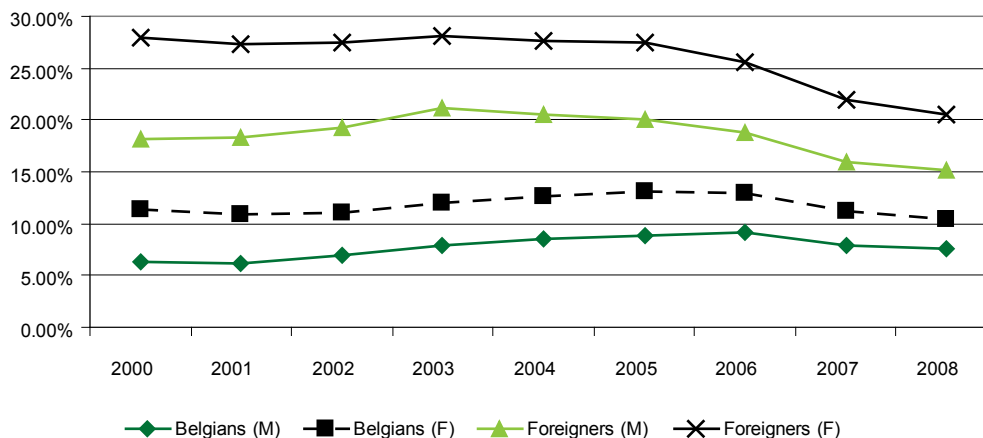
Compared with nationals, foreigners register a lower employment rate, with a difference as high as 11.5 percentage points in 2008 (Figure 3). With regard to self-employment³², at the end of 2008, among the 710,000 self-employed in Belgium, 63,040 were foreigners (of which 82.2% EU nationals).

³² Third-country nationals that are self-employed in Belgium must possess a Professional Card. This card is provided for a period of 5 years (renewable), is personal and limited to a specific type of activity. For further details: law 19 February, 1965 and the Royal Decree of 3 February 2003.

Figure 3: Employment rate by nationality and sex, 2000-2008

Source: Calculations by Employment, Labour and Social Dialogue Federal Public Service (SPF ETCS).

In 2008, 17.2 per cent of the foreign active population was unemployed versus 8.9 per cent of the native Belgian population. However, compared to 2007, the unemployment rate has decreased by 1.1 per cent for foreigners and by 0.5 per cent for Belgian nationals (Figure 4).

Figure 4: Unemployment rate by nationality and gender, 2000-2008

Source: Calculations by Employment, Labour and Social Dialogue Federal Public Service (SPF ETCS).

Particularly affected by unemployment are Moroccans (38%), Algerians (36.5%), Congolese (33%) and Turkish (31.8%). When comparing 2008 and 2006, their situation in the labour market did, however, improve (-6.4% for Congolese, -5.2% for Turkish and 4.5% for Moroccans). According to the European Union Labour Force Survey, in 2008 the unemployment rate gap between third-country nationals and EU nationals is high (unemployment rate at 27.4% compared to 9.1%), yet decreases when the country

of birth and not citizenship is considered as the unemployment gap halts at 12.6 percentage points (Table 2). This could demonstrate the impact of naturalization on labour market integration. At the regional level, the Walloon Region shows the highest unemployment rate of non-EU nationals (34.7%), while the Flemish Region, the lowest for both third-country nationals (23.3%) and persons born outside the EU (14.8%). However, the gap between third-country nationals and EU nationals is almost the same among the three regions, while the gap between third-country nationals and Belgians is particularly high in the Walloon Region (around 25 percentage points).

Table 2: Unemployment rate per Region, per country of birth and nationality, 2008

		Brussels-Capital Region	Flemish Region	Wallon Region	Country
Nationality	Belgian	16.1%	3.5%	9.6%	6.3%
	EU national	9.4%	6.8%	11.1%	9.1%
	Third-country national	28.1%	23.3%	34.7%	27.4%
	Total	16.0%	3.9%	10.1%	7.0%
Country of birth	Persons born in Belgium	14.3%	3.3%	9.3%	5.9%
	Persons born abroad (EU)	7.7%	6.3%	10.1%	8.1%
	Persons born abroad (non-EU)	24.9%	14.8%	22.8%	20.7%
	Total	16.0%	3.9%	10.1%	7.0%

Source: DGSIE - General Directorate on Statistics.

Migrant women show worse labour market insertion levels than native women. The activity rate of women in the Belgian labour market was 45.2 per cent in 2008, but with a significant gap between Belgian and migrant women (45.9% versus 39.1%), and with a further employment rate gap of 18 percentage points (40.8% versus 58%). The unemployment rate of migrant women has decreased, however, from 25.5 per cent in 2006 to 20.5 per cent in 2008, while 18.9 per cent of male migrants were unemployed in 2006 compared to 15.1 per cent in 2008. Integration on the labour market seems to be the most difficult for Muslim women (Ben Mohamed, 2004)

Several studies (Verhoeven and Martens, 2000; Okkerse and Termotte, 2004; Tratsaert, 2004; Martens and Ouali, 2005; Desmarez et al., 2004) confirm the old hypothesis (Martens, 1976) of the ethno-stratification of the labour market. However, a shift occurred in the sectors where the majority of migrants are employed: from mining and metal to services (cleaning, domestic work, hotels, restaurants and catering), and also to construction and horticulture. Nevertheless, migrants tend to be employed in the so-called 3D jobs (dirty, dangerous, and difficult), though some niches of highly qualified sectors employ a high number of migrants, for example in the case of Indian IT specialists, American and Japanese managers or Romanian nurses.

Research on the Brussels Region (Ouali and Martens, 2005) demonstrates that ethno-stratification can become a trap especially for some nationalities, such as Moroccan and Turkish. According to this finding, naturalized migrants work in the same sectors

as foreigners from the same country of birth (Table 3). The same research points out that similar education levels between national and *allochtones* does not lead to similar unemployment rates. One of the reasons suggested by the authors to explain this difference is difficulty with the recognition of foreign diploma which hampers improvement in the labour market situation of the *allochtones*. In addition, third-country nationals, especially those from Morocco and Turkey, are the most affected by discrimination.

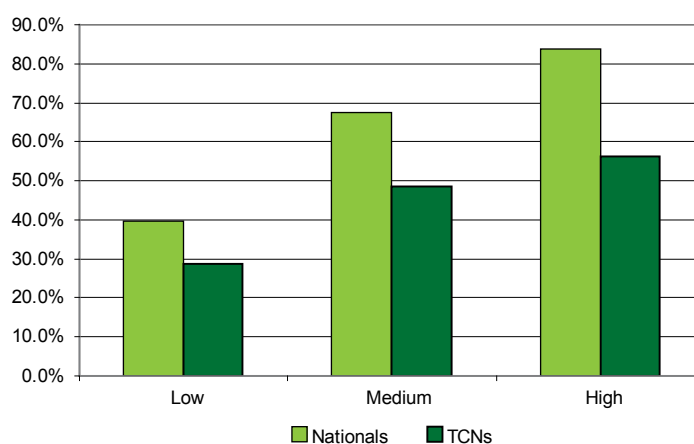
Table 3: Ethno-stratification of the labour market in the Brussels Region

Origin	Labour market position
Belgians, foreigners and naturalized Belgians born in neighbouring countries (France, Luxemburg, Germany, Netherland, United Kingdom)	Service sector Public Service and Education Status: highly-paid Executive, Civil Servant, Employee,
Foreigners and naturalized Belgians born in Italy and Southern Europe (Greece, Portugal, Spain)	Secondary and Service sector Status: Blue-collar, Employee
Foreigners and naturalized Belgians born in Morocco, Turkey and Sub-Saharan Africa	Secondary Sector and corporate services Status: Blue-collar and Employee in low hierarchical position Low Wage Sectors and precariousus Employment

Source: Martens and Ouali, 2005.

A few years after Ouali and Martens’ study, the picture described has tended to remain the same. According to EU-LFS 2008 data, the employment rate of migrants increases following higher educational attainments (Figure 5). However, at equal qualification, the employment rate is much higher for Belgians or people born in Belgium than for foreigners or persons born abroad, especially for highly qualified persons.³³

Figure 5: Employment rate by level of qualification and nationality, 2008



Source: DGSIE.

³³ In this case, a person born abroad will less likely find an employment (-15.9 percentage points).

Informality at work has become one of the main features of deregulation in the Belgian labour market. In addition, hiring undocumented migrants is part of the employers' strategy of outsourcing and flexibility, especially whenever unemployment rates remain high.

As in many other European countries, for those sectors that cannot be outsourced, on-site outsourcing has been observed through employing regular and irregular migrants in horticulture, construction and domestic work (Terry, 1999). Indeed, it is not uncommon to find, on the same construction site, nationals hired under different conditions (permanent employment, temporary employment, outsourcing to self-employed workers) (Martiniello, Rea, Timmerman, Wets, 2010), which creates a dual labour market with various forms of precarious work. At the same time, since it is mainly the low-paid workforce that is employed in these sectors, certain employers are actually able to legalize part of their staff and all the while remain competitive.

A recent paper (De la Croix et al., 2009), shows the impact that a process of regularization may have on the labour market. The main finding suggests that a key role is played by the employment status of the undocumented migrants before the regularization actually takes place. If the majority were already employed, the regularization will not produce any effect on labour supply. If not, the regularization will generate a downward pressure on non-qualified workers' wages and an upward pressure on qualified workers' wages.

Another research study,³⁴ analyzing the socio-economic status of migrants regularized on the basis on the Regularization Act of December 22, 1999,³⁵ shows that those migrants who used to work, either regularly or irregularly, before regularization, were the ones who then succeeded better in terms of socio-economic integration. Moreover, those who were in contact with host institutions at first arrival - such as asylum-seekers - had fewer obstacles in finding a job, though the opposite can be said for rejected asylum-seekers. These findings suggest that trust in the institutions and having work experience were the two key factors underlying 'successful' or 'failing' socio-economic integration.

³⁴ Research produced by the CSB (Universiteit of Antwerp) and GERME (Université Libre de Bruxelles) research centers based on a) limited analysis of data from the so-called 'Crossroad Database' of Social Security, with regards to a sample of 577 regularised people and b) in-depth interviews conducted with 116 respondents from this initial sample available online at the CEOOR website: http://www.diversite.be/?action=artikel_detail&artikel=82

³⁵ In Belgium, two regularization programmes were carried out, in 2000 and 2009 respectively. One of the principal aims of the 2000 regularization campaign actually was to reduce what was called the "waiting queue"; this referring to the group of refugees/asylum seekers stuck somewhere in the lengthy asylum procedures for many years. However, this campaign allowed a number of irregular migrants to regularize for 'strictly' economic reasons, and for the first time it provided a clearer picture of the size and diversity of the population of *sans-papiers* in Belgium. Since the 2000 regularization campaign, case-by-case regularizations took place. Another regularization campaign was started on 15 September 2009, and lasted three months. The opportunity to get regularized by work strongly characterized and distinguished this campaign from the previous one. Irregular migrants, or those with a precarious stay, were able to apply for regularization provided they could prove being employed with a contract signed by any employer from any sector.

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