

GMS Flash Alert

Immigration Edition

2020-318 | July 17, 2020



Belgium - COVID-19: Some Easing of Travel Restrictions

Contrary to what had been initially communicated by the Belgian authorities, Belgium will not open its borders for non-essential travel by travellers from the 14+1 countries on the list issued by the European Commission until further notice. However, visa activities in Belgium's Embassies and Consulates abroad are gradually resuming so as to facilitate the processing of visa applications and issuance of visas for the 10 categories of travellers with an essential function or need.¹

This GMS *Flash Alert* provides a summary of the restrictions that are still in place for third-country citizens wishing to travel to Belgium and of the new exemptions to the travel restrictions.

WHY THIS MATTERS

The various COVID-19 containment measures have had a profound impact on both professional and personal travel. Companies worldwide have had to cancel or postpone business trips and assignments. Companies can now slowly start to resume their international travel plans and prepare for business travel and assignments – however, such plans may still need to be “on hold” as Belgium's travel restrictions are only being partially lifted.

Companies need to be aware that various European countries have decided to implement additional restrictions or sanitary measures and that it is not possible to travel to Belgium from outside the Schengen+ area without a valid visa. Standard internal processes should be re-evaluated in companies that intensively made use of the Schengen visa waiver.

Context

Belgium agreed on 17 March 2020, to follow the recommendation of the European Commission to close the external borders for non-essential travel for (initially) 30 days (see our GMS [Flash Alert 2020-084](#) (20 March 2020) and our GMS [Flash Alert 2020-096](#) (23 March 2020)). Belgium has since extended the travel ban multiple times with the last extension expiring on 30 June 2020. Belgium also closed its consular activities in March 2020 and it was no longer

possible to submit a visa application (with some exceptions for emergency/essential situations – see GMS [Flash Alert 2020-066](#), 17 March 2020).

The European Union (EU) is gradually easing the travel restrictions at the external borders, as we explained in our GMS [Flash Alert 2020-278](#) (12 June 2020). The European Commission recently put forward an approach for a gradual and coordinated phasing out of Schengen area travel restrictions based on a set of common principles and criteria for identifying those third countries with which it would be possible to lift travel restrictions pertaining to non-essential travel into the “EU+ area.”

The EU member states approved on 30 June 2020, a list of 14+1 countries that are considered “safe,” as explained in GMS [Flash Alert 2020-305](#) (7 July 2020). The implementation of the Commission’s recommendation is however devolved to the EU’s member states.

Travelling to Belgium after 1 July 2020

Who Is Allowed to Travel to Belgium from a Third Country Since 1 July 2020?²

- EU citizens and citizens of Schengen associated states and third-country nationals legally residing in the European Union, as well as their family members (if they hold a valid Belgian residence permit of visa), regardless of whether or not they are returning home are allowed to travel to Belgium.
- The following 10 categories of travellers can request a visa C or D to travel to Belgium:
 - o Health-care professionals, health researchers, and elderly care professionals;
 - o frontier workers;
 - o seasonal workers in agriculture;
 - o transport personnel engaged in haulage of goods and other transport staff, to the extent necessary;
 - o diplomats, staff of international organisations, military personnel, and humanitarian aid workers in the exercise of their functions;
 - o passengers in transit;
 - o passengers travelling for imperative family reasons;
 - o persons in need of international protection or for other humanitarian reasons;
 - o **New:** third-country nationals travelling for the purpose of study;
 - o **New:** highly-qualified third-country workers if their employment is necessary from an economic perspective, if the work cannot be postponed or performed abroad and if they obtained a European Blue Card (B29). Regular Single Permit (B34) holders are at this time still excluded from the exemption.

Travellers with an essential function or need to travel to Belgium must obtain a visa even if they would fall under the Schengen visa waiver under “normal, non COVID-19” circumstances.

In addition, the Belgian consular authorities will again accept visa applications for the purpose of family reunification, but the visa will not be issued until further notice.

In countries where the Belgian consular authorities use an outsourcing partner for visa applications, it will only be possible to submit a visa application if the partner (VFS Global or TLS Contract) is operational in that country.

KPMG NOTE

Public Health Passenger Locator Form

Every passenger on a flight to Belgium from an “extra-Schengen” country is required to complete the “[Public Health Passenger Locator Form](#)” prior to boarding. The form must be handed over to the designated authorities on arrival in Belgium.³

The form will enable public health offices to locate passengers who may have been exposed to the coronavirus.

Obligation to Self-Quarantine

Every passenger travelling from an extra-Schengen country or from a red zone⁴ within the Schengen+ area is required to self-quarantine for 14 days when travelling to Belgium.⁵

Going outside is only allowed for the following essential reasons and if wearing a face mask:

- Purchase of basic necessities, such as food and medicines (only if no one else can take care of this);
- Urgent medical care;
- Arranging urgent legal/financial matters;
- Persons who have an essential function or need to travel to Belgium, e.g., only for the related essential activity whereby the fulfilment of this essential activity cannot be postponed until after the period of self-isolation has ended.

FOOTNOTES:

1 Belgian Immigration Office (*Dienst Vreemdelingenzaken / l'Office des Étrangers*), “Visa: geleidelijke hervatting van de activiteit” at: <https://dofi.ibz.be/sites/dvzoe/NL/Gidsvandeprocedures/Pages/Visa-Covid-19.aspx>.

2 Belgian Immigration Office (*Dienst Vreemdelingenzaken / l'Office des Étrangers*), “Visa: geleidelijke hervatting van de activiteit” at: <https://dofi.ibz.be/sites/dvzoe/NL/Gidsvandeprocedures/Pages/Visa-Covid-19.aspx>.

3 Belgian Immigration Office (*Dienst Vreemdelingenzaken / l'Office des Étrangers*), “Reizen naar België” at: <https://dofi.ibz.be/sites/dvzoe/NL/Gidsvandeprocedures/Pages/Reizen%20naar%20België.aspx>.

4 Red zones as published on the website of the Federal Public Service Foreign Affairs (*Federale Overheidsdienst Buitenlandse Zaken / Service Public Fédéral Affaires Étrangères*) “You are returning from...” at: <https://diplomatie.belgium.be/en> The list of red/orange/green zones is updated daily.

5 Belgian Federal Public Service “Wat zijn de huidige maatregelen?” at: <https://www.info-coronavirus.be/nl/faq/>.

* * * *

Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or one of the following professionals with the KPMG International member firm in Belgium



Nele Godefroid
Director
KPMG-Belgium
Tel. +32 2 708 38 46
ngodefroid@kpmg.com



Emma Lemmens
Senior Adviser
KPMG-Belgium
Tel. +32 2 708 43 90
emmalemmens@kpmg.com

** Please note that KPMG LLP (U.S.) does not provide any immigration or labour law services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.*

The information contained in this newsletter was submitted by the KPMG International member firm in Belgium.

© 2020 KPMG Tax and Legal Advisers, a Belgian CVBA/SCRL and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved.

www.kpmg.com

kpmg.com/socialmedia



© 2020 KPMG LLP, a Delaware limited liability partnership and the U.S. member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved. Printed in the U.S.A. NDPPS 530159

The KPMG name and logo are registered trademarks or trademarks of KPMG International.

The KPMG logo and name are trademarks of KPMG International. KPMG International is a Swiss cooperative that serves as a coordinating entity for a network of independent member firms. KPMG International provides no audit or other client services. Such services are provided solely by member firms in their respective geographic areas. KPMG International and its member firms are legally distinct and separate entities. They are not and nothing contained herein shall be construed to place these entities in the relationship of parents, subsidiaries, agents, partners, or joint ventures. No member firm has any authority (actual, apparent, implied or otherwise) to obligate or bind KPMG International or any member firm in any manner whatsoever. The information contained in herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

Flash Alert is a GMS publication of KPMG LLP's Washington National Tax practice. To view this publication or recent prior issues online, please click [here](#). To learn more about our GMS practice, please visit us on the Internet: click [here](#) or go to <http://www.kpmg.com>.