

FEANTSA POSITION ON MIGRATION



Europe is facing a deepening housing crisis, with soaring rents making affordable housing increasingly rare and homelessness rising sharply.¹ In an attempt to mask the systemic failures in the housing market, policy makers in many European countries have purposely blamed migrants for this crisis.² Yet, evidence shows that migrants contribute significantly to the EU economy and to the construction sector. Meanwhile, they face greater housing challenges due to discrimination, legal and administrative hurdles, and limited support on account of their residence status. In 2023, foreign-born people were almost twice as likely to be at risk of poverty and social exclusion as those native-born, and twice as likely to live in deprived and overcrowded accommodation.³ Migrants and racialised communities are more likely to experience poverty, overcrowding, and housing discrimination, with surveys showing high levels of bias against people of African descent and Muslims in the housing market.⁴

Poor housing and homelessness remain persistent issues for migrants across the EU, including mobile EU citizens, those seeking or granted international protection, and those with precarious residence status. The OECD notes migrants are often overrepresented among those facing homelessness where data is available.⁵ EU member states have failed repeatedly to ensure that migrants, including those searching for international protection and those who were granted refugee status, have access to safe and adequate accommodation. Structural issues such as housing shortages and underfunded services, as well as the increasingly hostile migration environment, are the main drivers of homelessness among migrants. A crucial factor that contributes to pushing migrants into destitution and homelessness is related to EU migration and asylum legislation and its implementation by Member States. European legislation and policies tend to complicate rather than facilitate the reception and integration of migrants in Europe. A further lack of concrete migration policies for people who migrate to the EU for reasons beyond international protection (for livelihood, family reasons, studies, etc) also contributes to the complexity of the situation.⁶

Often, when migrants experience homelessness, they will end up in homeless shelters, as a last resort and sometimes as the only possible 'solution'. Homelessness organisations support migrants with everyday basic needs and often also provide counselling services to clarify migrants' residence status, help them navigate the labour market and access health care, help with formal registration in the national population register, or to exit homelessness and access independent housing. In some countries, the homelessness sector is also called upon to support with the reception of asylum seekers or to host people in search of international protection in their services, when the general reception centres are overwhelmed and fail to ensure dignified reception for all applicants.

FEANTSA and its members urge the EU institutions and Member States to ensure that migration, asylum, and free movement policies do not generate more homelessness. These policies should be designed and implemented in a way that helps to prevent and alleviate homelessness, in line with fundamental rights. Denying migrants access to adequate housing not only violates human rights commitments of the EU and the Member States but also undermines the very values upon which the European Union is built. FEANTSA's position on migration and homelessness is firmly grounded in the principle that access to housing, including access to shelter, is a fundamental human right, not a privilege tied to residence status.

Every person has the right to live in dignity and safety regardless of their origin. To achieve this right for migrants, FEANTSA proposes the following calls and recommendations:

1. ASYLUM AND MIGRATION POLICY

FEANTSA is deeply concerned by the approach currently enshrined in the EU Pact on Migration and Asylum. Its implementation will inevitably bring increased border control and the criminalisation of immigration and stakeholders supporting migrants. Analyses show that the current approach will result in the increased detention of migrants, fewer legal safeguards against harm and abuse,⁷ and a much stronger focus on (forced) returns.⁸ Existing standards for the reception of asylum seekers will be lower, as the new provisions introduced related to the pre-entry procedures might mean more detention at borders and an increased use of the hotspots approach at Europe's external borders. All this to the detriment of a system based on shared responsibility and the integration and inclusion of migrants, asylum seekers, and refugees, for which measures across the Pact are considerably weaker.

We call for asylum policies to facilitate a swift and dignified reception for all people in search of or granted international protection, and which will ensure that no one faces homelessness as a result of an increasingly hostile and restrictive European legal framework.

EU institutions and Member States must guarantee access to adequate reception conditions to prevent asylum seekers and beneficiaries of the Temporary Protection Directive from becoming homeless. According to EU legislation transposed at the national level, Member States are obliged to secure accommodation for applicants to international protection⁹ and people who apply for temporary protection.¹⁰ This right is frequently neglected, leaving people on their own to find, often precarious, alternatives - including rough sleeping. A human rights-based approach – grounded in the right to asylum and the right to housing – must be adopted by Member States, and reception capacity planning should guarantee that no individual will experience homelessness during their search for safety.

EU institutions and Member States must take every measure possible to prevent asylum procedures from making people homeless, including:

Ensure sufficient capacity in the reception systems, including contingency planning for situations where large numbers of applications are received.

Too often, Member States argue that they cannot cope with asylum requests due to the unexpected increases in demands for international protection. Every government should plan accordingly for this type of situation and should not be allowed to use the increased level of arrivals as an excuse for failing to comply with their obligations under European law. Planning should aim for high standards for accommodation, as improvised reception conditions often lead to homelessness.

Ensure that discharge from asylum procedures enables those who are granted refugee or other protection statuses to access housing and social rights.

Once individuals have obtained refugee status, a smooth transition should be ensured. This includes providing a minimum of legal and social support which considers the high level of xenophobia and discrimination experienced on the housing market, an appropriate and sufficient time to allow for obtaining independent housing, and support to access the rental market or other housing options.

The hotspot approach should not be the model for the registration, identification, fingerprinting, debriefing and 'de facto' accommodation and detention¹¹ of asylum seekers, as evidence shows they are unsafe and provide undignified living conditions.

Developed by the European Commission as part of the immediate action to assist EU Member States located at the external EU borders,¹² the hotspot approach was intended to ensure swift registration and identification of migrants. However, they have become a permanent model, pushing people into prolonged detention without access to asylum,¹³ and it is expected to be further multiplied under the EU Pact's screening and border procedures.¹⁴ The majority of hotspots suffer from overcrowding,¹⁵ providing highly unsafe and inappropriate living conditions with hindered access to public health. Limited information and insufficient access to hotspots by external independent monitoring parties and civil society organisations has been repeatedly reported. The consistent violation of fundamental rights for men, women, and children residing in these situations for a prolonged period and the lack of monitoring mechanisms raise serious concerns about this approach.¹⁶ This model should not be further endorsed in the EU. Where it is already in place, action should be taken to ensure that the fundamental rights of asylum-seekers and migrants are respected and make a transition towards a model of reception without hotspots.¹⁷

Detention should not be considered a solution for homelessness and should not become the norm for accommodation.

Detaining people simply because they are homeless violates fundamental human rights, undermines human dignity, and exacerbates marginalisation, mental health deterioration, and mistrust in public institutions. One very worrying example which could lead to detention on account of homelessness is the proposal under the draft Returns Regulation where in its current form the 'lack of residence, fixed abode or reliable address', or in other words, homelessness, is a criterion to determine the existing risk of absconding and hence grounds for detention.¹⁸ FEANTSA reiterates that the detention of people experiencing homelessness, regardless of their residence status, should not be accepted as an automatic policy response and calls on Member States to explicitly rule out the use of detention as an answer to homelessness, and to instead invest in rights-based, person-centred housing solutions.

2. FREE MOVEMENT LEGISLATION

Evidence from the ground shows that mobile EU citizens often confront challenges when entering another Member State, registering with the national authorities, and securing rights which should be granted under EU legislation.¹⁹ A restrictive interpretation of the free movement Directive 2004/38 at the national level may contribute to pushing people into destitution and homelessness. Many legal and administrative barriers deny mobile EU citizens full access to rights and participation on an equal footing with individuals from the host society. Having a precarious or informal job and experiencing health issues, exploitation, or even human trafficking adds to the risk of homelessness. Discrimination plays an important role for those belonging to minority communities, such as LGBTIQ+ or Roma individuals.

Relevant EU agencies, such as the European Labour Authority (ELA), should monitor homelessness and destitution amongst mobile EU citizens.

ELA's role in facilitating joint inspections, mediation, and the exchange of best practices could directly address structural issues contributing to homelessness. The Authority should strengthen its work in the context of labour mobility, social security coordination, and rights enforcement by engaging national authorities. ELA can help connect the dots between employment, housing exclusion, and social protection. EU agencies should start monitoring returns of mobile EU citizens to ensure they are conducted in compliance with the fundamental rights of mobile EU citizens.

WHAT WE CALL FOR:

To meaningfully reduce homelessness across Europe, the European Commission and its Member States must strengthen and improve the coordination of social security systems across borders.

As mobile EU citizens exercise their right to free movement within the EU, they often fall through the cracks of fragmented or poorly coordinated national welfare systems. Administrative barriers in access to healthcare, unemployment benefits, housing assistance, and minimum income schemes often contribute to destitution and increase the risk of long-term homelessness. As envisioned under EC Regulation No 883/2004 on the coordination of social security systems, clearer guidance, better cross-border cooperation, and national-level training are required to ensure that no one is excluded from basic social rights due to their mobility.

EU institutions should publish a communication/guidance on mobile EU citizens experiencing homelessness.

Destitution among mobile EU citizens is a European matter that should be addressed through a unified European approach that ensures that free movement is available for all in a dignified manner. Such an initiative should consider the situation of mobile EU citizens in precarious jobs or job seekers in precarious situations, establishing the right to safe and stable accommodation in all Member States, exploring the possibilities of minimum income benefits to address homelessness among mobile EU citizens, streamline and facilitate the registration process for mobile EU citizens, which should be easier to follow and as accessible as possible while allocating financial and administrative support for low-threshold civil society organisations currently supporting mobile EU citizens in destitution.²⁰



3. CRIMINALISATION OF HELP AND SEPARATION OF SERVICES



FEANTSA strongly believes in a strict separation of immigration control from any humanitarian support, as well as in the ending of criminalisation of migrants and those who provide aid or services to them.

Member States should respect the human rights-based values, neutrality, independence, and humanitarian mission of the homelessness sector and not involve them in forced returns nor migration control processes. Involving services in immigration control would undermine the confidentiality, safe environments, and trust relationships essential for social work and would disengage people from services, exposing them to more precariousness. Member States must end the criminalisation of individuals and organisations providing assistance to migrants. Similarly, European legislation such as the EU Facilitation Directive or the proposal for a Regulation on returns must guarantee that criminalisation of migration, homelessness, humanitarian assistance, and solidarity with people in need is not further expanded.²¹

Given its strategic position and expertise gathered from direct contact with people on the move, the homeless sector can play an essential role in supporting truly voluntary and safe returns for people who choose to engage with this process. The homelessness sector often builds trust-based, person-centred relationships with people in vulnerable situations and is uniquely positioned to provide credible and neutral information about return options. In past involvements with voluntary returns, individuals were supported in making informed and voluntary decisions, without pressure or coercion. Holistic support has been provided to stabilise individuals' situations so that engagement with return processes can be made with personal agency rather than out of fear or lack of other types of support. Pre-return preparation, such as documentation, trauma-informed counselling, or reconnecting with family and accompaniment of individuals to return destination, as well as establishing contacts that could further ensure continuity of care and follow-up in the country of return, improved sustainability.

4. REGULARISATION

FEANTSA supports the regularisation of undocumented migrants as an option to prevent or resolve homelessness. Regularising undocumented migrants, on an individual basis or collectively, is a practical and humane solution to prevent and reduce homelessness.

When in a position where they are not able to return and with irregular status, migrants are excluded from housing, employment, and social services, driving them into destitution and invisibility. Simultaneously, many are already working in the informal market, and regularisation would provide them access to social protection. Past examples from European Member States show that regularisation can work: Spain regularised over 500,000 people in 2005, enabling access

to the labour market and social protection. In Belgium, regularisation campaigns in the early 2000s allowed thousands to transition from informal housing situations into stable accommodation. Ireland's 2022 regularisation scheme for undocumented people and their families was praised for restoring dignity and giving access to basic services. Italy's 2020 regularisation targeted migrant workers in agriculture and care sectors - sectors essential to society yet often associated with exploitation and precarious living. These examples have shown that regularisations can reduce homelessness and improve public health and the functioning of the labour market, supporting social cohesion. Criminalising people for their residence status traps them in cycles of poverty; regularisation offers a way out.

Ending homelessness in Europe is not possible without also ending homelessness among migrants, irrespective of their residence status. To this end, FEANTSA highlights that every migrant must have access to adequate accommodation or housing, and nobody should be denied humanitarian assistance, including shelter, when facing homelessness in Europe. We also reiterate that the homeless sector is directly affected by asylum and migration policy in many countries. It should therefore be recognised as a key stakeholder and source of expertise in the development and implementation of asylum and migration policy.

ENDNOTES

- 1 FEANTSA & FAP, [9th Overview of Housing Exclusion in Europe 2024](#), ETHOS 1, 2 & 3.
- 2 UN Special rapporteur on adequate housing, report [Towards a just approach to the global housing crisis and migrants](#), January 2025
- 3 OECD Migration Data Brief, June 2024.
- 4 The European Agency for Fundamental Rights as quoted in European Data Journalism [Discrimination in housing: the other face of Europe's habitational crisis](#), January 2025.
- 5 OECD Migration Data Brief, June 2024.
- 6 https://www.migrationpolicy.org/sites/default/files/publications/mpi-beyond-territorial-asylum-final-report-2024_final.pdf
- 7 <https://www.rescue.org/eu/article/what-eu-pact-migration-and-asylum> and <https://www.amnesty.org/en/latest/news/2024/04/eu-migration-asylum-pact-put-people-at-risk-human-rights-violations/>
- 8 <https://eumigrationlawblog.eu/the-new-design-of-the-eus-return-system-under-the-pact-on-asylum-and-migration/>
- 9 <https://eur-lex.europa.eu/eli/dir/2024/1346/oj/eng>
- 10 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32001L0055&qid=1648223587338>
- 11 <https://picum.org/wp-content/uploads/2024/12/PICUM-Analysis-of-the-Asylum-Procedure-Regulation-and-Return-Border-Procedure-Regulation.pdf>
- 12 Presented in the [European Agenda on Migration](#) in May 2015
- 13 <https://www.ecre.org/wp-content/uploads/2016/12/HOTSPOTS-Report-5.12.2016..pdf>
- 14 [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694210/EPRS_STU\(2021\)694210_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694210/EPRS_STU(2021)694210_EN.pdf)
- 15 [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/754569/EPRS_BRI\(2023\)754569_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/754569/EPRS_BRI(2023)754569_EN.pdf)
- 16 <https://www.amnesty.org/en/documents/eur30/5004/2016/en/>
- 17 [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/754569/EPRS_BRI\(2023\)754569_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/754569/EPRS_BRI(2023)754569_EN.pdf)
- 18 https://www.feantsa.org/public/user/Resources/Returns_FEANTSA_Statement_april_2025_.pdf
- 19 <https://www.feantsa.org/public/user/Activities/projects/Prodec/Policy-paper-final-07022020.pdf>
- 20 https://www.feantsa.org/public/user/Resources/Position_papers/Joint_Civil_Society_Statement_Update.pdf
- 21 https://www.feantsa.org/public/user/Resources/Returns_FEANTSA_Statement_april_2025_.pdf

Photo credits:

P1-9: Relief texture by viktoriiablohina

P7: Help Icon by OLEKSANDR YEROMIN

P8: Falling papers, documents.by Зображення користувача Александр Рыков



Co-funded by the European Union.
By the EaSI strand of the ESF+ programme.

Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or ESF+. Neither the European Union nor the granting authority can be held responsible for them.



**European Federation of National Organisations
Working with the Homeless**

194 Chaussée de Louvain, 1210 Brussels, Belgium
T +32 (0)2 538 66 69 • information@feantsa.org

www.feantsa.org

Follow us



Like us



Follow us



Connect with us

