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## HOMELESSNESS AMONG MIGRANTS IN TRANSIT NEEDS TO BE ADDRESSED

Over the last few years, an increasing number of people have been fleeing violence and entering the European Union to seek asylum. Because of a lack of adequate legal channels, thousands of individuals put their lives in the hands of human smugglers, embark on a dangerous, sometimes lethal, trip and end up entering EU Member States irregularly. The main migration routes from the Middle East and Africa pass through Greece, Italy, Spain and Bulgaria but often the final countries of destination are the United Kingdom, Germany and Sweden<sup>1</sup>. Individuals who do not ask for asylum in the first country of entry and move to another EU Member State undertake secondary movement and are defined as *migrants in transit* while they reside for a limited time in other countries. Migrants in transit are in a precarious human rights situation and because of the length of the journey this situation can last for months, even for years. Migrants in transit risk a range of human rights violations and abuses, because they have often become destitute in the transit country, lack legal protection and are unable or unwilling to seek the protection of the transit country. Migrant women are particularly vulnerable since they often face specific gendered forms of discrimination and abuse<sup>2</sup>. Children can also be at significant risk, whether they are travelling on their own or with their families or caregivers, since they are unlikely to have access to education and health care, including mental healthcare and timely vaccinations<sup>3</sup>.

Differences between Member States regarding the kind of international protection and the rights of its beneficiaries, standards for asylum procedures and reception conditions are important drivers of secondary movement and undermine the objective of ensuring that all applicants are equally treated. Asylum seekers are often experiencing unacceptable and, in some instances, arguably inhumane treatment within Europe. They have been experiencing homelessness, live in overcrowded facilities, wait several months before receiving replies to their applications and are vulnerable to exploitation, particularly in those countries that are entry points to Europe. Besides the policy frameworks of reception countries, the presence of social networks, in particular of families, is a strong factor of secondary movement.

Migrants in transit are potential beneficiaries of international protection, thus could have a right to reside and to have access to services and to the social security system of the host state. However, deciding not to ask for asylum in the country where they arrived with the hope to move to another Member State, they are residing irregularly and do not have access to

<sup>1</sup> <https://www.europol.europa.eu/newsroom/news/europol-and-interpol-issue-comprehensive-review-of-migrant-smuggling-networks>

<sup>2</sup> United Nations Human Rights, Office of the High Commissioner, *Situation of migrants in transit*, 2016 [http://www.ohchr.org/Documents/Issues/Migration/StudyMigrants/OHCHR\\_2016\\_Report-migrants-transit\\_EN.pdf](http://www.ohchr.org/Documents/Issues/Migration/StudyMigrants/OHCHR_2016_Report-migrants-transit_EN.pdf)

<sup>3</sup> Ibidem

material reception conditions. States question their obligations towards migrants who are in transit and not intending to remain on their territory. Furthermore, with increasingly restricting policies at internal EU borders, migrants in transit are obliged to stay for longer in destitution and administrative uncertainty in a country where they do not wish to remain.

This situation entailed a higher number of homeless people in several European cities and of rough sleepers in countries where access to emergency accommodation is not provided to irregularly residing migrants. People are left with no recourse to adequate support, with no food and no access to health and sanitary services. In the absence of a strategy and guidance from public authorities, homelessness services are often confronted with a dilemma whereby, while they believe emergency accommodation and basic support are a fundamental right and should be granted to all, they cannot provide services because they lack resources or cannot use public funding for hosting migrants in transit.

Homeless service providers who find support from local authorities or through other channels are able to supply basic services and, in rare cases, administrative and legal advice that might allow the development of long-term solutions. However, with the lack of effective strategies to address structural problems, these solutions are often temporary, insufficient and do not meet specific needs.

The failure of EU asylum procedures is affecting a huge and increasing number of potential beneficiaries of international protection, leaving them homeless or at risk of homelessness. Urgent measures need to be taken in the short term and, in order to effectively prevent homelessness among newcomers, a structural rethinking of current migration policies has to be put forward by the European Institutions.

FEANTSA urgently calls on the EU to **guarantee access to basic services and facilities, regardless of administrative status**. These basic services should include food, healthcare, accommodation and other homeless services, such as hygiene facilities, laundry and storage. National and local authorities must put the necessary financial and human resources at the disposal of organisations working with homeless people in order to enable them to work effectively with all people experiencing homelessness, including immigrants.

**In the medium and long term**, the EU must develop a strategy that includes:

- **Safe and legal routes to protection.** These include resettlement and humanitarian admission programmes, humanitarian visas, and private sponsorship programmes. In addition, there should be more effective and inclusive family reunification procedures and the opening of labour migration and education exchange programmes to refugees.
- **A coordinated and effective system of European relocation** that not only takes into account Member States' willingness to accept newcomers but also individuals' hopes regarding the country where they would like to live.
- **A Common European Asylum System that does not sanction** secondary movement, but rather creates the conditions for equal and high quality reception throughout the European Union, by making family reunion easier and by taking into account individuals' will.
- **Reception capacity that prevents newcomers from becoming roofless** and provides adequate living standards. Higher standards with regard to material reception conditions need to be set.