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The European Commission States that being Homeless does not Preclude Mobile EU Citizens from having a Right of Residence

In an answer to a Parliamentary question, published on 19 September on the European Parliament's website, Commissioner Jourová stated that **being homeless cannot not be considered as a reason to revoke the right of residence of a EU mobile citizen**¹. A Danish Member of the European Parliament, Mr Ole Christensen, referring to a group of EU citizens homeless and rough sleeping, had asked the Commission whether *"it is possible, under current EU rules, to require a permanent or temporary address for EU citizens residing in a Member State other than their own"*². Commissioner Jourová replied that EU law *"precludes a Member State from making the right of residence of an EU citizen in another Member State subject to a condition of having a permanent or temporary address"* and that *"EU citizens who meet the conditions set out in Directive 2004/38/EC have a right of residence, irrespective of whether they are homeless or not"*.

FEANTSA welcomes the answer that Ms Jourová gave on behalf of the Commission and hope that this is the first step towards a concrete engagement in preventing Member States from unlawfully arresting and deporting mobile EU citizen who sleep rough – as it is happening in the UK. *"This is not the first time that the European Parliament asked the Commission's clarification on this issue and FEANTSA had been waiting several years for a clear answer,"* declared FEANTSA director, Freek Spinnewijn, who added that *"now the Commission should seriously monitor that Member States respect the existing framework on free movement when it comes to access to services and enjoyment of rights for mobile EU citizens who became homeless in a country other than their own"*.

Together with the Migrants' Rights Network and Praxis, FEANTSA launched a complaint before the European Commission to challenge UK deportations and to quickly act against an inadmissible violation of citizens' rights. Besides criminalising homelessness and adopting myopic and xenophobic measures, FEANTSA believes that the UK's interpretation of free movement rights is unlawful. Rough sleeping should not be considered a crime and FEANTSA firmly believes that the trend of restrictive interpretation of the Citizens' Rights Directive - which sees its worst practice in the UK Home Office deportations - is targeting some of the most vulnerable people in our society: people who should be supported, not criminalised.

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¹ <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2017-004065&language=EN>

² <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2017-004065&language=EN>

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Notes for editors:

1. **FEANTSA** is the European Federation of National Organisations working with the Homeless. It is an umbrella of not-for-profit organisations which participate in or contribute to the fight against homelessness in Europe. It is the only major European network focusing exclusively on homelessness at European level