



FEANTSA and Eurodiaconia Demand Clearer Rules on Free Movement

Over the last few months, a number of Member States have raised the issue concerning EU citizens who have exercised their right to free movement and found themselves destitute in the host country. Some Member States have expelled, or threatened to expel such EU citizens without taking into account the procedural safeguards acknowledged by the EU acquis on free movement. FEANTSA and Eurodiaconia urge the EU to set clearer rules which would ensure the dignity of all EU citizens is guaranteed and no one is left destitute due to lack of adequate support services or because of access barriers linked to the nationality of the person, and oppose arbitrary repatriations which do not take into account what is foreseen by European law.

Numerous EU citizens have made use of their right to free movement and have successfully built up a new life abroad. However, there is evidence that for some the journey into a better life abroad has been less successful, and for whom mobility has become a **poverty trap**. Furthermore they have been hit hard by the **economic and financial crisis** which has reduced their access to the labour market.

Free movement is one of the foundations of the EU as acknowledged by the Treaty (art. 20) as well as by secondary law, notably regulation 1612/68 and directive 2004/38. However, despite being highly regulated and building on extensive case-law, **interpretation of residence rights provided by free movement is still unclear**, especially for people who do not have or no longer have any kind of income. Access to emergency support and accommodation as well as access to social welfare benefits and long-term homeless accommodation differ according to the host Member State.

Many Member States offer as a last resort to pay for the travel back to the country of origin. However, despite their difficult situation, considerable numbers of homeless EU citizens do not wish to return due to poor socio-economic conditions in their country of origin. As a result, people are forced to adapt to a situation of homelessness and risk accumulating other needs, for example in relation to their mental health.

Through the seminar organised on the 8th February at the European Parliament, with the support of Niccolò Rinaldi MEP and the ALDE Group, we urge the EU to set clearer rules in order to:

- ❖ better define the sets of criteria to be considered by Member States to ascertain if an EU citizen is an unreasonable burden to the social assistance system;
- ❖ to ensure that no EU citizen exercising his/her right to free movement is left destitute;
- ❖ to guarantee that EU citizens who are not self-sufficient have at least access to emergency accommodation and support;
- ❖ to provide continued support to the person until the individual case regarding his/her residence rights has been assessed;
- ❖ to oppose arbitrary expulsions and make sure that the procedural safeguards as set by the directive 2004/38 are respected.

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Notes for Editors:

Eurodiaconia is a dynamic, Europe wide community of organisations founded in the Christian faith and working in the tradition of Diaconia, who are committed to a Europe of solidarity, equality and justice. More information is available at: www.eurodiaconia.org

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 that focuses exclusively on homelessness at the European level. More information is available at: www.feantsa.org

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