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Reports on transposition of EU free movement rules stress the need to protect the rights of destitute mobile EU citizens

On Monday 10 September, FEANTSA published three legal fitness focusing on how EU free movement rules are transposed into Belgian, British and German law. The purpose of these reports is to provide an overview of the rules regulating the residence rights of EU citizens and their family members, regarding access to social benefits, expulsions and removals.

As pointed out in several occasions over the last few years, destitute mobile EU citizens face significant difficulties in exercising the right to free movement. Through these legal fitness checks, FEANTSA wanted to determine what these difficulties are and what actions are needed to protect destitute mobile EU citizens' rights.

Among the main findings, several breaches to EU law were found, such as unnecessary criteria imposed on job-seekers and self-sufficient persons, delays in registration, restrictions in the access to social benefits and the systematic verification of residence rights. FEANTSA is particularly worried about the narrow interpretation of the notion of a worker, reported in all the three countries analysed, which tend to exclude from residence rights those mobile EU citizens engaged in low-wage jobs or working only a few hours a week. These working poor are often very vulnerable to destitution.

Moreover, FEANTSA reported several local initiatives that target rough sleeping and living in encampments with anti-social behaviour measures that *de-facto* criminalise homelessness.

We therefore call on the European Commission to quickly and effectively address the breaches of EU law that were highlighted in the national reports so as to protect the rights of all mobile EU citizens, including those who live in destitution. We also remind the European Commission of the [complaint that we filed](#) on 15 June 2017 against the UK Home Office policy whereby EU citizens were subject to administrative removal solely because they were rough sleeping. Even though this policy has already been deemed unlawful by the UK High Court, a firm condemnation by the Commission would probably stop and prevent other EU Member States from adopting similar measures.

Read the [summary of the three reports](#)

Read the [report about Belgium](#)

Read the [report about Germany](#)

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Read the [report about UK](#)

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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