

FEANTSA strongly regrets the formal adoption of the EU Return Regulation despite fundamental rights concerns

FEANTSA strongly regrets that the Council of the European Union has formally adopted the new EU Return Regulation. This comes despite repeated and well-documented warnings from civil society about the Regulation's potentially severe and far-reaching consequences for fundamental rights and for the humanitarian sector, including organisations providing essential support to people experiencing homelessness.

Throughout the legislative process, FEANTSA has raised concerns about the increasingly punitive approach of the Regulation to migration and its potential to push people in irregular situations further into destitution and homelessness. We have warned that migration policies should not lead to homelessness, highlighting how the coercive and invasive provisions of the Regulation will very likely create conditions for severe exclusion.

Our key concern that homelessness is treated as a risk factor in return procedures is maintained by the formally adopted Regulation. The lack of a fixed address is treated as an indication of a risk of absconding, turning a situation of vulnerability into a ground for further enforcement. For undocumented migrants experiencing homelessness, these requirements may be impossible to meet because of their living situation and the barriers they face in accessing housing and services. We are appalled that the Regulation makes it now possible to interpret such forms of vulnerabilities as a failure to cooperate that will lead to punitive measures, including detention.

FEANTSA is gravely concerned about the serious consequences of migration enforcement measures for homelessness services and the people who rely on them. The investigative measures introduced by the Regulation risk facilitating raids on homes, shelters and other premises accommodating or supporting people in an irregular situation. Services supporting people who face homelessness must remain safe and trusted spaces, and humanitarian work should be strictly separated from migration enforcement. They should not be required to participate in migration control or share information with authorities as this risks undermining confidentiality and trust and could deter people from seeking essential support.

The adoption of the Return Regulation must not come at the expense of people experiencing homelessness and those supporting them. FEANTSA calls on Member States to ensure that implementation does not penalise people for being homeless, does not weaken access to essential services, and fully respects fundamental rights and human dignity.

Over the coming years, FEANTSA and its members will closely monitor the Return Regulation's impact on homelessness. Our primary focus is to highlight a stark reality: the newly adopted provisions risk pushing vulnerable individuals into extreme destitution and severely undermining the homeless sector's capacity to deliver essential humanitarian assistance.



FEANTSA

For more information contact:

Simona Barbu, Policy Officer, FEANTSA

simona.barbu@feantsa.org