



## **Seminar - Free movement for all: Access to rights for destitute mobile EU citizens**

**5<sup>th</sup> of December 2023 (09:30 – 14:00)**

**The European Parliament, Room SPAAK 4B1**

**Hosted by MEP Leila Chaibi (GUE/NGL)**

**Chaired by Jules Van Dam, Director De Tussenvoorziening (Utrecht, Netherlands)**

FEANTSA works to raise awareness on the challenges that mobile EU citizens face across Europe and their experiences of destitution. In the past years, mobile EU citizens have been overrepresented among the total population of people experiencing homelessness in many European cities, being met in the homelessness sector or sleeping rough on the streets.

This seminar aims to shed light on existing gaps in EU legislation and social policies which contribute to destitution and situations of homelessness among mobile EU citizens. The speakers will present on the obstacles in the registration process, as a key step in accessing rights for mobile EU citizens; the importance and difficulties in obtaining an address in a host Member State; and the lack of access to accommodation (to a minimum, emergency type) for all mobile EU citizens. The event will also be an opportunity to explore together with representatives of the European Commission and the European Parliament existing developments at EU level to address homelessness, including among people exercising their right to free movement. Updates will be shared regarding legislative opportunities and social policies that could contribute to improving the situation of destitute mobile EU citizens (e.g.: the European Platform on Combatting Homelessness, forthcoming EC communication on *Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States*).

- *Key points on obstacles in the registration process, as a key step in accessing rights for EU citizens.* The Free Movement Directive of 2004 includes ambiguous concepts, such as “sufficient resources” or “comprehensive sickness insurance”. When transposing this Directive, Member States define these concepts differently, leading to restrictive interpretations in many cases. For precarious workers or job seekers, it may be difficult to prove they have sufficient resources or to obtain a health insurance, resulting in difficulties in or lack of registration, which has serious consequences in terms of access to rights, services and jobs. A restrictive implementation of the notion of “worker” and “genuine chance of being engaged” may also lead to obstacles in the registration process.
- *Key points on the importance and difficulties in obtaining an address in a host Member State:* Holding an address when residing in a host MS can make the difference between being stuck in or exiting destitution. An address is required when signing a work contract, opening a bank account or registering for a tax number/social security number, which could later facilitate the path to obtaining the right of residence.
- *Key points about obtaining access to accommodation (emergency type, as a minimum) for all mobile EU citizens.* Across Member States, mobile EU citizens may experience several types of homelessness, from living in informal dwellings or renting unsafe and overcrowded accommodation, to sleeping in shelters or in public spaces. The right to safe and stable accommodation is not currently guaranteed in all Member States. On the contrary, in some cases access is denied to homeless shelters by municipalities,<sup>i</sup> <sup>ii</sup> or some access may be allowed to some emergency shelters.

## Structure of the day

| <u>Time</u>   | <u>Session</u>  | <u>Speaker(s)</u> |
|---------------|---|-------------------|
| 09:00 – 09:30 | Participants arrival & registration   |                   |
| 09:30 – 09:45 | Welcome by MEP Leila Chaibi   |                   |
| 09:45 – 10:00 | Introduction by Simona Barbu and Sergio Pérez, FEANTSA  |                   |
| 10:00 – 11:15 | <b>Session 1. Obstacles faced by mobile EU citizens in destitution</b> <ul style="list-style-type: none"><li>▪ Obstacles in the registration process, as a key step in accessing rights for EU citizens, <i>Fabrizio Vittoria, Momentius LPA (Sweden)</i></li><li>▪ Access to rights in a host Member State – the case of Belgium, <i>Bert De Bock, DIOGENES (Belgium)</i></li><li>▪ Access to accommodation (emergency type, as a minimum) for all mobile EU citizens, <i>Esmé Wiegman, Valente (Netherlands)</i></li></ul> Q & A  |                   |
| 11:15 – 11:45 | Coffee Break  |                   |
| 11:45 – 12:45 | <b>Session 2. Free movement and homelessness from a European perspective</b><br><i>Discussion with panellists</i> <ul style="list-style-type: none"><li>▪ <i>Representative of the EC (TBC) Presentation of the main developments at EU level addressing homelessness; reflection on how these avenues can be explored in relation to people exercising their right to free movement.</i></li><li>▪ Assya Kavrakova, Director at European Citizen Action Service (ECAS)</li><li>▪ Svenja Ketelsen, coordinator at homeless service provider GEBEWO (Berlin)</li><li>▪ Freek Spinnewijn, Executive Director at European Federation of National Organisations Working with the Homeless (FEANTSA)</li><li>▪ Edyta Tuta-Lorenz, United Nations Human Rights Regional Office for Europe</li></ul> |                   |
| 12:45 – 13:00 | Concluding remarks by MEP Leila Chaibi  |                   |
| 13:00 – 14:00 | Lunch   |                   |

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<sup>i</sup> <https://verblijfblog.nl/eu-burgers-en-het-recht-op-toegang-tot-daklozenopvang/>

<sup>ii</sup> <https://www.cambridge.org/core/services/aop-cambridge-core/content/view/D627368CE4599C58838BEB5F40BEF4BC/S0047279421000556a.pdf/scandinavian-approaches-to-begging-as-a-policy-problem-and-the-double-insideroutsider-status-of-marginalized-intra-eu-migrants.pdf>