



**FIFTH OVERVIEW
OF HOUSING
EXCLUSION
IN EUROPE**
2020

Fondation Abbé Pierre - FEANTSA



FEANTSA

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**FIFTH OVERVIEW OF
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2020



EDITORIAL

The fifth edition of *An Overview of Housing Exclusion in Europe* by FEANTSA and the Foundation Abbé Pierre is published against the backdrop of a Europe devastated by the COVID-19. The pandemic has shed fresh light on growing social inequalities in the Member States; inequalities which are nonetheless not new. At the forefront of this health crisis are the homeless, for whom 'staying home' is not an option, and people experiencing housing exclusion, for whom confinement measures embody suffering and sometimes even danger.

When self-isolation and social distancing became the first line of defence against the epidemic, the need for a 'home' emerged as a key determinant of health. Yet it has become increasingly difficult for millions of people in Europe to access housing over the last decade. This inaccessibility is the result of an unprecedented increase in housing costs, combined with insufficient and sometimes regressive social reforms and limited rental security. Where social housing should alleviate these difficulties for the most vulnerable, there are trends towards its privatisation in various forms, which reflect a dangerous movement towards the widespread financialisation of housing. The commodification of housing denotes the process by which economic

value takes precedence over the value in use of housing. The right to housing is therefore increasingly dependent on the solvency of those accessing the housing market. 'But ability to pay is unequal while the need for a place to live is universal.'¹ This health crisis serves as an indicator of a housing crisis which we have consistently warned national and European institutions about.

The previous decade taught us harsh lessons, particularly in terms of managing the European economic crisis that began in 2008. The post-recession austerity policies implemented in several countries have essentially undermined social safety nets: social exclusion, inadequate housing and homelessness have gained momentum, with available data showing dramatic increases in extreme deprivation. Even more telling, prolonged episodes of homelessness and the diversification of the profiles of those concerned reflect the dysfunctions inherent in our protection systems. Homelessness today affects all ages (including a growing proportion of the young), all genders (including an increasing number of women) and all nationalities (including a rising number of asylum seekers and refugees). We will explore the reception and accommodation conditions of asylum seekers and refugees in this report. Despite coming to Europe to seek protection,

¹ Madden & Marcuse (2016), *In Defense of Housing: The Politics of Crisis*, p. 51.

asylum seekers and refugees all too often face ignominy, with the living conditions of these people exemplifying the erosion of policies of solidarity, protection and reception.

While the financialisation and commercialisation of public services and assets in health and social welfare have shown their limitations, the start of a new decade should herald progress towards the shared vision based on respect for fundamental human rights and solidarity envisioned for the European Union. The European Parliament and the European Commission elections in 2019 paved the way to create a new dynamic for initiatives by EU bodies, which appears to have been consolidated in the fight against homelessness. The European Commission has announced a proposal for an Action Plan of the European Pillar of Social Rights and the European Parliament has called for an 'EU framework for national homelessness strategies'. This report welcomes these advances, detailing their scope and possible implementation in three recommendations addressed to the European Union and Member States. The European budgetary programming for the period 2021 to 2027 being defined by the Member States and regions represents a new opportunity to reduce and end homelessness with the help of European grants and loans, via the European Structural and Investment Funds and InvestEU.

The previous edition of this report focused on access to emergency accommodation across Europe. Nowadays, emergency shelters are at the forefront of protecting the marginalised but are forced to do so with derisory and often inappropriate means that were not designed to provide the security and protection of a 'home'. The gradual phasing-out of confinement measures augurs a mass release of people temporarily accommodated in hotels and temporary emergency structures. The emergence from this health crisis could unexpectedly mark an end to the Europe-wide housing crisis, by steering people who are currently sheltering towards real housing. The priority of respect for human dignity, which gives credibility to the European social project, must bring all of the institutions around a table so that dignified, long-term and appropriate support and housing solutions can be explored and implemented. Responses to the crisis must put access to dignified and adequate with affordable housing at the top of the European, national and local agendas.

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A close-up, high-resolution portrait of a woman's face, focusing on her eyes, nose, and lips. She has dark hair and is looking slightly to the right. The background is dark, making her features stand out.

CHAPTER 1

**THE MANY
FACES**
OF HOMELESSNESS
IN EUROPE

9

Ever since the first 'Overview of Housing Exclusion in Europe' was published in 2015, FEANTSA and the Foundation Abbé Pierre have been sounding the alarm on the unprecedented rise in homelessness in Europe. Over the last decade, the profiles of homeless people throughout the European Union have changed to include families with children, single-parent families, women, young people, the elderly, foreign nationals, etc. – and not merely single men as was formerly the predominant case. Therefore, while access to dignified, adequate and affordable housing is a need and an essential right for every human being, the requirements in terms of support vary greatly – an 18-year-old homeless person from Afghanistan seeking asylum in a European Union country will not have the same support needs as a 58-year-old single woman with mental health problems or a family with young children.

In general, homeless people are in poorer health and have a shorter life expectancy than the population as a whole – living on the streets still kills people in Europe today. However, there are nonetheless no comparable European data on homelessness. The people affected are excluded from housing and consequently from Eurostat data, which poses real problems of invisibility and recognition. A wide variety of definitions, methodologies and sources are used in this report. Official national data on homelessness exist in some Member States but are non-existent in others. In such cases, we favour the use of regional or local data. The main methodologies for quantifying the number of homeless people are:

- surveys conducted at a specific time, i.e. counting visible homeless people in urban areas over a given time period (one night or longer)
- censuses by service providers (day centres, accommodation centres, etc.)
- prevalence data, i.e. surveys combining previous homelessness studies and extrapolation calculations

Where possible, we will give preference here to data from the first two methodologies as they are more reliable.

In this report, a 'homeless' person is defined according to the European ETHOS typology developed by FEANTSA. It is based on the premise that the concept of a 'home' is composed of three domains, the absence of which can con-

stitute a form of housing exclusion. Having a home can be understood as: having an adequate dwelling (or space) over which a person and his or her family can exercise exclusive possession (physical domain); being able to maintain privacy and enjoy social relations (social domain) and having legal title to occupation (legal domain). Four main categories of homelessness are based on this housing concept: rooflessness, houselessness, insecure housing and inadequate housing – all of which indicate a lack of suitable housing. These conceptual categories are divided into 13 operational categories that are useful in the development, monitoring and evaluation of homelessness¹ policies.

FEANTSA and the Foundation Abbé Pierre estimate that 700,000 homeless people are currently sleeping rough or living in emergency or temporary accommodation across the European Union. This is a 70% increase in the space of ten years. These results are not based on a sum of the data below, which correspond to completely different time-frames, but of a methodology implemented by FEANTSA in 2009, which only uses data from surveys conducted at a specific time (e.g. one night or one week), using different methodologies, in the countries where they are available. They should therefore be viewed with caution and be seen in the context of a lack of common definitions and approaches as well as the flagrant lack of a standardised statistical European framework.²

1 The ETHOS typology is available in several languages: <https://www.feantsa.org/en/toolkit/2005/04/01/ethos-typology-on-homelessness-and-housing-exclusion?bcParent=27>

2 On the need to work towards a uniform statistical framework on homelessness, see OECD (2020), 'Better data and policies to fight homelessness in the OECD', Policy Brief on Affordable Housing, OECD, Paris, available at: <http://oe.cd/homelessness-2020>.

Recent estimates of the number of homeless people in European countries (not comparable in terms of methodology and the given definition of homelessness)

Country	Number of homeless people	Relevant year	Methodology	Definition	Trend
Germany	337,000	2018	Estimate on a given night ³	Full but... (all ETHOS light categories ⁴ , except for people in shelters for victims of domestic violence and persons leaving institutions)	/
Austria	21,567	2017	Annual estimate ⁵	Partial (only includes some ETHOS categories - homeless registered by social services)	+21.4% from 2008 to 2017
Belgium	<i>Unknown at national level</i>				
Brussels	4,187	2018	Survey conducted over a given night ⁶	Full but... (all ETHOS categories except people staying with family/friends)	+142.2% from 2008 to 2018
Denmark	6,431	2019	Census taken over a given week ⁷	Full (all ETHOS categories)	+28.7% from 2009 to 2019
Spain	22,938	2012	Estimate over a given month ⁸	Partial (cities > 20,000 inhabitants & only certain ETHOS categories)	/
Finland	4,600	2019	Census taken on a given night ⁹	Full (all ETHOS categories)	-32% between 2015 and 2019
France	143,000	2012	Census taken on a given night ¹⁰	Partial (only some ETHOS categories)	+50% from 2001 to 2012
Greece	<i>Unknown at national level</i>				
Attica	17,720	2015	Annual estimate ¹¹	Partial (only some ETHOS categories)	/
Hungary	8,568	2019	Census taken on a given night ¹²	Partial (only some ETHOS categories)	/
Ireland	10,148	2020	Census taken over a given week ¹³	Partial (state-run emergency accommodation)	+211% from 2014 to 2019
Italy	50,724	2014	Estimate over a given month ¹⁴	Partial (cities > 250,000 inhabitants & only certain ETHOS categories)	+6.5% from 2011 to 2014

Country	Number of homeless people	Relevant year	Methodology	Definition	Trend
Latvia	6,877	2017	Annual estimate ¹⁵	Partial (only some ETHOS categories)	/
Lithuania	4,806	2018	Annual estimate ¹⁶	Partial (only some ETHOS categories)	/
Luxembourg	873	2018	Winter census ¹⁷	Partial (winter census)	/
Netherlands	39,300	2018	Annual estimate ¹⁸	Full (all ETHOS categories)	+120.8% from 2009 to 2018
Poland	30,330	2019	Estimate on a given night ¹⁹	Partial (only some ETHOS categories)	/
Portugal	3,396	2018	Estimate over a four-month period ²⁰	Partial (only some ETHOS categories)	/
Czech Republic	21,230	2019	Estimate over a given week ²¹	Partial (only some ETHOS categories)	/
Romania	<i>Unknown at national level</i>				
United Kingdom England	87,410	2019	Census taken on a given night ²²	Partial (temporary accommodation)	+72% from 2011 to 2019
Scotland	36,465	2019	Annual census of applications for homeless status ²³	Full but... (applications for homeless status)	+3% from 2018 to 2019
Wales	11,715	2019	Annual census of people accepted as facing statutory homelessness ²⁴	Full but... (statutory homelessness)	+4% from 2018 to 2019
Northern Ireland	18,180	2018	Annual census of applications for homeless status ²⁵	Full but... (applications for homeless status)	-2% from 2009 to 2018
Slovakia	23,483	2011	Annual estimate ²⁶	Partial (only some ETHOS categories)	/
Slovenia	4,029	2018	Annual estimate ²⁷	Partial (some ETHOS categories - homeless registered by social services)	+67.3% from 2013 to 2018
Sweden	33,300	2017	Census taken over one week ²⁸	Full (all ETHOS categories)	+8% from 2011 to 2017

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- 3** Busch-Geertsema V, Henke J, Steffen A. (2019), 'Entstehung, Verlauf und Struktur von Wohnungslosigkeit und Strategien zu ihrer Vermeidung'. Published by the Federal Ministry of Labour and Social Affairs, Berlin, available at: <https://www.giss-ev.de/fileadmin/publikationen/fb534-entstehung-verlauf-struktur-von-wohnungslosigkeit-und-strategien-zu-vermeidung-und-behebung.pdf>
- 4** ETHOS Light is a 'lighter' version of the ETHOS typology developed in the context of a European Commission study in 2007, in order to make pragmatic use of the statistical work on homelessness: <https://www.feantsa.org/download/fea-002-18-update-ethos-light-003241744178-8687419154.pdf>
- 5** Statistik Austria, 'Europäische und nationale Indikatoren zur sozialen Eingliederung in Österreich 2008 bis 2017', available at: https://www.statistik.at/web_de/statistiken/menschen_und_gesellschaft/soziales_armut_und_soziale_eingliederung/074629.html
- 6** La Strada (2019), 'Dénombrement des personnes sans-abri et mal-logées' (5e édition) [Census of people experiencing homelessness and housing exclusion (5th edition)], available in French] at: <https://www.lastrada.brussels/portail/fr/etudes-et-analyses/denombrement/393-cinquieme-edition-du-denombrement-des-personnes-sans-abri-et-mal-logees-en-rbc>
- 7** Benjaminsen L. (2019), 'Hjemløshed i Danmark 2019 - 'National kortlægning'', available at: <https://www.vive.dk/media/pure/14218/3352843>
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- 10** INSEE (2013), 'L'hébergement des sans-domicile en 2012' [Housing the homeless in 2012], available [in French] at: <https://www.insee.fr/fr/statistiques/1281324>
- 11** INE (2015), <http://ineobservatory.gr/publication/kinoniki-episfalia-ke-ellipsi-stegis-stin-athina-diadromes-apoklismou-ke-entaxis/>
- 12** Györi P. (2019), 'Február Harmadika Kutatások - Gyorsbeszámoló', available at: <http://www.gyoripeter.hu/home/docs/homelessness/F3-survey-reports>
- 13** Irish Department of Housing, Planning and Local Government (2020), 'Homeless Report - February 2020', available at: <https://www.housing.gov.ie/housing/homelessness/other/homelessness-data>
- 14** Istat (2015), 'Le persone senza dimora', available at: <https://www.istat.it/it/archivio/175984>
- 15** Latvian Ministry of Social Affairs (2009-2017), 'Pārskati by sociālajiem pakalpojumiem un sociālo palīdzību novada/republikas pilsetās pašvaldībā (no 2009. līdz 2017. gadam)', available at: <http://lm.gov.lv/vj/publikacijas-petijumi-un-statistika/statistika-valsts-statistika-socialo-pakalpojumu-un-socialas-palidzibas-joma/gada-dati>
- 16** Statistics Lithuania (2018), available at: <https://osp.stat.gov.lt/statistiniu-rodikliu-analize?theme=all#/>
- 17** Ministry of Family Affairs and Integration, in FEANTSA country profile - Luxembourg (2018), available at: <https://www.feantsa.org/en/country-profile/2018/03/23/country-profile-luxembourg?bcParent=27>
- 18** Statistics Netherlands (CBS) (2019), 'Homelessness more than doubled since 2009', available at: <https://www.cbs.nl/en-gb/news/2019/34/homelessness-more-than-doubled-since-2009>
- 19** Ministry of Family, Labour and Social Affairs, in FEANTSA country profile - Poland (2019), available at: <https://www.feantsa.org/en/country-profile/2019/12/03/country-profile-poland?bcParent=27>
- 20** ENIPSSA, in ESPN (2019), 'ESPN Thematic Report on National strategies to fight homelessness and housing exclusion - Portugal', available at: <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8243&furtherPubs=yes>
- 21** Institute for Social and Labour Research, in FEANTSA country profile - Czech Republic (2019), available at: <https://www.feantsa.org/en/country-profile/2019/12/03/czech-republic?bcParent=27>
- 22** Ministry of Housing, Communities & Local Government (2019), 'Statutory Homelessness, July to September (Q3) 2019: England', available at: [https://www.gov.uk/government/statistics/statutory-homelessness-in-england-july-to-september-2019](http://www.feantsa.org/en/country-profile/2018/03/23/country-profile-luxembourg?bcParent=27)
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- 26** Ivančíková L. & Škápik P. (2015), 'Sčítanie bezdomovcov ako súčasť posledného cenzu', in ESPN (2019), 'ESPN Thematic Report on National strategies to fight homelessness and housing exclusion - Slovakia, available at: <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8243&furtherPubs=yes>
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THE OTHER EUROPE

THE MANY FACES OF HOMELESSNESS IN EUROPE



HOMELESSNESS: FROM 0 TO 99 YEARS OLD, ALL GENDERS COMBINED



IN IRELAND

1 in 3 homeless people in temporary accommodation was a **child**.



IN ENGLAND

90% of single parent families applying for public support for homeless people were **women**.



IN SWEDEN

Between 1993 and 2017, the share of **women** amongst the homeless population increased from **17%** to **38%**.



IN THE NETHERLANDS

The number of homeless **young people** increased from **4,000** in 2009 to **12,600** in 2018.



FOREIGN NATIONALS OVER-REPRESENTED AMONG THE HOMELESS



IN GERMANY

Families with children account for **27.2%** of homeless refugees, compared to 13% of the rest of the homeless population.



IN FINLAND

A quarter of homeless families are **immigrants**.



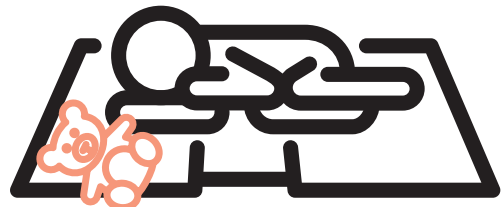
IN BARCELONA, SPAIN,

52.3% of homeless people are **third-country** nationals.



IN GREECE

51% of the **3,774 unaccompanied minors** are homeless.





HOMELESS PEOPLE EXPERIENCE POORER HEALTH AND DIE AT A MUCH YOUNGER AGE THAN THE GENERAL POPULATION



IN AUSTRIA

Homeless people had a mortality **risk 4 times higher** than the rest of the population.



IN HUNGARY

1 in 4 homeless people reported having **mental health** problems and **1 in every 2 homeless people** said they have a serious **physical health problem**.



IN LONDON

The coronavirus mortality rate of homeless people living in emergency accommodation has been **25 times higher** than that of the general adult population.



IN FRANCE

495 homeless people died in the streets in 2019. The average age of death is **48,7 years old**.



THE PROLONGATION OF HOMELESSNESS: LONGER PERIODS OF HOMELESSNESS

43%

IN POLAND

43% of people who were homeless in 2013 had been so for more than five years, a proportion that increased to **54.6%** in 2019.

54,6%

16%

IN ITALY

The percentage of people who were homeless for more than two years increased **from 27.4% to 41.1%** and the percentage who were homeless for more than four years increased from **16% to 21.4%** between 2011 and 2014.

21,4%



1 IN 5 LGBTQ+ PEOPLE EXPERIENCE HOMELESSNESS IN EUROPE

There are no homogeneous or comparable data on homelessness in Europe. Details of these data, derived from different sources and methodologies, are available in Annex 1.



A close-up, high-contrast photograph of a man's face, showing his eyes, nose, and beard. The lighting is dramatic, with deep shadows and bright highlights, emphasizing the texture of his skin and the intensity of his gaze. The background is dark, making the subject stand out.

CHAPTER 2

**THE IMPACT OF
THE EUROPEAN
HEALTHCARE
CRISIS**

ON THE HOMELESS
AND THOSE
FACING HOUSING
EXCLUSION

19

It is vital that the unprecedented health crisis that the world has seen since the beginning of 2020 be viewed through the prism of its dramatic impact on vulnerable people who are deprived of dignified, adequate housing. This includes the homeless, individuals facing housing exclusion, refugees and asylum seekers. While it is too early for an exhaustive assessment of COVID-19 and its consequences, this pandemic represents an unprecedented collective challenge in terms of the right to life and the right to health for residents of the European Union¹. As Leilani Farha, UN Special Rapporteur on the right to adequate housing, has stated, 'housing has become the front-line defence against the coronavirus. Home has rarely been more of a life or death situation'².

Notes
See page 29

**The information set out in this chapter
was collected up until 17 April 2020 and is
therefore subject to change.**

1. HOUSING IS A KEY DETERMINANT OF HEALTH AND MUST BE RECOGNISED AS SUCH

In the face of the coronavirus pandemic, 'staying home' and confinement is not an option for homeless people and poses a danger to the safety and health of those who face housing exclusion.³ This pandemic has made such people particularly vulnerable. Sleeping rough or staying in temporary or emergency accommodation (hostels, shelters, etc.) puts the homeless at risk of contamination, and makes it harder for them to access hygiene services and places where they can self-isolate.⁴ These are people who are high risk in medical terms, and disproportionately affected by health problems and disabilities. The prevalence of respiratory disorders among homeless people is very high. Existing US studies of homeless populations have found a prevalence of obstructive pulmonary disease of 20-30%, compared to 10% in the general adult population.⁵ If homeless people contract COVID-19, they are far more likely to become seriously ill and die. In London, the coronavirus mortality rate of homeless people living in emergency

accommodation is 25 times higher than the general adult population. In addition, the homeless face multiple barriers when it comes to accessing health care and public health information. Outbreaks among this high-risk group are also very difficult to contain, which means that protection of the homeless is critical to managing this public health crisis. Many of the measures aimed at the general public, such as self-isolation, strict hygiene measures, the 'stay home' order and social distancing, are not realistic for homeless people.

Homelessness must therefore be considered a public health priority in light of the current health crisis.⁶ A public health emergency requires urgent solutions and crisis management, like the initiatives described below. It is also a unique opportunity to review failed policies and adopt long-term action plans to ensure that housing exclusion is no longer systematic in our societies.

Notes
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2. THE IMPACT OF EMERGENCY MEASURES ON HOMELESS SERVICES

The measures taken in most European countries to isolate the population have had a direct effect on the living conditions of homeless people and the functioning of support services. Such services have had to adapt quickly to continue functioning and supporting vulnerable populations who are often deprived of their usual means of survival and no longer have access to shelter, food, water or health care. The UN Special Rapporteur on the right to adequate housing issued two statements detailing measures to be taken to ensure the protection of homeless people and individuals living in informal settlements during the COVID-19 pandemic.⁷ On 8 April 2020, three European Commissioners called on Member States to deploy ordinary and exceptional EU resources to protect vulnerable groups, including homeless people, Travellers and the Roma. We also call on public authorities at local, regional, national and European level to take seven measures to protect homeless people and public health:⁸

- **Test homeless people**, as a medically vulnerable group, as a priority. By mid-April 2020, the only countries where testing was available for the homeless were Denmark, where it had been introduced in March (a testing bus was mobilised

in Copenhagen), Portugal (Porto and Madeira), Ireland (Dublin) and Belgium (Brussels). In all other Member States, there was a shortage of screening tests and/or a lack of prioritisation of the homeless population at that time. Screening is also meaningless if the people tested cannot self-isolate in a safe place afterwards.

- **House homeless people**, enabling them to stay safe and self-isolate, and to have a private space for eating, sleeping and washing. All options including vacant housing and holiday/student accommodation must be considered in order to find appropriate solutions. In Barcelona, the local authorities have secured temporary accommodation for homeless families by making use of vacant tourist accommodation via short-term rental agreements. In Bucharest, places in centres for victims of domestic violence will be created with a new permanent shelter for homeless women set to open. European funds have been made available to respond to the health crisis: not only the Fund for European Aid to the Most Deprived but also the European Union Solidarity Fund – amounting to EUR 500 million per year – which has been adjusted to cover health emergencies caused by COVID-19,

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the provision of temporary accommodation being a legitimate expense. This means that the fund can be used to pay for accommodation for homeless people so they can self-isolate safely in empty hotels, vacant accommodation, etc.

- **Make homeless services as safe as possible**, by allocating resources to facilitate social distancing, hygiene measures and the implementation of emergency plans, which must also protect the staff and volunteers working in these services. Temporary reception centres have been set up in gymnasiums, hotels, vacant buildings, etc., in order to 'confine' – albeit in shared accommodation – homeless people, especially those presenting COVID-19 symptoms or who have tested positive but whose state of health does not require hospitalisation.¹⁰ In Brussels, directing the homeless to accommodation centres is centrally managed by Bruss'Help which deploys doctors to reception centres so that they can make diagnoses and decide whether confinement or hospitalisation is required. In France, a free hotline that can be reached seven days a week from 7 am to 10 pm was set up in mid-April to detect and refer homeless people affected by the coronavirus, and to provide the best possible care.¹¹ In addition, 80 accommodation centres specialised in the reception of people suffering from the illness were opened. Social distancing measures necessitate a rapid and sometimes challenging adaptation of the reception conditions in pre-existing accommodation. The adaptation of the premises must allow individuals presenting symptoms to self-isolate. Working conditions must ensure continuity of services despite reduced staff and protective measures.
- **Ensure access to healthcare for homeless people.** Due to widespread confinement measures and shutdowns as well as a shortage of services, staff and volunteers, access to basic facilities has been severely hampered. In Dublin, a medical charity, Safetynet, has put together mobile teams

within homeless services to provide general first aid and COVID-19 testing, underpinned by online and telephone services to meet the high demand.¹² In France, regional health agencies (ARS) in conjunction with the public medical networks and Médecins du Monde (MDM) have organised community health visits, in order to diagnose symptomatic coronavirus cases and refer people to health services.

- **Ensure access to food and hygiene for homeless people.** Again, due to widespread confinement measures, access to food banks, hot-meal services and hygiene facilities has been drastically reduced. In France, a system of 'lunch vouchers' intended to benefit 60,000 homeless people was implemented by the government at a cost of EUR 15 million. In Spain, 'community canteens' (*social comedores*) have been set up to distribute take-away food.
- **Stop people becoming homeless.** The reductions in resources generated by the confinement measures for many European households are likely to result in an increase in rental or mortgage arrears. It is necessary to anticipate these situations as far in advance as possible in order to avoid many people being evicted from their homes when these measures come to an end.¹³
- **Protect homeless people from punitive enforcement measures.** Several European states, such as France, Spain and Italy, have introduced forms etc. where a reason must be provided for why the person has left their home, with sanctions applicable where this is considered unjustified. By definition, homeless people should not be punished for non-compliance with confinement measures and should be offered safe alternatives. Collaboration between homeless services and police or civil protection services is key, for example, a protocol has been established between the police and social services of the city of Barcelona to identify and refer people at risk or in need of accommodation.

3. THE IMPACT ON RECEPTION SYSTEMS FOR ASYLUM SEEKERS AND REFUGEES

With personalised services being drastically suspended across Europe as part of the health crisis, asylum procedures and reception systems have also been affected by the quarantine measures, making people migrating to the EU even more vulnerable. On 16 April 2020, the European Commission adopted guidelines on the implementation of EU rules on asylum, return and resettlement procedures in the context of the pandemic, with the aim of 'ensuring the continuity of procedures as far as possible while fully ensuring the protection of people's health and rights'.¹⁴

– **Border closures and suspension of access to protection.** The EU banned all non-essential travel to the region and locked down its external borders for a minimum of 30 days until mid-April. It called on Member States to extend these measures until 15 May, with internal border controls being reintroduced in Schengen until further notice. The European Commission, however, asked that these border controls be implemented 'in a proportionate manner' and that they be 'based on scientific advice and risk assessment'.¹⁵ It also clarified that people in need of international protection

could be exempted from the travel ban – with health checks for those entering the European Union. On 17 March 2020, the United Nations Refugee Agency (UNHCR) and the International Organization for Migration (IOM) announced that they were temporarily suspending resettlement of refugees. Several countries have suspended procedures for the submission of asylum applications, consequently hindering access to the material reception conditions which applicants are entitled to. In Greece, the filing of asylum applications was suspended for the whole of March 2020.¹⁶ Initially, this suspension followed Turkey's declaration that it would open its borders so that migrants in the country could get to the EU. The Greek Asylum Service has temporarily suspended all administrative procedures (registering applications, asylum interviews, submission of appeals, etc.) until 10 April. In Hungary, the government suspended asylum applications indefinitely as of 1 March, stigmatising migrants and accusing them of having introduced coronavirus into the country.¹⁷ In Spain, asylum applications have also been suspended.

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However, since it is not possible at present to request international protection, those seeking access to reception centres must apply directly to the first reception entities in each province, where they must sign a declaration of intent to continue the asylum application procedure when normal activity is resumed.¹⁸

Other Member States have implemented more lenient measures, but which still have the effect of severely restricting access to international protection. In Belgium, for example, the Immigration Office has stopped physically registering new asylum seekers at the arrival centre indefinitely since 17 March, the aim being to prevent people from gathering in groups outside the centre or in waiting rooms. However, applicants are invited to register their applications online.¹⁹ In France, the French Office for Immigration and Integration (OFPRA) suspended all public reception procedures outside the asylum procedure on 16 March. Although it is still possible to submit an asylum application to OFPRA by post, it is almost impossible to register it beforehand,²⁰ since most of the physical reception services responsible for this task are closed (with only 600 registrations a week, compared with 3,000 in normal times). In Germany, the German Federal Office for Migration and Refugees (BAMF) remains open for the processing of asylum applications and decisions. However, it has altered its policy of accepting applications in person to comply with the need to avoid contact and is currently only accepting applications in writing.²¹ Asylum applications are only accepted and interviews conducted if applicants either test negative for COVID-19 or observe a 14-day isolation period prior to the application or interview. In addition, the humanitarian reception programmes for refugees from Turkey and Lebanon have been frozen. By way of example, Germany's commitment for 2020 was to take in 5,500 people, the majority of whom were Syrians. In Italy, despite

the temporary closure of immigration offices for the renewal and issuance of residence permits, a facility for the submission of applications for international protection remains open.²² In Sweden and the Netherlands, despite some operational changes in its services, asylum applications can still be made.²³

To date, Portugal is the only Member State to have adopted an ambitious comprehensive policy to protect refugees in this health crisis – on 28 March 2020 the Portuguese Government adopted a series of social and economic measures to offset the effects of the lockdown. First-time asylum seekers can register to submit their application – their appointment is automatically postponed,²⁴ and individuals with pending applications are temporarily resettled and considered permanent residents until 1 July 2020. They are given the same rights as Portuguese citizens, both in terms of access to health care and financial support.²⁵ On a positive note, France has also automatically extended residence permits expiring on 16 March 2020 by three months, in order to avoid any threat to the rights of people holding residence permits, in particular the right to work and to benefit from labour rights

– **The clear danger to migrants living in unfit conditions.** For refugees accommodated in emergency or temporary reception structures, health and social distancing measures are very difficult to implement. This endangers the health of refugees and staff who come into contact with them. In several countries, some migrant accommodation centres where a coronavirus infection was detected took quarantine measures,²⁶ turning the centres into coronavirus clusters. In the Netherlands, the Dutch Agency for Asylum Seekers (COA) halted the entry of newcomers to its accommodation centres from 15 March, but instead opened an emergency shelter for them.

Hygiene measures are impossible to implement in places where living conditions were already unsanitary – this is the case of the Greek Island ‘hotspots’, where overcrowding and lack of access to hygiene and basic care had already led to drastic consequences before the pandemic. Twenty-four human rights organisations have collectively called for the urgent repatriation to the mainland of those left stranded on the Aegean Islands²⁷ as have the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs (LIBE).²⁸ At the end of March 2020, the Greek government was still refusing to implement this – citing the absence of coronavirus cases in the camps²⁹ and announced the opening of three emergency medical care centres near the camps of Lesbos, Chios and Samos to detect coronavirus cases.³⁰ According to a Human Rights Watch report of 31 March 2020, the Greek authorities also arbitrarily detained around 2,000 newly arrived asylum seekers in particularly appalling conditions in closed centres where the spread of the virus was exacerbated by overcrowding, lack of hygiene facilities and lack of basic food, even though the population in question was already extremely vulnerable.³¹

Several Member States (Germany, Luxembourg, France, Ireland, Finland, Portugal, Croatia, Lithuania, Belgium and Bulgaria) have under-

taken to accept 1,600 vulnerable children – unaccompanied minors under 14 years of age or in need of medical care – currently living in Greek hotspots. Germany has pledged to take in fifty children immediately,³² with the city of Berlin talking approximately 350 to 500 relocated children in the next few weeks.³³ However, honouring these commitments has been slow due to disagreements between politicians, bureaucratic delays and the request by some authorities to carry out additional health checks which only serve to add further delays.³⁴ In the absence of dignified and adequate accommodation solutions in Greece, including on the mainland, other EU Member States must come to the assistance of the Greeks to distribute the urgent care of people stuck on the Aegean Islands among other countries and to avoid a large-scale health disaster. At the beginning of April, dozens of associations in France called for binding measures to ensure the protection of unaccompanied minors during the health crisis, pointing the finger at several departments who had failed in this regard.³⁵

In Belgium, due to the risks linked to overcrowding in detention centres, the Immigration Office decided to release 300 undocumented people with an order to leave the country, in order to comply with the measures undertaken in the health crisis.³⁶

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4. THE CURRENT AND FUTURE IMPACT OF THE HEALTH CRISIS ON PEOPLE EXPERIENCING HOUSING EXCLUSION AND DIRE POVERTY

With housing inequalities being greatly exacerbated by the COVID-19 crisis, confinement measures are causing feelings of 'entrapment' for people living in inadequate and unsanitary housing.³⁷ Poor households overburdened by housing costs are extremely vulnerable now – in contrast to the financial crisis of 2008, in which the commodification of housing played a central role; the economic recession is now being driven by protective measures to cope with the epidemic, with a huge number of jobs either disappearing or becoming very difficult to do. In the United Kingdom, a study has shown that income loss caused by the coronavirus crisis has had a varying impact depending on the occupancy status of the housing: 79% of social housing tenants are seeing their work hours strongly impacted, compared to 59% of tenants on the private market and 50% of home owners with a mortgage. As a result, a significant number of tenants could find themselves in rent arrears. The implementation of strong government measures and genuine solidarity on the part of landlords are therefore necessary to prevent an increase in homelessness.³⁸

The UN Special Rapporteur on the right to adequate housing has issued two statements detailing measures to be taken to ensure the protection of tenants and people in debt.³⁹ On 6 April 2020, the UN Committee on Economic, Social and Cultural Rights called on State Parties to the

ICESCR (International Covenant on Economic, Social and Cultural Rights) to impose moratoriums on evictions and foreclosures during the coronavirus crisis.

Moratoria on rental evictions, of varying durations, have been announced in Hungary, Germany, France (where this took the form of an extension of the winter ban on evictions until 31 May 2020), Belgium, Austria, Ireland, Italy, Croatia, Portugal, Spain, the Netherlands, the United Kingdom and Luxembourg. As regards housing costs, moratoria on mortgage payments have been introduced in some countries, including Ireland⁴⁰ and Belgium.⁴¹ In Spain, this has been introduced for people considered vulnerable, but only 10% of those applying for this aid are eligible for it because of the very strict access criteria that have been introduced.⁴²

Measures to top up household incomes and provide financial assistance for the payment of rent with have also been implemented various degrees of ambition and protection. In Greece, in addition to a financial aid of EUR 800 for the period from 15 March to 30 April, an official rent reduction of 40% on an individual's primary residence during the crisis period is granted to employees who have had to stop working in the sectors affected by the health crisis following a government decision. In Ireland, a rent increase

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which should have been entered into force during the emergency period (currently three months) cannot be applied, and the tenant is now not obliged to pay the difference later.⁴³ In the Netherlands, debt collection fees are being waived for tenants in rent arrears due to the health crisis.⁴⁴ In Luxembourg, some tenants can apply for a subsidy for the payment of their rent during the crisis. In Austria, tenants affected by the crisis can defer payment of rent for the months from April to June 2020 until 31 December 2020.⁴⁶ In Spain, tenant households whose income has been reduced to less than EUR 1,600/month can apply for a rent reduction or a loan to cover six months' rent with no interest.⁴⁷ In Germany, the Berlin Senate is ensuring that public landlords do not increase rents during the crisis and is urging private landlords to do the same. The Senate is also working towards implementing a widespread ban on disconnections by gas and electricity companies.⁴⁸ This same measure has also been extended in France until 31 May as part of the winter ban on evictions. The reform of the housing subsidies calculation method planned by the French government, which would have led to a reduction in benefits for many households, has been temporarily suspended and some social landlords have also proposed deferring rent payments.⁴⁹

The importance of having a safe place to live has never been more evident. The increase in domes-

tic violence is a dramatic example of this.⁵⁰ This fact should lead public authorities to, alongside confinement measures, increase funding and efforts to protect victims who are not safe in their own homes during the pandemic by providing accommodation or alternative housing for perpetrators of violence or, failing that, for their victims.

Overall, although it is still too early to assess the consequences for housing markets, some economists expect Europe's economy to shrink by more than 10% in the first half of this year as a result of the pandemic, raising fears of exploding unemployment, bad debts, asset deterioration and falling stock prices.⁵¹ Faced with this unprecedented situation, it is not yet clear whether the measures taken after 2008 to protect the European banking system from crises will work. The real estate bubbles, inflated in recent years in tight housing markets, threaten to burst, forecasting even greater and more long-term price deflation than the last recession heralded. Although this represents a real danger of property being accumulated by vulture funds – which are already circling,⁵² it is nonetheless a historic opportunity for public authorities: the EU's institutional and political responses after 2008 neither took into account nor respected – never mind protected – human rights and the right to housing.⁵³ Responses to the current crisis will need to acknowledge these shortcomings and prioritise access to dignified, adequate and affordable housing.

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1 European Union Agency for Fundamental Rights (2020), 'Coronavirus pandemic in the EU – Fundamental rights implication', Bulletin #1, 1 February – 20 March 2020, available at: https://fra.europa.eu/sites/default/files/rapa-uploads/fra-2020-coronavirus-pandemic-eu-bulletin-1_en.pdf

2 UN Special Rapporteur on the right to adequate housing (2020), 'Housing as the first line of defence against the COVID-19 outbreak', according to a UN expert', Press release – 18 March 2020, available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25727&LangID=E>

3 FEANTSA (2020), 'Coronavirus: "Staying home" not an option for people experiencing homelessness', available at <https://www.feantsa.org/fr/news/2020/03/18/covid19-staying-home-not-an-option-for-people-experiencing-homelessness?fbclid=IwAR3-7znA-vy0JmDK8opFif1ClayZciEBBJkaoxJzj2lPzHkpN4lcltdU>

4 On health and safety conditions in temporary and emergency accommodation in Europe, see FEANTSA & Foundation Abbe Pierre (2019), 'The Fourth Overview of Housing Exclusion in Europe', available at <https://www.feantsa.org/fr/report/2019/04/01/the-fourth-overview-of-housing-exclusion-in-europe-2019>

5 Culhane D, Treglia D, Steif K, Kuhn R. & al. (2020), 'Estimated Emergency and Observational/Quarantine Capacity Need for the US Homeless Population Related to COVID-19 Exposure by County, Projected Hospitalizations, Intensive Care Units and Mortality', available at https://works.bepress.com/dennis_culhane/237/

6 EPHA (2020), 'The impact of the COVID-19 crisis on homelessness', available at: <https://epha.org/the-impact-of-the-covid-19-crisis-on-homelessness/>

7 UN Special Rapporteur on the right to adequate housing (2020), 'COVID-19 Guidance Note Protection for those living in Homelessness' & 'COVID-19 Guidance Note Protecting Residents of Informal Settlements', available at: <http://unhousingrapp.org/press-room>

8 FEANTSA (2020), 'Seven measures authorities must take to protect homeless people from Covid', available at: <https://www.feantsa.org/fr/news/2020/03/31/7-measures-authorities-must-take-to-protect-homeless-people-from-covid>

9 As of April 2020, Iceland is the country where the highest number of people have been screened, with

screening widespread, regardless of whether people have symptoms or not [in French]: <https://ici.radio-canada.ca/nouvelle/1692201/covid-19-islande-lecons-symptomes-tests-aleatoires-depistage-grande-echelle>. See also Luxembourg's mass screening policy [in French]: <https://www.rtfb.be/fr/actualites/luxembourg-un-des-pays-a-monde-qui-pratique-le-plus-de-tests-covid19?id=2623133>

10 In France, on 12 April 2020, 163,000 emergency accommodation places were announced, 9,000 spaces have been made available in hotels; 13 'centres de deserrerment' (temporary confinement centres) have opened accommodating 500 people, with 86 potential sites having been identified. See https://mcsusercontent.com/01d13a19ee582a0195298256d/files/9c409566-6eal-4087-9144-07c7e0851fa9/Cahier_des_charges_confinement.pdf. MSF in Brussels opened such a centre with capacity for 150 individuals at the end of March 2020. In Luxembourg, Médecins du Monde has kept its health centres open for this purpose. In Italy and the Netherlands, some regional and local authorities made vacant apartments and buildings available for temporary accommodation. In Barcelona, a conference centre was used to urgently accommodate 150 people and three new shelters were opened. In London, 300 hotel rooms were made available to homeless people for 12 weeks under an agreement between the local authorities and the InterContinental Hotels Group.

11 <https://www.franceinter.fr/covid-19-des-medecins-lancent-un-numero-vert-pour-prendre-en-charge-les-sans-abris-malades?fbclid=IwAR2ez7K0sGlvYcGQ1a1aWGBepBlnshuchcFPBkBaXz8iA01aBlgTG-14>

12 <https://icsh.us6.list-manage.com/track/click?u=037f4c41c07b7fe046b4771b&id=b01c88fca2&e=551d8a7070>

13 See below D).

14 European Commission (2020), 'Coronavirus: Commission presents guidance on implementing EU rules on asylum and return procedures and on resettlement', Press release – 16 April 2020, available at: https://ec.europa.eu/commission/presscorner/detail/en/ip_20_666

15 In March 2020, the Czech Republic, Poland, Slovakia, Slovenia and Hungary completely closed their borders.

16 <https://www.gcr.gr/en/en/press-releases-announcements/item/1414-i-psiifisi-tou-kainoyriou-nomou-simatodoti-tin-ypanaxorisi-tou-dikaionomatos-sto-asvlio>

Greek Refugee Council appealed against the relevant decree to the Council of State, but the decision handed down was favourable to the government.

17 Viktor Orban was quoted as saying, 'We are fighting a war on two fronts, migration and coronavirus, which are linked because they both spread with displacement' [in French]: <https://www.liberation.fr/planete/2020/03/14/coronavirus-les-femtures-de-frontiere-se-multiplient-en-europe-1781594>

18 <https://www.acathi.org/respuesta-a-preguntas-frecuentes-sobre-la-situacion-del-sistema-de-proteccion-internacional-durante-el-periodo-de-estado-de-alarma/>

19 <https://www.cire.be/office-des-etrangers-introduction-de-demande-de-protection-internationale-en-ligne?fbclid=IwAR3Ht29A9UWKGrt0mKSF0hmcCOjgAPxz2HZKqKBoG4dEpe071D6twk>

20 <https://www.france-terre-asile.org/accueil/la-presse-en-parle/communiqués-de-presse-communication-coronavirus/>, the reception of protected people is suspended. It is still possible to submit an asylum application to Ofpra by post: https://www.lemediasocial.fr/coronavirus-les-titres-de-sejour-prolonges-l-opfra-et-l-ohi-en-service-reduit_muYbR

21 A prerequisite for submitting an 'application form' is that applicants are registered at an initial reception centre in the federal state, where proof of arrival is also issued. The 'application form' is then sent to the Federal Office, which issues residence permits and sends them to the applicant with written instructions on the asylum procedure. The Federal Office is currently concentrating its asylum efforts on making decisions, if possible, without conducting interviews. It handed down 11,000 decisions in March 2020. The Federal Office is in the process of setting up interview facilities in its branches where possible, in accordance with infection protection regulations. The BAMF has suspended interviews as part of the application review procedure.

22 <https://coronavirus.jumamap.com/fr/asile-e-immigration/>; Search and rescue vessels in the Mediterranean Sea have been banned from docking, as the Italian government considers its ports 'dangerous': <https://www.theguardian.com/world/2020/apr/08/italy-declares-own-ports-unsafe-to-stop-migrants-disembarking>

23 <https://www.migrationsverket.se/English/About-the-Migration-Agency/Coronavirus.html> In the Netherlands, apart from

the submission of applications, all other stages of the asylum procedure, with the exception of security and medical checks, have been suspended: <https://ind.nl/en/Pages/Coronavirus.aspx>

24 <https://dre.pt/home/dre/130835082/details/maximized?serie=it&field=130835080>

25 'It will be sufficient to produce the document requesting resettlement in order to apply for a medical card, to sign an employment contract, to open a current account or to apply for benefits if an employment contract is withdrawn or for the allowance for workers who have to stay at home to care for children, parents or grandparents' <https://www.courrierinternational.com/article/pandemie-le-portugal-regularise-temporairement-les-immigres-pour-les-proteger-du-covid-19>

26 Such cases have been confirmed in Germany, Austria, Greece and Malta: <https://www.icmpd.org/news-centre/news-detail/2020-03-24-urgent-voice-refugee-in-the-time-of-corona/>

27 <https://www.hrw.org/news/2020/03/24/greece-move-asylum-seekers-migrants-safety>

28 <https://www.europarl.europa.eu/news/en/press-room/20200323PR75632/refugees-on-greek-islands-urgent-evacuation-to-prevent-spread-of-covid-19>

29 <https://www.reuters.com/article/us-health-coronavirus-eu-greece-migrants/eu-asks-greece-to-move-migrants-most-at-risk-from-coronavirus-out-of-crowded-camps-idUSKBN21B2Y1>

30 <https://www.amna.gr/en/article/445838/Infirmary-for-early-detection-of-coronavirus-cases-open-at-Chios-and-Samos-hotspots>

31 <https://www.hrw.org/news/2020/03/31/greece-nearly-2000-new-arrivals-detained-overcrowded-mainland-camps>

32 <https://www.dailysabah.com/politics/eu-affairs/israel-to-take-in-50-migrant-children-from-greek-camps>

33 <https://www.theguardian.com/world/2020/apr/08/italy-declares-own-ports-unsafe-to-stop-migrants-disembarking>

34 <https://www.theguardian.com/global-development/2020/apr/07/coronavirus-doesnt-respect-barbed-wire-concern-mounts-for-greek-camps>; <https://www.cncd.be/covid-19-coronavirus-camps-refugies-migrants-bombe-sanitaire-europe-grece-pandemie>

35 https://www.lemediasocial.fr/accueil-des-mineurs-non-accompagnes-les-departements-mis-en-cause_eMYTxx

36 <https://www.rtfb.be/info/belgique/detail-coronavirus-1-office-des-etrangers-libere-300-sans-papiers?id=10462747>

37 Testimonials from people facing housing exclusion in France during confinement [in French]: https://www.lemonde.fr/societe/video/2020/04/10/on-va-mourir-de-ca-comment-les-francais-mal-loges-sont-pieges-par-le-confinement_6036248_3224_wJdACppkBJT4Zwv7ZHH-VRlQK73paVFVRYMwv3veeiKAHpIdg_voir_egalement https://www.theguardian.com/commentisfree/2020/apr/06/coronavirus-crisis-garden-housing-tower-block-home?CMP=share_btn_tw

38 Resolution Foundation (2020), 'Housing Outlook Q2 2020 – Housing and the coronavirus: an economic shock', available at: <https://www.resolutionfoundation.org/publications/housing-outlook-q2-2020/>

39 UN Special Rapporteur on the right to adequate housing (2020), 'COVID-19 Guidance Note: Protecting renters and mortgage payers', available at: http://unhousingrapp.org/user/pages/07_press-room/Guidance%20Notes%20-%20Rent%20and%20Mortgages%20Arrears%20FINAL.pdf

40 <https://www.irishtimes.com/business/financial-services/coronavirus-banks-agree-mortgage-breaks-and-repossession-deferrals-1.4205750>

41 <https://www.vrt.be/vrtnws/nl/2020/03/31/wanneer-kan-je-uitstel-van-betaling-krijgen-voor-je-woonlening/>

42 https://www.eldiario.es/economia/Moratoria-asfinia_0_1012798948.html

43 <https://www.irishtimes.com/news/ireland/irish-news/ban-on-evictions-and-rent-freeze-in-new-emergency-legislation-1.4211377>

44 <https://nltimes.nl/2020/03/26/tenants-will-evicted-coronavirus-crisis-minister-promises>

45 <https://today.rtl.lu/news/luxembourg/a/1491770.html>

46 <https://noe.orf.at/stories/3042481/>

47 <https://civico.es/el-boe-nuestro-de-cada-dia/2020/03/31/medidas-alquiler-y-vivienda-coronavirus/>

48 <https://www.neues-deutschland.de/artikel/1134695-coronavirus-keine-raeumung-keine-erhoehung.html>

49 <https://www.cnews.fr/france/2020-04-05/coronavirus-en-seine-saint-denis-deux-bailleurs-sociaux-proposent-de-reporter-le>

50 The Catalan regional government lamented a 20% increase in calls to the emergency hotline during the early days of the Spanish lockdown. In Cyprus, there was a 30% increase in calls to the emergency hotline during the week beginning 9 March: <https://www.theguardian.com/society/2020/mar/28/lockdowns-world-rise-domestic-violence>. In France, an increase of more than 30% in domestic violence reports in Paris and the rest of the country was observed in just one week: https://www.lemonde.fr/societe/article/2020/03/30/hausse-des-violences-conjugales-pendant-le-confinement_6034897_3224.html

51 <https://www.nytimes.com/2020/04/06/business/european-banks-coronavirus.html>

52 https://ca.finance.yahoo.com/news/blackstone-raises-10-7-billion-160253628.html?gucounter=1&guce_referrer=aHR0cHMlZl90MmNvL1ZmZXRqYVNDNDhG4_YWVlPTE6O3c2dyX3-83G8iXWpJSXK42f6C3eDkX6yFvEh-SjHfANMvXFEZASyYt8B0cMankoc_qa0M2_juB7tdHdR0jVH73ag74JgPv73hXakrqdS_E5nJ2a1WFPJN80lxobdZmXvEivarnZThkVVD_XOT8C-mF83XHyfXk

53 <https://www.nuigalway.ie/about-us/news-and-events/news-archive/2020/april/irish-housing-law-expert-stresses-that-housing-rights-must-be-central-to-europes-financial-response-to-covid-19-1.html>





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CHAPTER 3

**EXILED AND
HOMELESS:**
RECEPTION AND
ACCOMMODATION
CONDITIONS FOR
ASYLUM SEEKERS
AND REFUGEES
IN EUROPE

31

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1 See the previous chapter for detailed information.

2 Eurostat, 2020. See 'Going Further - Annexes and Tables' – Graph 1.1 – Demands for asylum (from third-country applicants) in the EU-28 countries, 2009-2019.

3 Eurostat, 2020 [migr_asyappctza].

4 Eurostat, 2020 [migr_asydcfstal]. While refugee status and subsidiary protection status are defined by European Union law, status on humanitarian grounds is based on national legislation, which explains why it is not applicable in certain EU Member States. See 'Going Further - Annexes and Tables' – Graph 1.2 – Outcome of first instance decisions relative to number of asylum applications (from third country applicants), 2019.

5 Eurostat, 2020. See 'Going Further - Annexes and Tables' – Graph 1.3 – First time asylum seekers by age (third country applicants) in the EU Member States and the EFTA, 2019.

The proportion of people in exile among the homeless population has increased significantly over the last ten years, in all countries where data was available, including Greece, Ireland, Sweden, Denmark, Finland, Italy, the Netherlands, Germany, Spain, Belgium, the United Kingdom, and France¹. Where official quantitative data does not exist, qualitative information and feedback from the voluntary sector bears this out. As is also evidenced in the Index of Housing Exclusion in Europe 2020 (see page 87), when people from third countries access the housing market, they are proportionally more vulnerable to housing exclusion, prohibitive costs, and unfit housing.

Europe experienced several mass movements of refugees over the 20th century, including the 500,000 Spanish Republicans who arrived in France in 1939, the one million Jews, Muslims and 'pieds-noirs' who arrived from Algeria in 1962, and the 700,000 Yugoslavs who arrived in Western Europe in 1992. Of its 512 million inhabitants on 1 January 2018, the European Union is home to 22 million non-European citizens, or about 4.4% of its population.² Having reached a peak of more than 1.3 million in 2015, the annual number of asylum seekers in Europe (those coming from third countries), dropped considerably to 647,165 people in 2018. The upward trajectory returned between 2018 and 2019 when 721,070 people (+13%) applied for asylum across the EU-28 countries.³ In 2019, 39% of first instance decisions on asylum applications in the EU-28 were positive and led to the granting of refugee status, subsidiary protection status, or a residence permit on humanitarian grounds⁴ and 39% of final judgements after appeal or review led to a positive outcome. In 2019, 121,570 people were granted refugee status in the EU-28 on first instance, 53,230 were granted subsidiary protection status and 46,220 were granted residency on humanitarian grounds. The main destination countries of first-time asylum applicants were Germany (22% of all first-time applicants to Member States in 2019), France (18%), Spain (17%), Greece (11%), the United Kingdom (7%), and Italy (5%).

Syria was the main country of origin of asylum seekers in the European Union Member States in 2019, a position it has held since 2013 (11% of the total number of asylum seekers). Syria was followed by Afghanistan (8%), Venezuela (6%), Iraq (5%), Pakistan and Colombia (4%). In 2019, in the EU-28, almost four-fifths of asylum seekers (77%) were under 35 years old.⁵ People aged 18-34 years represented just under half (48%) of the total number of applicants, while almost one third (29%) were minors under 18 years of age.

RIGHT TO ASYLUM: EUROPE-WIDE HARMONISATION PROVES CHALLENGING

Asylum, derived from the Greek 'asylon' meaning 'safe from violence' and 'sanctuary', is the right of an individual to seek refuge.

In 1950, following the Second World War, which led to 40 million people being displaced, the protection of refugees' rights was entrusted to the newly created United Nations High Commissioner for Refugees (UNHCR). The founding text for the international protection of refugees – the Geneva Convention adopted 28 July 1951 by the UN and ratified by 145 party states – defined refugee status for the first time in international law, stated the rights pertaining to this status and the legal obligations on signatory states in this regard.⁶ The Convention's fundamental principle is 'non-refoulement', meaning that a refugee must not be returned to a country where their life or freedom are under serious threat. In 1967, the New York Protocol enabled all refugees to be included regardless of their country of origin and the date of events they are fleeing, therefore complementing the Geneva Convention which only concerned European refugees fleeing events prior to 1 January 1951.⁷ A refugee is any person who, *'owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.'*

The European Union has been working on the development of a common European asylum regime for the last 30 years, as it shares competence with Member States on migration policy. At the beginning of the 1990s, the prospect of a

single market without internal borders and the problems managing displaced people (due to conflicts in the Balkans and the crumbling communist regimes) led to asylum and immigration issues being integrated into EU treaties – the removal of internal EU borders had to go hand-in-hand with compensatory measures such as strengthening external borders and cooperation in the fields of asylum and immigration. With the entry into force of the Maastricht Treaty in 1993, asylum became a Union competency, although limited by the framework of intergovernmental cooperation. The Treaty of Amsterdam, which entered into force in 1997, introduced the legal framework and supranational competence of the European Union in immigration and asylum matters. The Common European Asylum System (CEAS) was officially referred to for the first time in the conclusions of the 1999 Tampere Summit, along with other international protection legislation.⁸ The minimal standards prescribed in the 2003 Reception Conditions Directive⁹ derive their substance from the fact that 'Member States shall make provisions on material reception conditions to ensure a standard of living adequate for the health of applicants and capable of ensuring their subsistence'.

Access to adequate housing for those applying for and benefiting from international protection is an integral part of any functioning asylum system.

Within the framework of the CEAS, the recast Reception Conditions Directive and the recast Qualification Directive set the standards that EU Member States must meet in this respect. The most recent efforts to harmonise asylum rights in EU Member States have involved adopting the recast Asylum Procedures Directive in 2013 as well as the respective recasts of the Dublin Regulation, the EURODAC Regulation and the Reception Conditions Directive.

The Reception Conditions Directive aims to guarantee asylum seekers access to housing, food,

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<https://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfRefugees.aspx>

7

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfRefugees.aspx>

8

The instruments adopted in the first phase of the CEAS are: the EURODAC Regulation (regarding comparison of fingerprints, 2000); the Temporary Protection Directive (on minimum standards for giving temporary protection in the event of a mass influx of displaced persons, 2001); the Dublin II Regulation and the Regulation laying down detailed rules for the application of the Dublin Regulation (establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application, 2003); the Reception Conditions Directive (on minimum reception conditions, 2003); the Qualification Directive (on minimum standards for the qualification and status of third country nationals or stateless persons as refugees, 2004); and the Asylum Procedures Directive (on asylum procedures, 2005).

9

https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ.L_2003_031_0018_0025.EN.PDF

EXILED AND HOMELESS: RECEPTION AND ACCOMMODATION CONDITIONS FOR ASYLUM SEEKERS AND REFUGEES IN EUROPE

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For more information on the European legislative and historical perspectives on asylum rights: see 'Going Further – Annexes and Tables' in this Overview.

11

Migreurop (2017), '3e Edition de l'Atlas des migrants en Europe – Approches critiques des politiques migratoires' [3rd edition of the atlas of migration in Europe – Critical approaches to migration policies], 176 p. [available in French at] <http://www.migreurop.org/article2841.html>.

12

European Asylum Support Office (EASO), made up of Frontex and Europol.

13

Migreurop (2018), 'Le détournement progressif de l'approche hotspot en Italie' [The gradual hijacking of the hotspot approach in Italy], available [in French] at: <http://www.migreurop.org/article2902.html>.

14

https://infocrisis.gov.gr/7111/national-situational-picture-regarding-the-islands-at-eastern-aegean-sea-10-12-2019/?lang=en&fbclid=IwAR0CP6wstOTac_Ky8INCwLAnQoQbN11Vpy9U5b4ii7xZNXymitFYIqGmE

15

See Migreurop (2018), 'Moria, l'enfer sur terre' [Moria, hell on earth], available [in French] at: <http://www.migreurop.org/article2895.html> et and the EUObserver (2019), 'Greece need to face reality about asylum seekers', available at: https://euobserver.com/opinion/146142?utm_source=euobs&utm_medium=email

clothing, healthcare, education for minors and employment under certain conditions. However, the current Directive gives significant discretionary powers in the definition of what constitutes an adequate standard of living and how it should be achieved. **As such, reception conditions continue to vary considerably between Member States, both in terms of organisation of the reception systems and in terms of guaranteed minimum standards for asylum seekers.**

Another key element of this legal framework is the Dublin Regulation, which establishes the Member State responsible for examining the asylum application. The Dublin III Regulation, which entered into force in July 2013, contains procedures for the protection of asylum seekers that are supposed to 'improve the system's efficacy'. In May 2016, in the framework of its proposed reform of the CEAS, the Commission presented a draft proposal aiming to make the Dublin system more transparent and to strengthen its efficacy, while providing a mechanism to deal with the wide discrepancies in pressure on Member States' systems.¹⁰

ARRIVING IN EUROPE: AN OBSTACLE COURSE

The right to asylum is intrinsically linked to the principle of non-refoulement: enshrined in Article 33 of the Geneva Convention and underpinned by Article 3 of the European Convention on Human Rights, it forbids Member States who receive asylum seekers on their territory to send them back to their country if they could be exposed to danger or persecution. Article 18 of the European Union's Charter of Fundamental Rights states that the right to asylum must be guaranteed with respect to the rules decreed by the Geneva Convention of 28 July 1951 and the Protocol Relating to the status of refugees of 31 January 1967, in accordance with the founding treaties of the European **Union. Any individual**

has the right to apply for asylum on European territory.

In reality however, the EU asylum application process is like an obstacle course, which starts even before arrival on European soil. Reaching 'sanctuary' offered by Europe is often the culmination of a long, difficult and even traumatising journey, particularly when normal routes are not an option, leaving only dangerous and unsafe routes. In the last 25 years, almost 40,000 immigrants have been reported missing or dead from drowning or exhaustion at the borders of 'Fortress Europe'. In 2016, more than 6,000 immigrants died crossing the Mediterranean, the most deadly year so far.¹¹

European policy, which is based on strengthening the external borders, chose to externalise border control by creating, for example, Reception and Identification Centres, commonly known as 'hotspots' in Greece and Italy. Initiated by the Commission in 2015, these facilities for treating asylum applications are led by the European border management authorities¹² and include representatives from national authorities. They are intended to enable rapid identification and registration of migrants, as well as take fingerprints. In **Italy**, reports have criticised how the primary functions of the 'hotspots' have been misappropriated to create detention camps and gateways to deportation, where many violations of fundamental rights and asylum rights have been reported.¹³ In **Greece**, on 10 December 2019, across all the Reception and Identification Centres, 37,101 people (men, women and children) were living in the inhuman conditions of camps intended to hold a maximum of 6,178 people.¹⁴ The living conditions in these camps is utterly deplorable with several organisations and observers referring to them as 'hell on earth'.¹⁵ In October 2019, the Council of Europe's Commissioner for Human Rights urged the Greek government to urgently transfer asylum seekers stuck on the

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<https://www.coe.int/en/web/commissioner/-/greece-must-urgently-transfer-ASYLUM-SEEKERS-from-the-aegean-islands-and-improve-living-conditions-in-reception-facilities>

17

Human Rights Watch (2020), 'Greece: Nearly 2,000 new arrivals detained in overcrowded, mainland camps', 31 March 2020, available at: <https://www.hrw.org/news/2020/03/31/greece-nearly-2000-new-arrivals-detained-overcrowded-mainland-camps>

18

European Commission (2015), 'Relocation of 120 000 refugees – European Commission Statement following the decision at the Extraordinary Justice and Home Affairs Council', Press release – 22 September 2015, available at: https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT_15_5697

19

European Commission (2017), 'Relocation and resettlement', available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170904_factsheet_relocation_and_resettlement_en.pdf

20

European Commission (2017), *op. cit.*

21

European Commission (2019), 'Resettlement: EU Member States' pledges exceed 30,000 places for 2020', Press release – 18 December 2019, available at: https://ec.europa.eu/commission/presscorner/detail/en/ip_19_6794

Aegean Islands and to improve living conditions at the reception facilities.¹⁶ The situation has become particularly drastic since the beginning of the COVID-19 pandemic and the European healthcare crisis that has followed. While the right to seek asylum was suspended in Greece on 1 March 2020, restrictions on freedoms, arbitrary detention and the violation of asylum seekers' fundamental rights have become commonplace. A report by Human Rights Watch has denounced the detention of more than 2,000 asylum seekers who have arrived since 1 March in unacceptably overcrowded conditions with a lack of food and basic hygiene facilities, which has enabled the virus to spread within this already very vulnerable population.¹⁷

These 'hotspots' are also intended to enable the resettlement of people who are recognised as having a 'clear' need for international protection in European countries (according to quotas per country which are not always agreed upon), in order to relieve the pressure on the two main reception countries. In September 2015, the European Commission proposed a plan to resettle 120,000 people over two years.¹⁸ However, the rate of resettlement has been lower than desired and its implementation a failure: by September 2017, i.e. at the end of the programme, only 27,695 people had been resettled. France, for example, had committed to receiving 20,000 asylum seekers but only 4,278 had been resettled in the country by that date.¹⁹

Only by receiving humanitarian visas or being part of a resettlement programme – limited and managed by UNHCR outside of the European Union – can asylum seekers arrive in Europe through regular channels. The European Resettlement Scheme was proposed by the European Commission and adopted by the Council in July 2015.²⁰ People who are resettled are generally subject to a specific type of reception. In **France**, temporary reception falls

under the Asylum, Migration and Integration Fund, which makes up to EUR 4,000 available per person per year. It also usually provides one year of housing via a sublet, with comprehensive support. Similarly, in the **United Kingdom**, people who are resettled are entitled to housing and social support for a minimum of one year. Since 2015, throughout the entire European Union, more than 65,000 refugees have benefited from resettlement programmes, which facilitate safe migratory routes and protect the fundamental rights of the people concerned.²¹

DEFINITIONS AND OUTLINES OF THE REPORT

In this report, we will mainly look at the reception and accommodation conditions for asylum seekers and beneficiaries of international protection, which includes:

- **Asylum seekers** who have applied or wish to apply for asylum in an EU country and are awaiting the authority's decision.
- **Beneficiaries of international protection** who have obtained refugee status, subsidiary protection or humanitarian protection.

These people apply for protection on European Union territory, which is provided for by binding legislation. However in reality, the fundamental rights of a large number of these people are denied, as evidenced by unfit and degrading reception facilities and living conditions. The Common European Asylum Regime, as it currently stands, results in standards for the conditions of reception that, while weak in terms of protecting fundamental rights, at least exist. The question therefore arises as to what minimum conditions of reception and accommodation exist for people who fall outside the framework of European protection. To the above-mentioned categories, we can then add to our analysis '**dublinised**' people, i.e. those who are subject to

EXILED AND HOMELESS: RECEPTION AND ACCOMMODATION CONDITIONS FOR ASYLUM SEEKERS AND REFUGEES IN EUROPE

decisions under the Dublin Regulation in order to be returned to the first country they arrived in to apply for asylum there. We will also look at the case of **migrants in transit**, who have not yet applied for asylum but wish to do so in a country other than the one they are currently residing in, and **rejected asylum seekers** who, as they are not considered asylum seekers or beneficiaries of international protection, see their fundamental rights systematically endangered by the absence of guarantees of access to minimum reception and accommodation conditions.

All of these people are vulnerable by virtue of their administrative status, and face housing exclusion and housing deprivation.

The **concept of 'material reception conditions'** refers to the definition given in the Reception Conditions Directive. As we have seen, these conditions must provide applicants with 'an adequate standard of living guaranteeing their subsistence and protecting their physical and mental health' (Art. 17(2)). This includes **'housing, food and clothing, either provided in kind, or as financial allowances or in vouchers, or a combination of the three, and a daily expenses allowance'** (Art. (2)). Article 18 (1) of the Directive states that when housing is provided in kind, it must be in the form of 'premises used for the purpose of housing applicants during the examination of an application for international protection made at the border or in transit zones', 'accommodation centres which guarantee an adequate standard of living' and/or 'private houses, flats, hotels or other premises adapted for housing the applicants'. The CJEU had the opportunity to provide its interpretation of the extent of Member States' obligations in the matter, which allowed for a more precise definition of what the concept of the right to material reception conditions entails. So, when they are allocated in the form of financial support, they must be adequate to cover housing in the private sector

and preserve the family unit if there are minor children. Furthermore, the CJEU also made provisions in the event of reception infrastructure being overcrowded. Member States can, in this case, send asylum seekers to the relevant structures of the state welfare system as long as the minimum standards enshrined in the Directive are respected.

The range of solutions outlined by the European regulation is therefore wide-ranging. **Insofar as adequate living conditions guarantee subsistence and ensure the protection of people's physical and mental health, the reception conditions provided by Member States can amount to anything ranging from emergency accommodation to individual housing units, and even hotel accommodation.**

WHAT DOES THE LAW SAY about the practical implications of asylum seekers' right to material reception conditions (when rights begin, financial support and alternatives in the event of overcrowding)?**Saciri & Others v Belgium²² | 2014 | CJEU**

A family applying for asylum in Belgium was informed by the agency responsible for reception that they could not be provided with accommodation. Unable to find accommodation on the private market, the family applied for financial support from another agency which refused them on the basis that they were not housed within the public reception system, despite the fact that no accommodation was available for them. The initial reception agency was obliged by judicial authority to provide the family with financial support. Appealing this decision, the Brussels Higher Labour Court (*Arbeidshofte*) demanded clarification from the CJEU regarding the State's obligation to provide financial support to asylum seekers, under the Reception Conditions Directive. The Court stated that:

- ➔ **Asylum seekers have the right to material reception conditions (MRC) from the moment the application is made.**
- ➔ If support is provided in the form of financial assistance, the amount must be **sufficient to 'guarantee a dignified standard of living and [be] adequate for the health of applicants** and capable of ensuring their subsistence by enabling them to obtain housing, if necessary, on the private rental market'.
- ➔ If the specialised reception centres are overcrowded, Member States can 'make payment of the financial allowances using the bodies which form part of the general welfare system as intermediary' but these bodies must **respect the minimum standards laid down in the Directive. Overcrowded facilities cannot be used to justify failure to meet these standards.**

WHAT DOES THE LAW SAY about conditions for limiting or withdrawing the right to material reception conditions?**Zubair Haqbin v Federal Agency for the reception of asylum seekers, Belgium²³ | 2019 | CJEU**

An asylum seeker – who was also an unaccompanied minor – was housed in a centre where he was involved in an altercation. The centre director decided to exclude him from the material assistance provided by the reception centre for 15 days, during which the applicant had to sleep rough or stay with third parties. It is important to clarify that Article 20 of the Reception Conditions Directive allows for the possibility for Member States to limit or withdraw the benefit of material reception conditions, on the basis of certain provisions listed in the article and 'in duly justified exceptional circumstances'. Point four of this same article also states that sanctions can be applied in cases where there is a serious violation of the centre's rules or particularly violent behaviour has occurred. The CJEU stated that:

- ➔ It is **not possible to provide for 'a sanction consisting in the withdrawal, even temporary, of material reception conditions** [...] relating to housing, food or clothing in so far as it would have the effect of depriving the applicant of the possibility of meeting his or her most basic needs'.
- ➔ The **sanctions** provided for in Article 20.4 of the Directive, in cases where there is a serious violation of the centre's rules or particularly violent behaviour has occurred, must be **proportionate (with regard to the person's situation) and respect the principle of respect for human dignity.**

This judgement is hugely important given that several Member States (for example Belgium, the Netherlands, Romania, Italy, Spain, Greece) currently authorise the withdrawal of material reception conditions as a sanction to punish a serious violation of the accommodation centre's rules or violent behaviour.

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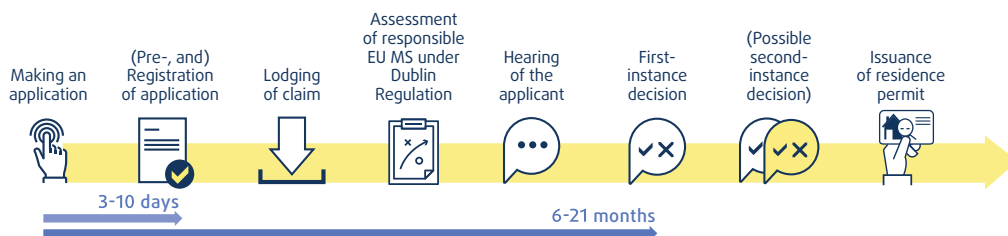
Cas C-79/13, Saciri and Others, 27 February 2014 | European Database of Asylum Law: <https://www.asylumlawdatabase.eu/en/content/cjeu-decision-case-c-7913-saciri-and-others-27-february-2014>

23

Cas C-233/18: <http://curia.europa.eu/juris/document/document.jsf?text=&docid=222184&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=3726584>

EXILED AND HOMELESS: RECEPTION AND ACCOMMODATION CONDITIONS FOR ASYLUM SEEKERS AND REFUGEES IN EUROPE

STEPS OF THE ASYLUM PROCEDURE AND TIMESPANS REQUIRED BY EU LAW



Source: FRA, 2019 *Integration of young refugees in the EU: good practices and challenges*

24

ECRE, Asylum Information Database (2019), 'Housing out of reach? The reception of refugees and asylum seekers in Europe'.

25

This document is not a report on migration policies; there is an abundance of information on the consequences/ results of this: see Migreurop (<http://www.migreurop.org/>), EPIM – European Programme for Integration and Migration (https://ec.europa.eu/knowledge4policy/node/6918_fr), PICUM (<https://picum.org/>), European Parliament (<https://www.europarl.europa.eu/factsheets/en/sheet/152/immigration-policy>)...

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The United Kingdom was still a European Union Member State (up until 31 January 2020) when this report was being written; we decided to keep it in the analysis.

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For detailed data, see Chapters I and III of this report.

'Access to adequate accommodation for people seeking and granted international protection is part and parcel of any functioning asylum system.'²⁴ The current chapter focuses on analysis of the material conditions for reception, accommodation and access to housing for asylum seekers – including those in the Dublin procedure – and people benefiting from international protection, and their consequences on living conditions, on health (physical and mental), on education, on employment, and on the path to inclusion.²⁵ **Do the conditions for reception, accommodation and access to housing contribute to making the right to asylum**

effective? Do these conditions enable the main objective of the right to asylum to be met, i.e. protection of those who benefit from it? If this is not the case, can we argue that there is a 'reception and right to asylum crisis' in Europe?

This report will try to respond to these questions while focusing on the living conditions of people concerned at different stages of their journey. Nine countries – eight of which are European Union Member States – where asylum applications were highest in 2019 have been selected for the comparative analysis: **Germany, France, Greece, Italy, Spain, the Netherlands, Sweden, Belgium and the United Kingdom.**²⁶

By choosing these nine countries for the comparative analysis, we do not wish to hide the fact that in the other European Union countries, there was a tendency for people in exile to be over-represented among the homeless – in Ireland, Finland, Denmark, Lithuania, Slovenia and Portugal, the available data shows how very exposed migrants are to homelessness and housing exclusion²⁷.

This report was finalised on 17 April 2020, during the COVID-19 pandemic. The information, data and analysis herein were therefore written before this date.



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Directive 2013/32/EU, adopted by the European Parliament and Council in 2013, replacing Directive 2005/85/CE on minimum standards in Member States' procedures for granting and withdrawing refugee status. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013L0032&from=en>

Photo : Mauro Striano | Eleonas camp for asylum seekers - Athens, Greece

1.

SEEKING REFUGE: INADEQUATE RECEPTION AND ACCOMMODATION CONDITIONS FOR ASYLUM SEEKERS

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<https://www.cire.be/sept-organisations-attaquent-letat-belge-sur-la-limite-dacces-a-loffice-des-etrangers/>; case of Maximilian Park, in Brussels in French | <https://www.moustique.be/16651/que-reste-t-il-du-parc-maximilien>

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<https://medecinsdumonde.be/actualites-publications/actualites/a-maggie-de-block-nouvelle-secretaire-detat-a-lasile-et-a-laundefined>

31

<https://www.rtf.be/info/belgique/detail-les-quotas-journaliers-demandes-d-asile-suspendus?id=10103286>

32

Home Affairs Select Committee (2017), 'Asylum Accommodation', available at: <http://bit.ly/2n0KUWl>

33

See the section on how the health crisis is impacting asylum seekers in the second chapter of this report.

34

Directive 2013/33/EU of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32013L0033>

The European framework of procedures for managing asylum applications are defined in the Asylum Procedures Directive.²⁸ It establishes clear rules regarding the submission of applications, in order to ensure that any individual wishing to gain international protection has the chance to do so quickly and efficiently. Once submitted, the application must be registered within three days maximum (Article 6) and examined in principle within six months (Article 31). Adequate information along with legal assistance must be guaranteed to asylum seekers, who also have the right to stay in the Member State during the entire time their application is being considered (Article 9). In practice, in certain EU Member States, there have been several cases where people are required to wait, often without shelter and in appalling conditions, before being able to submit their asylum application. This was reported in **Brussels**,²⁹ where a daily limit was set on access to the Immigration Office on 22 November 2018 by the Belgian government, limiting the number of asylum applications to 60 per day, and leaving hundreds of people deprived of their rights and of getting their application considered, without support or accommodation provided. According to Médecins du Monde, a baby that was just a few months old was found suffering from hypothermia in the queue outside the Immigration Office before being taken into the emergency department.³⁰ The Belgian Council of State suspended the daily quotas in the end, on the grounds that the quotas 'had made it exceptionally difficult to exercise individuals' fundamental rights'.³¹ In **England**, the Home Affairs

Committee has pointed to the consequences of increasing delays in asylum procedures, leaving people stuck for several weeks in the Initial Accommodation, intended for very temporary stays (19 days maximum), which has particularly detrimental effects on the living conditions of women, including pregnant women and young mothers.³² Since the beginning of the European health crisis caused by the COVID-19 pandemic, several Member States have adapted the right to asylum and the related procedures, highlighting the radically different policy approaches taken by each country.³³

The material reception conditions that Member States must provide to asylum seekers are determined by the Reception Conditions Directive.³⁴ Through this Directive, asylum seekers are granted rights to these conditions from the moment their application is submitted. They must then have access to housing, food, clothing, healthcare, education for minors, and employment, under certain conditions. The legislation makes it clear that **the measures regarding material reception conditions must ensure applicants have 'an adequate standard of living guaranteeing their subsistence and protecting their physical and mental health'** (Article 17). The Directive also highlights the situation of **vulnerable people**, particularly unaccompanied minors and torture victims: Member States must, among other things, conduct an individual evaluation in order to identify the specific reception needs of vulnerable asylum seekers and to ensure they have access to medical and psychological support. However, by not defining what constitutes

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A reference document by the European Asylum Support Office (EASO) was published in 2016 to support Member States in the implementation of key provisions of the Reception Conditions Directive: EASO (2016), EASO Guidance on Reception conditions: Operational standards and indicators, available at: <https://www.easo.europa.eu/sites/default/files/EASO%20Guidance%20on%20reception%20conditions%20-%20operational%20standards%20and%20indicators%5B3%5D.pdf>

36

For more information on financial assistance, see 'Going Further – Annexes and Tables', Table 2.1 – Financial assistance for asylum seekers.

37

Statement (translated) of Evelyne, an employee at OFPRA (French Office for the Protection of Refugees and Stateless Persons), France Inter (2019), <https://www.franceinter.fr/ce-qui-me-gene-c-est-le-traitement-differencie-selon-les-nationalites-des-officiers-de-l-ofpra-temoignent>

38

Sources: ESPN country files 2019 and FEANTSA country files (updated each year).

39

In accordance with a 2016 law/Section 12a of the Residence Act.

an adequate standard of living and how to guarantee it, the current Directive leaves Member States with a significant amount of discretion. As a consequence, **the material reception conditions vary significantly**, in terms of how the system, the practices in place and the reception conditions are structured.³⁵

How is this European legal framework implemented, particularly with regard to accommodation, by EU Member States? We will mainly deal with the issue of accommodation here; the issue of financial assistance has been addressed in the annex.³⁶

« *The problem now, with the acceleration of the application review due to the 2018 law, is that we are getting people who have just arrived. These people are in dire poverty, without accommodation, support or medical care. They are utterly distressed.* »

Often, when they arrive to interview, their concern is not the asylum application but that we find them somewhere to live for that very night. They are in survival mode. [...] Someone who is sleeping rough and has not eaten for days, is in no condition to concentrate, understand our questions, let alone respond to them.³⁷ »

THE DISTRIBUTION OF PUBLIC RESPONSIBILITIES WITH REGARD TO ACCOMMODATION

Producing this report has served to highlight how extremely diverse standards and practices are among Member States concerning the distribution of public responsibilities with regard to accommodation for asylum seekers, refugees and homeless people.

Table legend

- - - - - Significant overlapping of general emergency accommodation (for homeless people) and specialised accommodation for asylum seekers
- In **purple** Reception capacity
- In **orange** Reception durations

Country	Responsibilities with regard to accommodation of asylum seekers and reception capacity	Responsibilities with regard to accommodation for beneficiaries of international protection	Responsibilities with regard to accommodation for homeless people ³⁸
Germany	<ul style="list-style-type: none"> - Mandatory distribution by the Ministry of the Interior (federal) - Specialised accommodation financed at federal level and managed/implemented by the Federal States (<i>Länder</i>) 	<ul style="list-style-type: none"> - No statutory period after which asylum seekers must exit accommodation - No specialised reception housing stock/use of the private and social housing stock (rental assistance schemes) - Obligation to reside in the <i>Länder</i> where the asylum application was submitted/mandatory distribution by the authorities³⁹ 	Municipal services, NGOs and charities

EXILED AND HOMELESS: RECEPTION AND ACCOMMODATION CONDITIONS FOR ASYLUM SEEKERS AND REFUGEES IN EUROPE

Belgium	<ul style="list-style-type: none"> - Mandatory distribution by Fedasil/Ministry for Migration & Integration - Specialised accommodation managed by Fedasil, which can delegate to a third party by agreement - In January 2019, the reception system as a whole had 21,014 places (90% of which were occupied) - Average period asylum seekers spend in a reception centre: 13.5 months 	<ul style="list-style-type: none"> - statutory period after which asylum seekers must exit accommodation: Two months (one-month extension is possible if reasonable) - No specialised reception housing stock/use of the private housing stock 	Municipal services and NGOs
Spain	<ul style="list-style-type: none"> - Mandatory distribution (on a needs/case-by-case basis) by the Social Work Department (Ministry of Labour, Migrations and Social Security) and/or NGOs - Network of collective reception centres (CAR & CETI) managed by the Ministry of Labour, Migrations and Social Security and network of reception facilities managed by NGOs (mandated by the Ministry). - In 2019, there were 3,801 places in 'phase 0', first reception 	<ul style="list-style-type: none"> - No differentiation between accommodation for asylum seekers and for beneficiaries of international protection - System divided into three steps: 'phase 0' first reception 'phase 1' reception and beginning of path to integration with accommodation in a collective centre or in an apartment (managed by the government or by associations); 9,129 places in 2019 'Phase 2' (in general after six to nine months) in independent accommodation with financial and social support of the programme (managed by associations); 18,258 places in 2019 - statutory period after which asylum seekers must exit accommodation: Six months - Total duration = 18 months (may be extended to 24 months for vulnerable people) - Methodology for intervention that adapts the steps to people's level of independence 	Municipal services, NGOs and charities
France	<ul style="list-style-type: none"> - Mandatory distribution to the regions by the OFII (French Office of Immigration and Integration = public body under the Ministry for the Interior) - Management of the first reception provisions by the OFII as well as public and private partners - Management of the accommodation provisions for asylum seekers by the State's decentralised services (prefecture level) and departmental services, not-for-profit organisations, public-private partnerships (ADOMA) - 86,592 places as of 31/12/2018 (emergency accommodation, CADA, CAES) 	<ul style="list-style-type: none"> - statutory period after which asylum seekers must exit accommodation: Six months - CPH (provisional accommodation centres) for beneficiaries of international protection = nine months (possible extension of three months), 5,207 places at the end of 2018 - Use of specialised housing and existing public housing 	State (decentralised services/SIAO = integrated reception and orientation services), municipal services, NGOs

EXILED AND HOMELESS: RECEPTION AND ACCOMMODATION CONDITIONS FOR ASYLUM SEEKERS AND REFUGEES IN EUROPE

<p>Greece</p>	<ul style="list-style-type: none"> - No systematic mandatory distribution (in practice assured via regulatory decisions by the Director of Asylum Services) - Geographic restrictions for people affected by the EU-Turkey deal and the fast-track border procedure (Aegean Islands) - Responsibility for reception provisions is undertaken by RIS (Reception and Identification Service) & the Department for the protection of asylum seekers, under the Ministry of Migration + UNHCR's ESTIA programme for vulnerable asylum seekers - Temporary reception centres (estimate for the mainland): 16,110 places as of 07/09/2018 - UNHCR: 23,156 places as of 02/01/2019 - See below for the situation in 'hotspots' 	<ul style="list-style-type: none"> - Statutory period after which asylum seekers must exit the ESTIA programme: Six months - HELIOS programme is pending (with little clarity on how it will be implemented) - Otherwise, no specialised reception housing 	<p>Municipal services, National Centre for Social Solidarity (EKKA, public body), NGOs and charities</p>
<p>Italy</p>	<ul style="list-style-type: none"> - Mandatory distribution on the basis of available places (and mandatory transfers) - Places occupied in hotspots (31/12/2018): 453/in first reception centres: 8,990 (places closed in 2019)/CAS (emergency reception centres, meant for use in 'exceptional' circumstances and used in the event of shortage of space in first reception centres): 138,503. - Coordination by the national government (Prefectures and Ministry of the Interior), management delegated on demand/tendered to private social cooperatives and local authorities 	<ul style="list-style-type: none"> - No statutory period for moving towards 'second-line' accommodation (SIPROIMI) for beneficiaries of international protection and no right to remain in accommodation for asylum seekers (different practices at the discretion of prefectures, permission to stay may be a few months, a few weeks, or a few days) - Places occupied in SIPROIMI (formerly SPRAR), accommodation for beneficiaries of international protection and for unaccompanied foreign minors (31/12/2018): 25,657; management by local authority networks and NGOs (public funds) = specialised housing in operation, especially the use of existing public housing. Mandatory distribution. - Access to public/social housing for beneficiaries of international protection under the same conditions as provided to Italian nationals (limited in certain regions) 	<p>Municipal services, NGOs and charities</p>
<p>The Netherlands</p>	<ul style="list-style-type: none"> - Mandatory distribution system - First reception centres (COL, maximum three days) then POL during the asylum application procedure until temporary stay is granted, about eight days) = 'pre-asylum' centres, where people must wait more than one year due to a lack of decision-making personnel working on the asylum procedure - Asylum centres (AZC) - Management by the central governmental agency for asylum seekers (COA) - 22,576 places occupied in reception centres managed by COA at the end of 2018 	<ul style="list-style-type: none"> - Mandatory distribution by the COA which finds housing solutions in cooperation with the local authorities; no statutory period after which people must leave (they leave when a housing solution is found) - The law obliges each local authority to house a predefined number of people who have a residence permit. Every six months, the government decides on the number of residence permit holders that the local authorities must take (based on the size of the area)⁴⁰ - Specialised housing stock and use of existing public housing 	<p>Municipal services and NGOs</p>

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<https://www.rijksoverheid.nl/onderwerpen/asielbeleid/huisvesting-asielzoekers-met-verblijfsvergunning>

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Since 2016, beneficiaries of international protection who do not find housing in the private sector are allocated to the municipalities by the Migration Agency who are then responsible for housing these people; according to current legislation, the municipality cannot use a housing shortage as a reason to refuse to find accommodation for them.

42

European Observatory on Homelessness (2016), Asylum seekers, refugees and homelessness, EOH Comparative Studies No. 6.

43

Eurostat – migr_asyappctza (2019).

44

These Reception and Identification Centres exist on five Aegean Islands (Kos, Lesbos, Samos, Chios, Leros) and at Filakio/Evros, on the Turkish border.

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See the introduction 'Arriving in Europe' for figures on 'hotspots'.

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<https://www.lapresse.ca/international/europe/201909/29/01-5243352-grece-emeutes-dans-un-camp-de-refugies-apres-un-incendie-meurtrier.php>

47

https://www.rtf.be/info/monde/detail-grece-des-enfants-refugies-tentent-de-se-suicider-pour-echapper-aux-conditions-de-vie-des-camps?id=10383834&fbclid=IwAR2bp_WcnpZEEfEyLQecr22bMGEg737gfXaAOqa52welpWyHEeSSWY9UWN4

United Kingdom

- Initial accommodation: 2,129 places occupied at the end of 2018; use of hotels and B&Bs for first reception (19 days maximum according to regulation but in practice, asylum seekers can stay more than three weeks there)
- Then accommodation in individual housing within the private sector/hostels
- Responsibility of the Home Office, who delegates management to private companies

Sweden

- Mandatory distribution based on administrative decision by the Migration Agency (governmental) during the accommodation process
- 50-60% of asylum seekers live in housing provided by the Migration Agency; 20,410 places in reception centres; 27,129 places in private-sector housing
- Temporary accommodation centres opened for a short period by municipalities in 2015 to cope with growing numbers of arrivals

- Statutory period after which asylum seekers must exit accommodation: 28 days
- No specialised accommodation for beneficiaries of international protection; use of the private housing stock, social housing/local council housing and associations

- Statutory period after which asylum seekers must exit accommodation: Two months, at the end of which the obligation to house beneficiaries of international protection falls to municipalities (for two years, during the settling-in process; after two years, rental contract can be stopped and beneficiaries must find their own housing – they can then register for the waiting list for social housing)⁴¹
- No specialised accommodation; use of existing municipal housing
- Average transition period between being granted protection and moving into municipal housing: 153 days in 2018

Local services (councils and districts), NGOs and charities

Municipal services, NGOs, charities and private organisations

The road to asylum is a process. It is critical to ascertain whether accommodation and dignified living conditions are available at each step of the process. **Access to dignified reception and accommodation of course correlates strongly with social policy and housing dynamics:** a gene-

ral lack of affordable housing, in urban areas in particular, leads to increased competition among sectors of the public with specific requirements for access to dignified housing (migrants, homeless people, older people, young people, etc.).⁴²

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See BBC News video reports (2018), 'The worst refugee camp on earth', available at: <https://www.youtube.com/watch?v=By-OHi3iGQI&feature=youtu.be> and Konbini News (2019), 'Dans l'enfer du camp de Samos' [In hell at the Samos camp], available in French] at: <https://news.konbini.com/societe/grece-un-migrant-iranien-sest-suicide-au-camp-de-lesbos/>

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https://euobservers.com/migration/147394?utm_source=euobs&utm_medium=email_unprotected&utm_supported=uncertain.pdf

50

See for example International Rescue Committee (2018), 'Unprotected, unsupported, uncertain – Recommendations to improve the mental health of asylum seekers on Lesbos', available at: <https://www.rescue.org/sites/default/files/document/3153/>

51

On Lesbos for example, since September 2016, all new arrivals, including children, are detained as a matter of course at the Moria camp for 25 days. After this period, new arrivals receive an asylum-seeker card with a geographical restriction limiting their freedom of movement, forcing them to remain on the island. Since June 2017, only Dublin family reunification cases and vulnerable Syrians have received geographically unrestricted cards, allowing them to access the mainland. Other vulnerable asylum

Outdated and unsuitable specialised accommodation systems: the institutionalisation of emergency accommodation for asylum seekers

Specialised accommodation systems should in principle enable people to be received with dignity and to benefit from suitable supports, for the entire period that their application is being examined. Nonetheless, we will see how the the period can turn out to be longer and how the number of available places in various state facilities is not enough to meet the real demand. States therefore end up using accommodation solutions that were intended for temporary use, but which become long term, resulting in the institutionalisation of emergency accommodation for asylum seekers. All European countries, and all territories within these countries, are not however faced with the same circumstances. Different issues can be identified but they are generally the result of a short-term perspective in terms of asylum reception.

It is important to remember that **the distribution of asylum seekers among European countries is de facto unequal**. While 664,480 asylum applicants registered in EU countries and Schengen States in 2018,⁴³ 75% of these applications, i.e. 444,445 people, were made in five of the 32 countries, i.e. **Germany, France, Greece, Italy and Spain**. **Greece, Italy and Spain** were not prepared for large (and fluctuating) numbers of arrivals. Their reception systems were unsuitable and inadequate even before the increased number of asylum seekers; the chronic lack of investment in increasing and improving reception capacity has led to repeated crises and a constant shortage of reception places, regardless of the dynamics of the number of arrivals (high or low), and regardless of the degree of pressure on the sector.

THE CONSEQUENCES OF UNEQUAL DISTRIBUTION AMONG DIFFERENT EUROPEAN COUNTRIES

In Greece, the saturation of Reception and Identification Centres (or 'hotspots'), a system lauded by the European institutions, is the most outrageous example of the fundamental rights of asylum seekers being violated with regard to material reception conditions. People locked in these closed centres are facing many difficulties on a daily basis – overcrowding, lack of private space, vulnerability to bad weather, lack of safety in tents and makeshift huts, lack of medical services and information, violence, etc. In the Moria camp on Lesbos, in December 2019, two people even died in a container fire. MSF have reported weekly cases of children attempting suicide. The majority of children receive no education in the camps. At Samos, reports highlight how rotten food is being distributed, the appalling hygiene conditions, as well as rat and snake infestations. Prolonged stays – some people have been there for three years – in such conditions have a dramatic impact on people's lives as well as on their mental and physical health. It amounts to inhuman and degrading treatment. When ad hoc procedures for sending people to the mainland are permitted, those individuals have no right to assistance, which leads to the creation of informal camps around official reception centres and increased vulnerability for these people, left to their own devices on the street.

‘ There is one toilet for 65 people, one shower for 95 people. To be very clear, nobody should have to live in these conditions. ’

Caroline Willemen, coordinatrice pour MSF à Lesbos pendant un an, à propos des conditions d'hygiène à Moria⁵²

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seekers receive geographically unrestricted cards for one month allowing them to travel to the mainland and access medical services not available on the island. They are then obliged to return to Lesbos for their asylum procedure but often try to remain on the mainland. See Danish Refugee Council (2017), 'Fundamental Rights and the EU hotspot approach', available at: <https://www.statewatch.org/news/2017/nov/danish-refugee-council-fundamental-rights.pdf>

52

RTBF (op. cit.)

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<https://data2.unhcr.org/en/documents/details/68924>; see part II of this chapter for more information on the ESTIA programme.

54

CIDOB (2019), 'To be or not to be: Deficiencies in the Spanish Reception System', available at: https://www.cidob.org/en/publications/publication-series/notes-internacionals/ni_214/to_be_or_not_to_be_deficiencies_in_the_spanish_reception_system

55

See country profile Spain/FEANTSA, Inés et al, 2019:22.

56

See country profile Spain/FEANTSA, SIFS, 2018:69.

57

CIDOB (2020), 'Our House, Your House? Conditions and paths of access to housing for asylum seekers and refugees in Catalonia', https://www.cidob.org/en/projects/our_house_your_house

When identification has taken place and the asylum application registered, there are often long months or even years of waiting; for this, a second reception stage has been provided for in Greece – the 'Programme for resettlement and emergency intervention'. Financed by the European Union and supervised by UNHCR, it was created in November 2015 to offer accommodation solutions to asylum seekers in apartments, buildings, with host families and in hotel rooms. In July 2017, this first programme was integrated into the European Commission's new ESTIA programme (Emergency Support to Integration and Accommodation), which aims to provide housing and financial support to asylum seekers and beneficiaries of international protection. In total, between November 2015 and March 2019, 57,583 people benefited from these programmes.⁵³

The geographic position of Greece makes it the first point of arrival from the Mediterranean, and thus the guardian of the registration and identification missions that stem from the European institutions' outsourcing of border management. That said, **Greece is not the only country with an overwhelmed first reception system.** Spain, for example, has been an asylum country since the beginning of the 2010s, and is today among the Member States that receives the most applications, but public policies have not adapted to this and are slow to adopt regulatory frameworks and to organise long-term planning to address the issues.⁵⁴ **The annual number of asylum applications has multiplied by a factor of 45 over six years**, going from 2,565 in 2012 to 14,780 in 2015, 36,605 in 2017, 54,050 in 2018 and 117,795 in 2019. Despite the increase in the number of specialised

places – from 930 reception places managed in the first phase of reception by the government in September 2015 to 9,129 places in December 2019, the country has been completely overwhelmed. Civil society organisations have condemned this reactive management that lacks any medium-term planning. The Spanish asylum system is organised into three phases: a 'pre-phase' of first reception, intended to last a maximum of 30 days, until the asylum application is made. Then the 'first phase', intended to last the six months required for the asylum application to be evaluated and during which accommodation is provided (either in one of the four state-run Refugee Reception Centres or in an NGO-run centre). Finally, the 'second phase', intended to last 12 months (can be extended to 24 months in cases of extreme vulnerability) with the goal being the individual's self-sufficiency and during which financial support for housing is provided (about EUR 375 per month for a single person). A growing number of Latin Americans, particularly Venezuelans, have applied for asylum in Spain in the last few years, evidence of the changes in asylum seekers' country of origin. In parallel, **the available data shows a widespread increase in the proportion of homeless people who are from third countries:** in Barcelona, between 2015 and 2019, this proportion increased from 48% to 52% (definition including four ETHOS categories).⁵⁵ In the Basque Country, between 2014 and 2018, this proportion increased from 65% to 75%.⁵⁶ A recent exploratory study carried out by the CIDOB in Catalonia revealed that 27% of the asylum seekers asked had already had to sleep rough and 24% had lost their housing at least once for economic reasons⁵⁷.

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This amount is intended to finance private accommodation; in practice, it is not enough to enable asylum seekers to find housing on the private market.

59

To better understand the complexity of accommodation facilities for migrants in France, see Cimade (2018, updated in 2019), 'Typologie des dispositifs d'hébergement des personnes exilées – accueil/transit/contrôle/expulsion comment s'y retrouver?' [Classification of accommodation measures for exiled people – reception/transit/control/deportation: how to find your way?] available [in French] at <https://www.lacimade.org/publication/typologie-lieux-hebergement-migrants/>

60

Foundation Abbé Pierre (2020), '25e Rapport sur l'Etat du Mal-Logement en France 2020' [25th Report on the state of housing exclusion in France 2020], p. 241, available [in French] at https://www.fondation-abbé-pierre.fr/documents/pdf/reml2020_rapport_complet_web.pdf; see also FAS (2019), 'Publication des cahiers des charges CADA et HUDA: une évolution en demi-teinte' [Publication of CADA and HUDA mission statement: partial implementation], available [in French] at <https://www.federationsolidarite.org/publics/refugies-et-migrants/9774-publication-des-cahiers-des-charges-cada-et-huda-une-%C3%A9volution-en-demi-teinte>

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OFII Annual Report 2018 [in French]: <http://www.ofii.fr/IMG/pdf/RAA%20OFII%202018-BD.pdf>

USE OF EMERGENCY ACCOMMODATION DUE TO A LACK OF ADEQUATE SPECIALISED PROVISIONS

In some countries, the use of emergency accommodation for the medium or long term, due to lack of specialised places for asylum seekers, is typical of the institutionalisation of the use of emergency accommodation: this is the case in **Greece, Italy, Spain and France**. Where there is significant overlapping of specialised accommodation and general emergency accommodation, asylum seekers are forced, at different stages in their process, to use services for homeless people.

This is particularly true of **France**, where material reception for asylum seekers usually takes the form of accommodation and a welfare payment. The welfare payment is EUR 6.80 per day, raised to EUR 7.40 if no specialised accommodation is available and if the asylum seeker is not otherwise accommodated.⁵⁸ Asylum seekers are meant to be accommodated in specialised facilities that are part of the country's National Reception Provision. The traditional form of this provision is CADA (reception centres for asylum seekers) which deliver, in addition to accommodation, specific social and administrative support. In parallel, in order to mitigate the lack of places within CADA, HUDA (emergency housing for asylum seekers) was developed as well as several specialised tools, aimed at various categories of people based on their administrative status: ATSA (temporary reception-asylum centre), CAO (reception and orientation centre), PRAHDA (reception and accommodation programme for asylum seekers), CAES (reception and administrative situation examination centres) and DPAR (measures to prepare for assisted return). The emergency accommodation (ATSA, PRAHDA, CAO, HUDA) have become almost as large in size as the CADA centres and are

a formal part of the reception system, but do not address the same needs in terms of quality of accommodation and support for people.

Emergency accommodation is thus no longer used as a temporary solution to lack of places in the reception system, but instead has become the default form of accommodation for certain categories of asylum seekers – for example, for people applying under the Dublin procedure who cannot access CADA. Having expanded the specific measures since 2015, getting further away from statutory legislation and housing law, the French government decided in 2019 to transform several provisions (ATSA, CHUM, PRAHDA, and CAO) into HUDA. While this decision had the benefit of simplifying the system, it is a less demanding provision in which people do not benefit from the same reception conditions as in CADA. The main difference between HUDA and CADA lies in the supports (lack of legal assistance in HUDA), the level of support, but also the cost, the daily cost in CADA is EUR 19.50 per person, compared to EUR 17 in HUDA.⁵⁹ In some CAOs, where the daily cost is higher (EUR 24 per person), there have been reports of a lack of food, of medical staff, legal information or even French classes. At the end of 2019, there were still 4,657 places in CAO to be transformed into HUDA by 1 July 2020.⁶⁰

For years, the number of available places within the national reception system has been largely insufficient to meet demand, despite doubling the number of dedicated places in a six-year period. On 31 December 2018, there were 86,425 places⁶¹ for 156,200 people who had applied for asylum.⁶² Less than half of asylum seekers could be accommodated within the national asylum system in 2018 (48%).⁶³ When people obtain international protection or, conversely, are definitively rejected from the right to asylum, they should be directed towards the relevant suitable facility. However, some places in the national

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This figure includes adults and accompanying minors, regardless of the procedure they are in – normal, accelerated or Dublin – as well as cancelled readmissions (people placed in the Dublin procedure before 2018 but who were not transferred and therefore France became responsible for examining the application in 2018) <https://www.immigration.interieur.gouv.fr/Info-ressources/Etudes-et-statistiques/Statistiques/Essentiel-de-l-immigration/Chiffres-cles>

63

Draft finance law 2020, programme 303.

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<https://www.ccomptes.fr/system/files/2019-05/NEB-2018-Immigration-asile-integration.pdf>

65

<https://www.senat.fr/notice-rapport/2016/116-193-notice.html>

66

Braud F., Fischer B. & Gatelier K. (2018), L'hébergement des demandeurs d'asile à l'épreuve d'administrations françaises en crise. Une analyse locale : l'exemple de Grenoble' [Asylum seeker accommodation pushed to the brink by the French administration. A local analysis: the Grenoble example.], La Revue des droits de l'homme [online], 13 | 2018, available [in French] at: <http://journals.openedition.org/revdh/3478>

67

This principle of unconditional access to housing has been challenged by public authorities several times in the last number of years: https://www.lemonde.fr/societe/article/2019/10/16/hebergement-des-migrants-le-115-sous-pression_6015734_3224.html?fbclid=IwAR3Y5ketoLivk5fTU7InYqnmNlo5aEDv7pFr7SB6EeK9EF0vFPuemTCGoc

reception system are occupied by people whose asylum application has been rejected, or by people who have been granted international protection. **Chronic under-budgeting of the national reception system for asylum seekers** and its consequences on emergency accommodation have been pinpointed many times by the Court of Auditors⁶⁴ and the French Senate.⁶⁵ Despite continuing need, the freeze on CADA places in the draft finance law for 2020 once again demonstrates the deliberate budgetary shortfalls. The proliferation of emergency accommodation tools contribute to complicating and creating confusion around the reception of asylum seekers, *'that risks chipping away at the common right that CADA accommodation should provide i.e. the best support' and promotes 'administrative practices that hollow out the right to accommodation'*.⁶⁶ The overlap between the general accommodation system and the specialised accommodation system is all the more significant in France as access to general emergency accommodation is – in principle – unconditional and permanent.⁶⁷

In **Italy**, the CAS (*Centri d'Accoglienza Straordinaria*/Emergency Reception Centres) were created in 2015 to provide first reception, intended to be temporary to cover the period of identification and registering for asylum. Asylum seekers then had to quickly enter the SPRAR system (later SIPROIMI⁶⁸) for protection of asylum seekers and refugees. **The lack of places in SPRAR and many municipalities' refusal to provide these services** (the SPRAR requires the support of local authorities and their willingness to manage reception on their territory) **have over time made CAS the main means of accommodating asylum seekers**. As of now, first reception takes place in collective centres and in 'hotspots'⁶⁹ for a maximum duration of 48 hours, in theory. Then accommodation is provided through the CAS in the second reception

phase, which can be in specialised centres or in apartments. To gain access, the person must have been granted a temporary residency (of six months, for the duration of the asylum procedure), called a 'C3'. However, depending on the region, getting a C3 can take from a few days to four months, during which no housing solution is offered – apart from general emergency accommodation for homeless people, managed by the associations and municipalities. Furthermore, the delays in examining asylum applications in no way correspond to the six-month processing envisaged by the C3 – an interview with the territorial commission can be scheduled up to three years after the application is registered. While the residence permit allowed as part of the C3 for six months is renewable, this adds extra pressure to the asylum seeker accommodation system⁷⁰ – people must stay in the CAS and cannot access SPRAR/SIPROIMI.

Mandatory transfers from one accommodation centre to another can have harmful effects on asylum seekers' experience and efforts to integrate: in Italy, asylum seekers are often moved from one CAS to another, in order to balance the distribution across regions and provinces. These transfers are decided by the prefectures and are not subject to appeal. The first reception centre of *Castelnuovo di Porto* in Rome was, for example, closed in January 2019 – more than 300 asylum seekers housed there were transferred within a week, without prior notice or information and without any account taken of the individual's process, many having already created social bonds within the local population and labour market.⁷¹

The huge shortage of places has led to these situations being referred to as 'reception crises', rather than the commonly used expression 'migration crisis'. It is, in fact, the consequences of political decisions, and not the number of asylum seekers arriving, which is to blame for

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See part II of this chapter.

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There are four 'hotspots' in Italy: Lampedusa (100 places), Pozzallo (300 places), Messina (250 places) and Taranto (400 places).

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https://www.asylumineurope.org/reports/country/italy/asylum-procedure/procedures/registration-asylum-application#footnote_9_1s2fceb

71

How the transfer was carried out has been roundly criticised. See [in Italian] Redattore Sociale, 'Non difendiamo i grandi centri ma così è inumano', 23 January 2019.

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Coordination and Initiatives for Refugees and Foreigners (CIRE) (2019), available at: https://www.cire.be/de-la-construction-politique-d-une-crise-de-l-accueil/et-https://www.rtf.be/info/belgique/detail-asile-et-migration-la-crise-de-l-accueil-ne-vient-pas-d-un-afflux-mais-de-la-fermeture-de-place-selon-le-cire?id=10335231&fbclid=IwARI8dWm1g8FjT5qLrklInIKkZxm158CD_gEuclYToBN46tjeTVzMQebreO14

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<https://www.rtf.be/info/regions/detail-centre-fedasil-de-jumet-des-tentes-installees-en-urgence?id=103613208&fbclid=IwARIFgAntIIIE2kalbrQ29HWcs4Gvd3DTqe6-XEEScsRphXKVfURbIfHCunvk>; <https://www.fedasil.be/fr/actualites/installation-temporaire-de-containers-au-centre-de-charleroi>

the failure of asylum policies and for the overwhelmed general accommodation system – be it through under-budgeting, the absence of medium-/long-term planning, the lack of available places and even the closure of facilities for political reasons. In **Belgium** for example, **the overcrowding of some asylum reception centres is the direct result of political decisions made by the government to close facilities.**⁷² In November 2018, a Belgian asylum centre had to temporarily install tents and containers to meet demand – providing reception without sanitation or heating.⁷³ This is a direct consequence of the government and the former secretary of state for asylum and migration, Théo Francken, reducing the capacity of reception centres, coupled with the axing of reserve places which existed to absorb 'peaks' in asylum applications.

In countries where the reception systems are better structured and organised, the lack of places is not such a pressing issue: in **Germany**, first reception centres, managed by the *Länder*, aim to accommodate the asylum seeker for between one and three days in order to proceed to registering and evaluating vulnerability and specific needs. Then, people are transferred to temporary accommodation centres managed by the voluntary sector. There is no shortage of places for asylum seekers. The public authorities still had recourse to vacant public buildings in emergencies (hospitals, police stations, gyms, etc.) when the number of arrivals was particularly high in 2015, but the majority of these emergency reception centres were closed in 2017.⁷⁴ However, grouping several administrative bodies in the same first reception centres, with the aim of prioritising examination of people's administrative situation and limiting access to their rights and to adapted social support, while grad-

ually transforming the centres into places where freedom of movement is limited, have recently raised concerns in the voluntary sector.⁷⁵

In the **United Kingdom**, reception of asylum seekers, i.e. accommodation and a – low – basic allowance are the responsibility of the Home Office if the people concerned are destitute. The management of accommodation is entirely delegated to private companies – while these companies are theoretically obliged to house families in independent housing, the use of hotel rooms is common and the poor quality of accommodation is regularly criticised, with regard to safety, respect of private and family life and sanitary conditions.⁷⁶

In **the Netherlands**, the first reception system is designed to address demand even when it is increasing, with accommodation in Asylum Centres standard practice. If there is a lack of places in these centres, emergency reception centres are used – exhibition centres, holiday centres, etc. – and in exceptional crises, emergency shelter can be requisitioned for a maximum of 72 hours – gymnasiums, public buildings, etc.

In all the countries that we are comparing here, **mandatory geographic distribution** of asylum seekers across the national territory is organised by the central/national service for asylum/migration. People are forced to remain there via a **geographic restriction** obliging them to stay where they were assigned for the duration of their procedure, without any choice in their living environments. These redistribution policies were largely directed by the basis of available places rather than on matching needs with the supply of available places.⁷⁷ As the availability of places is greater in areas of economic and

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With the exception of the accommodation facilities at Tempelhof airport where, according to the Berlin Council of Refugees, 1,000 asylum seekers were still living in appalling conditions in December 2018 while an equivalent number of places remained empty in new facilities due to organisational problems. The closure of Tempelhof was finally announced on 20 December 2018. <https://www.asylumineurope.org/reports/country/germany/reception-conditions/housing/types-accommodation>

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<http://www.migreurop.org/article2908.html>

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Home Affairs Committee (2018), Asylum Accommodation Inquiry, available at: <https://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/inquiries/parliament-2017/asylum-accommodation-inquiry-17-19/>; <https://www.asylumineurope.org/reports/country/united-kingdom/reception-conditions/housing/types-accommodation>

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Denmark put in place a hybrid system, where people who have been granted protection and successfully completed a three-year integration programme in the designated municipality can then choose where they want to live. See Part 2 for more details

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The Bartlett Development Planning Unit University College London (UCL) (2018), 'Affordable housing – Policy and practices – Social innovation in housing for refugees', available at: <https://www.uia-initiative.eu/sites/default/files/2019-02/Curing%20the%20Limbo%20report%20on%20housing%20Feb%202019%20%281%29.pdf>

demographic decline, there can be challenges in accessing employment and inclusion in general, in particular if proactive and targeted policies are not put in place locally. The existing literature suggests that the distribution policies imposed by the State services are having a negative effect on future employment and inclusion and are implemented without accompanying distribution of resources.⁷⁸

Urgency, short-termism and weather-response management are incoherent and inadequate foundations for public policies on housing, particularly with regard to the case of asylum seekers, which is characterised by sometimes very long procedures (from six months to four years) and a difficulty in predicting numbers of arrivals. A high-quality and efficient reception system is determined by the respect it shows for the principle of non-refoulement and for European asylum rights, guaranteeing asylum seekers material reception conditions that prevent them from having to sleep rough and providing dignified and suitable housing as well as adapted support. The quality of accommodation provisions must respect the conditions of dignity, decency, safety and respect for private and family life. The accommodation solution offered must also take into account the stability necessary for asylum seekers to safeguard themselves with regard to the obligations they must fulfil regarding their asylum procedure. When the material reception conditions are offered in the form of financial allowances, the amount must ensure an adequate standard of living and guarantee subsistence, which is very hard to achieve with the allowances currently offered by Member States. Access to basic services must be guaranteed, including housing, food, health-care, sanitation, laundry facilities, storage space,

legal assistance, integration support (language lessons, access to education for children, etc.). The reception crisis has been exacerbated by the increased overlap between general emergency accommodation and specialist accommodation for migrants. In recent years, national legislative reforms on asylum rights and application of the Dublin Regulation were used by European governments to limit and/or complicate access to accommodation for asylum seekers.

Access to dignified housing conditions hindered by abuses of the Dublin Regulation and by a tightening up of national legislation

Access to accommodation is closely linked to national legislation on the right to asylum. Nonetheless, **several Member States have tightened up their asylum legislation over the last number of years, which has led to asylum seekers having increased difficulties in accessing accommodation.** While changes to procedures for granting residence permits and to the permits themselves has led to loss of rights and loss of resources for specialised facilities in some places, it is mainly through the application of the so-called Dublin procedure that States have tried to circumvent their responsibilities regarding caring for people in conditions that respect human dignity.

In **Italy**, two decrees, including the October 2018 Salvini Security Decree, have transformed their procedures with the aim of restricting the right to asylum.⁷⁹

Before the October 2018 'Salvini Decree'	After the October 2018 'Salvini Decree'
<p>Three possible residence permits:</p> <ul style="list-style-type: none"> _ Humanitarian residence permit, status unique to Italy: based on early integration in Italy (social network, education or work underway, etc.) and on the personal circumstances of the person in their country or within their family. <p>Condition: have a minimum income of EUR 6,000 per year. Can last two or three years depending on the situation, and can (with difficulty) be converted into a work-residence permit.</p> <p>For example, people from Eastern Mali during the civil war.</p> <ul style="list-style-type: none"> _ Subsidiary protection: renewable five-year permit (verification of the situation at each renewal – if the authorities consider that the situation has returned to 'normal', permit not renewed). <p>For example, natural disasters, persecutions, etc.</p> <ul style="list-style-type: none"> _ Political asylum: renewable five-year permit (greater protection). 	<p>Withdrawal of humanitarian residence permit.</p> <p>A lot of uncertainty and refusals for people who had applied for humanitarian residence permits just before and during the 'Salvini Decree'. Only procedures that had been started months prior to the decree were successful.</p> <p>Consequences: increase in vulnerable people (in poor mental and physical health) without protection or accommodation. People who had progressed significantly in their integration process risk being abandoned because of the impossibility of renewing their residence permit.</p> <ul style="list-style-type: none"> _ Creation of a new status: special protection: one-year permit which cannot be renewed.

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In February 2020, Giuseppe Conte's second government planned to amend the 'security decrees' adopted by the Salvini government: <https://www.lesechos.fr/monde/europe/litalie-renonce-a-la-politique-anti-migrants-de-matteo-salvini-1172521>

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On-site visit to Milan/Italy FEANTSA/FAP & questionnaire – Caritas Ambrosiana.

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<https://www.theguardian.com/cities/2019/aug/26/athens-police-poised-to-evict-refugees-from-squatted-housing-projects>; <https://www.aljazeera.com/news/2019/09/refugee-eviction-fury-greece-190927121649806.html>

This reform led to an increase in the number of vulnerable people who were without protection and facing homelessness. It also meant a drastic reduction in resources for the CAS. The closure of a large number of places was justified by the government who cited a 'reduced flow', as occurred in Belgium. These budget cuts led to reduced quality of housing, cases of overcrowding and the stoppage of support services (legal aid, school support and language courses were all cut).⁸⁰

In **Greece**, following the election of the new government in July 2019, new measures on migration and the protection of asylum seekers and refugees were announced. Against a backdrop of repressive closures of historic squats and evictions from transit camps,⁸¹ the law on international protection (31 October 2019) reduced the length of a residence permit under subsidiary protection from three years to one year, extended the measures enabling detention of asylum seekers, announced the creation of new enclosed reception centres, imposed a six-month delay

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Refugee Support Aegean (2019), 'RSA Comments on the International Protection Bill', available at: https://isaegean.org/wp-content/uploads/2019/10/RSA_Comments_IPA.pdf.

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Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person: <https://eur-lex.europa.eu/eli/reg/2013/604/oj>

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In May 2016, as part of its proposed reform of the Common European Asylum Regime, the Commission presented the first version of a Dublin IV Regulation, a proposal to make the Dublin system more transparent, more efficient, and to better manage situations where there is disproportionately high pressure on Member States' asylum systems.

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C-179/11 – Cimade and GISTI: Cimade and Information and Support Group for Immigrants (GISTI) v Ministry of the Interior, Overseas France, Local Authorities and Immigration: <http://curia.europa.eu/juris/document/document.jsf?text=&docid=127563&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=3709879>

between applying for asylum and accessing the job market – prior to the law, access could be immediate – and altered the conditions for appeal during the asylum process.⁸²

In Europe, the Dublin Regulation⁸³ determines which Member State is responsible for examin-

ing asylum applications – which is not necessarily the same State in which the application was made. The Dublin III Regulation, which entered into force in July 2013, contains measures regarding the protection of asylum seekers and aims to improve the system's efficiency.⁸⁴

WHAT DOES THE LAW SAY about the right to reception conditions for 'dublinised' people?

Cimade & GISTI⁸⁵ | 2012/CJEU

The Cimade and GISTI judgement challenges a French circular's compliance with European regulation and the Reception Conditions Directive, in that it excludes asylum seekers from the right to welfare payments if they have been placed under the Dublin procedure. The CJEU accepted that **the Reception Conditions Directive is applicable in such scenarios and, consequently, asylum seekers placed under the Dublin procedure must have access to the minimum reception conditions set by this Directive.**

Regarding the **personal and temporal reach** of the Directive, the CJEU judgement accepts that the Member States must guarantee reception conditions to any person from a third country or any stateless person who meets the following two conditions:

- a. That an asylum application has been made at the border or on the territory of the Member State concerned;** for this first condition, the CJEU reiterates the definition of an asylum application and outlines that any request for international protection is presumed to be a demand for asylum, unless the person explicitly requires another form of protection that can be applied for separately.
- b. The person concerned is permitted to stay on the territory of the Member State as an asylum seeker.** For this second condition, the CJEU accepts that a person can remain as an asylum seeker:
 - On the territory of the Member State where the application was made, during the Dublin procedure in which it is determined which Member State is responsible for examining the application;
 - On the territory of the Member State responsible for examining the application, until this examination is completed.

Staying 'on the territory' can include staying at the border or in a transit zone.

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Eurostat, 2020 – [migr_dubdi] & [migr_dubto]

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Danish Refugee Council & Swiss Refugee Council (2018), 'Mutual trust is still not enough – The situation of persons with special reception needs transferred to Italy under the Dublin III Regulation', available at: <https://www.refugeecouncil.ch/assets/herkunftslander/dublin/italien/monitorings/rapport-2018.pdf>

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The time that asylum seekers are accommodated under the Dublin procedure must be devoted to achieving transfer'. French Ministry of the Interior (2018), Note of 6 July 2018 on keeping the 'flow' going through the asylum-seeker accommodation facilities.

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<https://www.euractiv.fr/section/migrations/news/le-gouvernement-veut-couper-les-aides-aux-migrants-qui-ont-deja-demande-lasile-ailleurs/>

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After six months, a dublinised person has the right to apply for asylum in Belgium and therefore to benefit from legal, medical and financial protection. Access to housing would no longer be guaranteed after this measure is implemented. <https://www.infomigrants.net/fr/post/21920/bruxelles-durcit-les-conditions-d-hebergement-des-demandeurs-d-asile-cela-n-a-aucun-sens>

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<https://www.asylumineurope.org/news/14-06-2019/germany-controversial-law-package-passes-parliament-1>

In 2018 in the EU-28, 94,397 applications were accepted under the Dublin procedure (up 91% since 2015), but only 25,960 effective outgoing transfers were carried out. Among these effective transfers, 67% were carried out within a period of 1-6 months, 20% within a period of 7-12 months and 13% within a period of 13-18 months⁸⁶. The national legislative reforms on asylum therefore particularly target 'dublinised' people, because these people do not ultimately depend on the competencies of the State in which they find themselves. In several countries, organisations describe **people placed under the Dublin procedure being particularly exposed to housing deprivation**. The number of asylum seekers rejected from **Italy** under the Dublin procedure almost tripled between 2013 (2,500 people rejected) and 2018 (6,500 people rejected). According to a report from the Danish and Swiss Refugee Councils, rejected asylum seekers in Italy under the Dublin procedure are faced with discrimination when accessing accommodation, poor reception conditions and housing deprivation, not forgetting the risk of falling into extreme poverty.⁸⁷

In **France**, asylum seekers placed under the Dublin procedure have to be provided for only to the extent of the material reception conditions they are entitled to. They cannot be housed in CADA, but they do have access to other accommodation provisions for asylum seekers, often emergency accommodation, such as HUDA or PRADHA. However, asylum seekers can be subject to mandatory measures such as house arrest until they are transferred. To keep a 'flow' going through the asylum seeker accommodation facilities, they can also be put into a detention centre.⁸⁸ This goes against the ethics and principles of social work, as the housing facilities are thus responsible for controlling and verifying the obligations of dublinised asylum seekers. On several occasions, the French government has proposed removing

access to material reception conditions for dublinised people, with the aim of 'limiting secondary movement'; these proposals are not in compliance with the European legislation in force (see text box above).⁸⁹ In France, according to the principle of unconditional reception, dublinised people are entitled to access emergency accommodation. France has an extra deadline before proceeding to transfer and these people can see their material reception conditions withdrawn in the event of an unfavourable procedure. If the transfer has not been carried out by the deadline accorded to the French state, France becomes responsible for the asylum application of that person, who is thus 'requalified', i.e. they pass from a Dublin procedure to a normal or accelerated procedure. The reinstatement of material reception conditions for 'requalified' people is not automatic and they must apply for it at the OFII (French Office of Immigration and Integration); this reinstatement can only be refused if the OFII can prove the individual concerned is not in a vulnerable position.

In **Belgium**, a government measure – that has been widely criticised by associations – was announced in January 2020. Its aim is to ban access to general emergency accommodation to formerly dublinised asylum seekers, i.e. people who, having already been through the Dublin procedure, are seeking asylum in Belgium at the end of their six-month latency period,⁹⁰ and to people who have already been granted refugee status in another country but would rather reside in Belgium. In **Germany**, a change of legislation on asylum in 2019 removed all social supports (accommodation included) to people granted asylum in another European Union Member State, after a two-week transition period.⁹¹ This may include people who have an ongoing appeal against being returned. This therefore affects a group that is particularly exposed to housing deprivation.

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‘ My name is H. I am from Afghanistan and I am thirty years old. [...] Up to June 2018, I was housed as part of the ESTIA programme in Thessaloniki. I am married, but I don't have any children. I was diagnosed with mental health problems sixteen years ago. Since then, I have been taking antipsychotic medication. In 2016, I left my country due to the large-scale Taliban attacks in my region, in which my two brothers were killed. In July 2018, my wife and I left for the Netherlands paying traffickers a large sum of money; we applied for asylum in the Netherlands. After waiting two months, my asylum application was rejected and my wife and I returned to Greece. The organisation which had previously helped us [in Greece] informed us that

our home had been given to another family. And because we had left ‘informally’ the first time, we had lost our right to other housing within the ESTIA programme. Being homeless badly affected my mental health. The first time I went to the DOTW clinic after our return, I was worn out. My wife was also in a bad state. [...] Today I feel much better. My health is stable. [...] After applying once again to the ESTIA programme, we were placed in a safe apartment in the centre of Thessaloniki. ’

The Story of H., Open Minds II – Promoting Mental Health and Well-Being in the Community (2019), Doctors of the World Greek Delegation.

DETENTION OF ASYLUM SEEKERS IN EUROPE

Administrative detention is regulated by the Reception Conditions Directive. The length of detention must be ‘as short as possible’. International and European legislation clearly stipulate **that detention can only be used as a last resort**.

In the **United Kingdom**, any person under the authority of immigration officials can be detained for an unlimited period. There are nine detention centres in Great Britain (some being managed by private security companies, others by the prison services). 24,748 people were in detention in 2018. In June 2018, 60 people had been in detention for more than a year.⁹² In 2019, the Supreme Court criticised the British Home Office for illegally detaining asylum seekers who had been placed under the Dublin procedure.⁹³ Despite an ‘Adults at Risk’ policy started in 2016, the British government continues to detain vulnerable people. This is the case, for example, of many women who come from China, often victims of exploitation and human trafficking. According to Home Office statistics, Chinese women are the largest national group among women in detention: there were 420 of them in 2018. 275 of the 414 Chinese women who left detention that year had applied for asylum. 252 of them, i.e. 92%, were not deported on leaving the detention centre, but continued with their asylum application.⁹⁴

‘ **Their interest in removing you will always outweigh your vulnerability, there is no contest there. I saw loads of vulnerable people inside Morton Hall. Lots of psychotic episodes, people self-harming because they were so depressed. I saw someone cut their throat in front of me.** ’

John P, *Freed Voices/DetentionAction*

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To find out more: <https://detentionaction.org.uk/>

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<https://www.theguardian.com/law/2019/nov/27/thousands-of-asylum-seekers-may-be-due-damages-after-court-home-office-ruling>

94

To find out more: <https://www.refugeewomen.co.uk/campaign/research/>

‘ I gave up thinking about life outside of Colnbrook. I told myself ‘Colnbrook is your home now – that is the only way to survive’. My cell became my bedroom. The canteen became my kitchen. When I look back now, it’s crazy to think how normal it became to be locked up at night, night after night after night. ’

Souleymane, *Freed Voices/DetentionAction*

Belgium was criticised three times by the European Court of Human Rights for locking up 2,000 children with their parents in closed centres, between 2004 and 2008.

In **the Netherlands**, there are two detention centres: one for single men (3,500 men on average in 2018, where they can stay for up to 18 months, but the majority are released within three months of entering) and one for unaccompanied minors, families with children (in this case, the stay cannot be longer than two weeks) and women (26 people from May to August 2019). In **Spain**, detention centres are not used to detain asylum seekers, detained people can however apply for asylum. In this case, the person is released and directed to an association, as they cannot be deported while their application is being processed.

The detention of migrants is harmful, ineffective and costly.⁹⁵ Harmful because it has detrimental effects on mental health, on people’s trust in the asylum system (and thus their capacity and willingness to cooperate with the authorities) and on the ability to meet their basic needs. In **Belgium**, in September 2018, the federal government established a closed national administrative centre for migrants in transit and increased the number of places in enclosed centres: 160 migrants in transit were detained there in July 2019, with a cost to public finances of EUR 215,000 per week, or EUR 192 per person per day. The majority of these people were released after a few days, either because they could not be deported if they are at risk of torture or persecution in their home country, or because their country of origin was unknown⁹⁶ The ineffectiveness of prolonged detention periods has also been proven in the **United Kingdom**, where fewer than 40% of migrants detained for more than six months were deported.⁹⁷ Eurostat data shows the lack of correlation between the maximum detention time of Member States and the rate of forced repatriation.⁹⁸

The alternatives to detention involve a legal obligation: an individual evaluation must be carried out on a case-by-case basis, and when detention is resorted to, in the absence of any other possible measure, it must be imposed for the shortest duration possible.

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Detention can cost up to ten times more than alternative options: the cost of running alternatives to detention is, for the majority, significantly less, and they enable a lot more voluntary returns (thereby avoiding the high costs associated with deportations). International Detention Coalition (2015), ‘There are alternatives – A handbook for preventing unnecessary immigration detention’, available at: <https://idcoalition.org/wp-content/uploads/2016/01/There-Are-Alternatives-2015.pdf>

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<https://www.cire.be/migrants-en-transit-en-belgique/>

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<https://www.gov.uk/government/publications/immigration-statistics-july-to-september-2016/list-of-tables#detention>

The Dublin Regulation and the tightening up of some national legislation on the right to asylum are therefore used by Member States to shrink from their obligations regarding reception, for example by restricting access to accommoda-

tion or ensuring rights for dublinised people. Here again, governments categorise migrants in terms of their administrative status and prioritise control and management of migration flows over solidarity and the obligation to protect.

Varied measures when it comes to provision for people in vulnerable situations

Asylum seekers are, by definition, vulnerable people: a lack of or inadequate provision can, in respect of these people, amount to degrading

treatment due to this vulnerability. The reception crisis, the institutionalisation of emergency accommodation and the weaknesses in the reception systems as described here have harmful effects on the mental and physical health of asylum seekers, on their private and family lives, and can amount to inhuman and degrading treatment, as recognised by the ECHR in the case of *M.S.S. -v- Belgium and Greece*.

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⁹⁸In 2017, Spain (60 days maximum detention period) had a return rate of 37.2%, and France had a return rate of 15% (45 days, although a change was introduced in 2018). Among Member States with maximum periods of detention matching the maximum permitted by the Directive (6 months plus 12 months), for example, the Czech Republic had a return rate of 11.2%, Belgium of 18.2%, Greece of 39.5%, and Germany of 46.3%.⁹⁹ See European Parliament (2019), 'Recasting the Return Directive', available at: <https://www.statewatch.org/news/2019/apr/ep-briefing-new-returns-proposal.pdf>; see also PICUM (2019), 'Non-detention of migrants: some facts and figures' PICUM briefing, available at: <https://picum.org/wp-content/uploads/2020/02/Talking-points-on-Non-Detention-of-Migrants-Some-Facts-and-Figures-January-2020.pdf> and PICUM (2019), 'Advocating for Alternatives to Detention in the Context of Migration: Toolkit for NGOs', available at: <https://picum.org/wp-content/uploads/2020/02/Alternatives-To-Detention-Toolkit-for-NGOs-EN.pdf>

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M.S.S. v Belgium and Greece, Application no. 30696/09 §254 <http://hudoc.echr.coe.int/eng?i=001-103050>

WHAT DOES THE LAW SAY about the right to protection from inhuman and degrading treatment for asylum seekers?

*M.S.S. v Belgium and Greece*⁹⁹ |2011|ECHR

The European Convention for the Protection of Human Rights does not expressly provide for the right to housing. The Strasbourg courts have always stated that the Convention cannot, as a matter of principle, guarantee the right to housing to every person under its jurisdiction. However, the European Court of Human Rights protects the right to housing on the basis of Article 8 (respect for one's home and private and family life), in situations where sufficient and continuous connection can be established to a specific place. More recently, the Court stated that **the absence of shelter, for particularly vulnerable people, may violate Articles 3 (inhuman and degrading treatment) and 8 of the Convention**. The main cases that are relevant in this respect are *M.S.S. v Belgium and Greece*, and *V.M. and others v Belgium*.

M.S.S. v Belgium and Greece is a landmark case. The case involved an Afghan asylum seeker who had fled Kabul in 2008, entered the European Union through Greece to eventually arrive in Belgium where he applied for asylum. In accordance with the Dublin Regulation, Greece was the Member State responsible for examining his asylum application. Consequently, the Belgian authorities transferred him to Greek territory, where he was placed in a detention centre in unsanitary conditions before having to sleep rough with no material assistance.

The Court attached particular importance to the **claimant's status as an asylum seeker** and, as such, a **member of a particularly disadvantaged and vulnerable population in need of special protection** (251). The Court stated that it is a violation of Article 3 because the claimant *'spent months in a state of extreme poverty, incapable of meeting his most basic needs: food, hygiene and housing. This was compounded by the ever-present fear of being attacked and robbed and the total lack of any hope of improving their situation.'*

This case also examined the compatibility of the Dublin Regulation with the European Convention on Human Rights regarding transfers to Greece under this regulation. The Court found that Greece had infringed Article 3 due to the detention conditions experienced by the claimant and it also found that Article 13 combined with Article 3 had been infringed due to the failures of the asylum procedure in the claimant's case and the risk of his deportation to Afghanistan, without any serious examination being given to the basis for his claim for asylum or any access to effective recourse. The Court also ruled against Belgium, citing a violation of Article 3 in sending the claimant to Greece and exposing him to detention and living conditions that violated this article.

With *M.S.S. v Belgium and Greece*, the Court judged for the first time that a **Member State's non-respect of the basic socio-economic needs constitutes a violation of Article 3 of the ECHR**. States are to be held responsible for returning asylum seekers to conditions that lead (or may lead) to a violation of Article 3.

On the basis of the Reception Conditions Directive (Directive 2003/9/EC of the Council of the EU), the Court found that Greece had accepted the obligation to provide housing and decent material conditions to impoverished asylum seekers. In this case, the Greek State failed to meet its obligations and infringed Article 3.¹⁰⁰ **When a State does not comply with the Reception Conditions Directive, an asylum seeker can invoke a subjective right to receive assistance under Article 3 of the ECHR.**

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The Court clearly states that Article 3 of the ECHR does not contain a general obligation to provide asylum seekers with housing or financial support. However, because asylum seekers constitute a particularly disadvantaged and vulnerable group needing special protection, and because the Reception Conditions Directive obliges Member States to provide housing and decent material reception conditions to poor asylum seekers, the Court found that Greece had infringed Article 3. By granting decisive power to the obligations that stem from the Reception Conditions Directive, the Court strengthened the impact of this instrument.

Furthermore, **some people are particularly vulnerable among asylum seekers**: the circumstances of people with specific needs are particularly alarming, in particular when we see their increased exposure to extreme poverty and housing deprivation. According to the Reception Conditions Directive, when asylum seekers are housed in facilities and accommodation centres (outside of private housing), Member States must take into account 'factors linked to their gender and age, and the circumstances of vulnerable persons'. Taking into consideration the particular circumstances of vulnerable people is asserted by Article 21 with regard to **minors, unaccompanied minors, disabled people, older**

people, pregnant women, single parents with minors, victims of human trafficking, people with serious illnesses, people with mental health issues, and people who have been tortured, raped or been subjected to other serious forms of psychological, physical or sexual violence.

Member States must evaluate 'within a reasonable time frame' if the asylum seeker has particular reception needs and must ensure that the support provided as a consequence takes into account 'their special reception needs throughout the duration of the asylum procedure and shall provide for appropriate monitoring of their situation'. Specific provisions exist on the measures that need to be taken to ensure the

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particular vulnerability is taken into account with regard to minors (Article 23), unaccompanied minors (Article 24) and victims of torture or violence (Article 25). Where minors are concerned, for example, the Directive states that the best interests of the child must be a priority for Member States, who are bound to ensure that minors are housed with their parents and brothers and sisters, and even that they have access to leisure activities. However, there is no detail on other categories of vulnerable people and how to address their particular needs, which leaves a degree of discretion that varies from Member State to Member State.

Evaluating how vulnerable asylum seekers are and, if needs be, providing them with appropriate assistance is therefore a Member State obligation in accordance with the Reception Conditions Directive. For all that, not all member states have established a systematic identification/evaluation mechanism for assessing the vulnerability of asylum seekers.

This can be observed in **Ireland** and **Germany** in particular. In **Ireland**, the number of asylum seekers in emergency accommodation increased from 196 to 936 people between November 2018 and July 2019. Emergency accommodation is the main form of reception currently available to newcomer asylum seekers in Ireland. According to studies by the Irish Refugee Council, people living in these centres face difficulties accessing the care and social welfare ('Daily Expenses Allowance') that are normally available to asylum seekers. The lack of any mechanism to identify vulnerability has been criticised by civil society organisations as a significant reason for the difficulties in implementing the Directive. In response to a parliamentary question, the Irish Minister for Justice and Equality said that 'it is not possible to provide data on the number of people with specific needs'.¹⁰¹ In **Germany**, a 2016 amendment to the German Asylum Act integrated provisions

related to identifying vulnerable asylum seekers. However, this is not a correct transposition of the recast Directive on Asylum Procedures, as it only specifies that an interview should take place and not that adequate assistance should be provided to asylum seekers needing specific procedural guarantees. In practice, the identification procedures in Germany have been described as 'questions of luck and coincidence' given that the authorities 'are not empowered to take the necessary measures to determine psychological problems or trauma'.¹⁰²

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<https://www.asylumineurope.org/news/12-08-2019/ireland-serious-gaps-reception-conditions-directive-implementation-one-year>

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Nina Hager and Jenny Baron, 'Eine Frage von Glück und Zufall. Zu den Verfahrensgarantien für psychisch Kranke oder Traumatisierte im Asylverfahren' in Informationsverbund Asyl und Migration (ed), *Beratung und Rechtsschutz im Asylverfahren: Beilage zum sylmagazin* 7-8/2017, July 2017, 17-26

103

Migreurop (2018), 'Femmes aux frontières extérieures de l'Union Européenne' [Women at the European Union's external borders] - Les Notes de Migreurop n°8, available [in French] at: <http://www.migreurop.org/article2903.html>

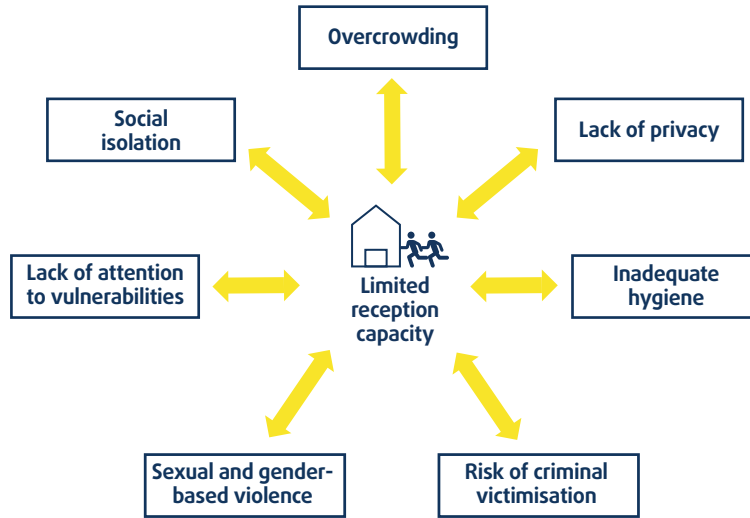
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The Special Representative of the Secretary General of the Council of Europe on Migration and Refugees expressed the need for Spanish authorities to 'ensure that the CETIs at Ceuta and Melilla have the same standards in terms of living conditions, education, healthcare, language and training courses that asylum seekers have a right to on mainland Spain.' Council of Europe (2018), 'Report of the fact-finding mission by Ambassador Tomáš Boček, Special Representative of the Secretary General on migration and refugees, to Spain', 18-24 March 2018, para 5.1. See also the 2016 and 2017 reports from Human Rights Watch, Amnesty International, UNICEF and Spain's Defensor del Pueblo. ECRE/AIDA (2018), Country Report Spain.

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See for example Gehrt, Daniel, Marco Hafner, Lucy Hocking, Evangelos Gkousis, Pamina Smith, and Jack Pollard (2019), 'Poor indoor climate, its impact on child health, and the wider societal costs', Santa Monica, CA: RAND Corporation, available at: https://www.rand.org/pubs/research_reports/RR3256.html. In November 2019, the French organisation Défenseur des Droits stated that a mayor's refusal to provide schooling for children living in a hotel may constitute discrimination and, as such, be liable to criminal proceedings: <https://www.lemediasocial.fr/refus-de-scolarisation-des-enfants-heberges-en-hotel-rappel-a-l-ordre-des-maires-izumeq>

FUNDAMENTAL RIGHTS CHALLENGES DERIVING FROM LIMITED RECEPTION CAPACITY



Source: FRA, 2019

There have also been failures in identifying and taking account of vulnerability in the **Greek** and **Spanish** 'hotspots'. Besides the issues related to lack of hygiene, sanitary facilities and overcrowding, the lack of appropriate mechanisms for victims of violence must be pointed out. Suitable provision should include evaluation with trained staff, respecting confidentiality rules and how people concerned can access treatment or adequate medical and psychological care. Member States are failing to meet their obligations at all levels. For example, on the island of Lesbos, there are only five doctors for a camp of several thousand people. Women have to live alongside unknown men, without any private space. The medical and psychological supports are insufficient and it has been reported that there is a lack of confidentiality in procedures, leading to many women choosing not to report when they have been victims of vio-

lence. Furthermore, in the villages of Ceuta and Melilla in **Spain**, while a 'protocol for detecting trafficking victims' exists, there are no specific measures to ensure the protection of women identified as potential victims of violence.¹⁰³ In both towns, undocumented people who arrive on Spanish territory are accommodated in the two Migrant Temporary Stay Centres (*Centros de estancia temporal para inmigrantes*, CETI). At the end of August 2018, the Ceuta centre housed 1,057 people (for 512 places) and the Melilla centre housed 1,192 (for 782 places, including places in tents). The voluntary sector has repeatedly sounded the alarm on the appalling living conditions, excessive overcrowding, lack of interpreters and psychologists, exposure to violence and to exploitation even within the centres, particularly for women and children. The lack of specialised places also causes family separation – in these cases, minors stay with one parent.¹⁰⁴

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Audio: Report from France Culture – Les Pieds sur Terre (2019), 'Des enfants sans toit ni loi pour les abriter' [Children without a roof or a law to protect them], available [in French] at <https://www.franceculture.fr/emissions/les-pieds-sur-terre/des-enfants-sans-toit-ni-loi-pour-les-abriter>

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Florent Guéguen (2020), 'Que vont devenir les personnes et familles évacuées des campements parisiens?' [What will become of people and families evicted from Parisian camps?], available [in French] at <https://blogs.mediapart.fr/florentgueguen/orange.fr/blog/020220/que-vont-devenir-les-personnes-et-familles-evacuees-des-campements-parisiens>

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See Défenseur des Droits (2019), 'Adolescents sans-logement. Grandir en famille dans une chambre d'hôtel' [Homeless adolescents: growing up in a hotel room], available [in French] at <https://www.defenseurdesdroits.fr/fr/etudes-et-recherches/2019/02/adolescents-sans-logement-grandir-en-famille-dans-une-chambre-dhotel>

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Focus Ireland (2017), 'Causes of family homelessness in the Dublin region during 2016 and 2017', available at: <https://www.focusireland.ie/wp-content/uploads/2018/12/Cambi-Sheridan-and-Hoey-2018-Insights-into-Family-Homelessness-No-16-Causes-of-family-homelessness-in-the-Dublin-region-during-2016-and-2017-Final-2.pdf>

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House of Commons (2018), 'Asylum accommodation: Replacing COMPASS', December 2018, available at: <https://bit.ly/2A164kM>

Preserving the family unit must, in accordance with European regulations, be a priority in order to respect the best interests of the child.

In the majority of Member States, accommodating families in emergency accommodation and hotel rooms, where there is overcrowding, lack of private space and squalor, has harmful effects on social and family relationships, health and the education of children.¹⁰⁵ In **France**, in winter 2019-2020, an unprecedented number of families with children were sleeping rough without a housing solution (many of them migrant families), a situation that was criticised by the voluntary sector.¹⁰⁶ On 16 January 2020, CASP (the Protestant Social Action Centre) which manages a Parisian platform for accommodating families of asylum seekers counted 329 people homeless, including 149 children.¹⁰⁷ A study by the French *Défenseur des Droits* published in 2019 highlighted how temporary accommodation in hotels has negative effects on family and friend relationships, education and the health of adolescents.¹⁰⁸ In **Ireland**, according to a 2017 Focus Ireland report, between 35% and 59% of homeless families in Dublin come from a migration background.¹⁰⁹ In **England**, the accommodation conditions for asylum seekers have been criticised many times for their lack of security, non-respect for private life, and absence of minimum hygiene and safety standards. These conditions are particularly unsuitable for mothers and their young children, pregnant women, victims of torture and people suffering from post-traumatic stress.¹¹⁰ In **Scotland**, a national consultation on the use of bed & breakfasts and hotels for homeless people showed that this amounted to 'psychologically destructive and traumatising' living conditions, which led the Scottish government to propose legislation limiting the length of stays in such temporary accommodation to one week and to prioritise sustainable housing solutions.¹¹¹

‘ Being in a hotel is like being locked up because I often feel we are treated sort of like prisoners. Because we are not allowed visitors, it's not like if people came to visit us they would do something to the hotel... I don't understand it really... ’

Kouma, 17 ans – Défenseur des Droits (2019)

‘ What's more, my mother isn't able to cook anything because the manager never leaves us be. [...] Everything has to be made in a microwave in the hotel... ’

Mirhan, 14 ans – Défenseur des Droits (2019)

Unaccompanied minors, i.e. adolescents under 18 years from third countries arriving in Europe without family, are particularly vulnerable when it comes to housing deprivation.

According to Eurostat, the number of unaccompanied minors seeking asylum in Europe has increased seven-fold between 2013 when the number was 12,725 and 2015 when the number reached 95,205. In 2018, 19,845 unaccompanied minor asylum seekers registered in the EU-28. This amounts to 10% of all asylum seekers under 18 years.¹¹² These children arrive completely alone and without any frame of reference.¹¹³ They should be taken into the care of child social services in the majority of Member States.¹¹⁴ **The systems for child protection are certainly effective on paper but in practice there are failures in the majority of Member States, particularly regarding unaccompanied minors:¹¹⁵ their care is provided on a limited basis for cost-saving purposes.** These children are thus, for the most part, accommodated in hotels where they live alone with little or no support, which makes them particularly vulnerable to isolation, solitude and exclusion. Their administrative status, once again, trumps their child status. The absence of protection and the lack of commitment from public authorities exposes them to all kinds of risks including very serious ones such as human trafficking, prostitution and coercive control. **Studies show a**

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<https://www.gov.scot/publications/analysis-responses-consultation-improving-temporary-accommodation-standards/pages/8/>

112

Eurostat, 2019
– Eurostat, 2019 – migr._asyappctza.

113

See the MSF report on unaccompanied minors in France (2019), 'Les mineurs non accompagnés, symbole d'une politique maltraitante' [Unaccompanied minors, symbol of an abusive policy], available [in French] at: <https://www.msf.fr/sites/default/files/2019-09/201909%20-%20Rapport-Mission-France%20MSF.pdf>

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While there is no legal definition of 'unaccompanied minors' in Europe, there are two models in Member States for assuming responsibility: the first model, widespread in the majority of Member States associates the care and protection of children with the prerequisite condition of being asylum seekers, and a second model, less widespread (in place mainly in France, Spain and partially in Italy and Belgium), which is based on the Convention on the Rights of the Child, according to which the State must assume protection of the child in the absence of protection from the parents. Senovilla Hernández D. (2020), 'Quelle protection pour les mineurs arrivés seuls en Europe?' [What protection for minors arriving in Europe alone?], in Bouagga Y. (dir.) (2020), Dossier 'Jeunes en migration, entre défiance et protection' [Young people in migration, between mistrust and protection], De facto [Online], Produced by: Catherine Guilyardi. Available [in French] at: <http://cmigrations.fr/2020/03/25/defacto-017-02/>

correlation between low standards of protection and an increase in the number of minors being exploited¹¹⁶, coercive control is tied up with a mix of factors (need for shelter, physical and psychological violence, debts due to their passage to Europe, etc.). Of 11,700 unaccompanied minors who applied for asylum in **the Netherlands** over the last ten years, 2,556 disappeared from reception centres before the end of their asylum procedure (and without local authorities knowing where they went). Some young people go to other parts of the Netherlands or Europe to find family members, but according to associations, some of them become victims of human trafficking.¹¹⁷ Being forced to commit crimes is one form of exploitation widely used on children. These crimes are viewed through the prism of delinquency by the public authorities who continue to convict minor victims on a large scale rather than convicting the masterminds behind this type of criminality. The regular use of incarceration for these children further increases their isolation and the unlikelihood of them accessing protection, and ultimately this works in favour of criminal organisations which flourish as a result of this vicious circle.¹¹⁸ **The policy of migratory control thus infiltrates all areas, including the protection of children:** some public authorities in **France** for example, contest the under-age status of some children on the basis of arbitrary criteria, in order to avoid responsibility, and they prioritise fighting illegal immigration over the rights of the child. A decree on the minority assessment support (AEM) entered into force on 30 January 2019. In effect, this decree enables the French authorities to deport a child seeking protection due to their minor age and isolation as soon as the Department (in which they are residing) considers them to have reached adulthood. The Department's decision is mostly based on a cursory evaluation procedure containing subjective criteria. According to the associations, the application of this order results in children seek-

ing protection being turned out on the streets following the entire prefecture procedure.¹¹⁹ These young people, sometimes just 15 or 16 years old, can then (in the best-case scenario) have recourse to homeless support services, which in turn are forced to develop new competencies as they go, to try and best support these people with their specific needs¹²⁰ – while acknowledging that in order to be housed through the 115 hotline, for example, they are obliged to say they are adults. Of 3,774 unaccompanied minors living in Greece in March 2019, half could be considered homeless: 1,932 were living outside of temporary or long-term accommodation and 605 were rough sleepers, i.e. 16% (these figures do not take into account the number of unaccompanied minors who are undocumented).¹²¹

Effective protection of unaccompanied minors is therefore conditional upon implementation of an evaluation and a procedure that takes account of the **rights of the child** at every stage, through a **comprehensive care plan adapted to their protection needs** for the entire time they are recognised as minors, and through identifying sustainable solutions in accordance with the child's best interests, enabling a smooth transition to independence.¹²²

Asylum seekers with specific mental health care needs (victims of violence, torture, trauma, post-traumatic stress, etc.) are frequently helpless when there is no individualised support taking their distress into account. In **France**, 12% of unaccompanied minors at CASOs (healthcare and advice centres) run by Médecins du Monde in 2018 were diagnosed with psychological or psychiatric disorders. 56% of asylum seekers were diagnosed with chronic illnesses and 54% with acute illnesses. Almost one asylum seeker in two (48%) had delayed seeking medical attention, and 44% needed urgent or quite urgent care according to the doctor in consultation.¹²³ In **Italy**, organisations have criticised the lack of, and poor

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« Depuis 2014, bien
 'Since 2014, although
 there are significant
 disparities within
 regions of the same
 country, all European
 countries have
 shown a tendency
 towards establishing
 measures limiting
 the costs related
 to assuming
 responsibility for
 these minors, and
 therefore their
 protection.' Peyroux
 O. (2020), 'Mineurs
 migrants et traite
 des êtres humains
 – Les oubliés de
 la protection de
 l'enfance' [Minor
 migrants and
 human trafficking
 – abandoned by
 child protection
 services], *Hommes &
 migrations* [online],
 1328 | 2020, available
 [in French] at: [https://
 www.cairn.info/
 revue-hommes-et-
 migrations-2020-1-
 page-35.htm](https://www.cairn.info/revue-hommes-et-migrations-2020-1-page-35.htm)

116

Ibid.

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[https://nltimes.
 nl/2020/01/13/2500-
 kids-disappeared-
 asylum-centers-10-
 years](https://nltimes.nl/2020/01/13/2500-kids-disappeared-asylum-centers-10-years)

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Peyroux O. (2020),
op. cit.

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Cimade & al.
 (2020), 'Le Conseil
 d'Etat valide sans
 sourciller le fichage
 des mineur-e-s
 non accompagné-
 e-s' [The Council
 of State approves
 the surveillance of
 unaccompanied
 minors without
 batting an eyelid],
 Joint associations
 communication
 of 7 February
 2020, available [in
 French] at: [https://
 www.lacimade.org/
 presse/le-conseil-
 detat-valide-sans-
 sourciller-le-fichage-
 des-mineur-e-s-non-
 accompagne-e-s/?fb
 clid=IwAR2xveqhg2v
 FqSKiajC97xj7HkzjiT
 lsbiYOTIn5OefhcjvT
 ObRLNyWdFjU](https://www.lacimade.org/presse/le-conseil-detat-valide-sans-sourciller-le-fichage-des-mineur-e-s-non-accompagne-e-s/?fbclid=IwAR2xveqhg2vFqSKiajC97xj7HkzjiTlsbiYOTIn5OefhcjvTObRLNyWdFjU)

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Interview with
 the Great Eastern
 Regional Agency of
 the Foundation Abbé
 Pierre, November
 2019.

quality of, accommodation for the most vulnera-
 ble people with mental health problems and/or
 addiction problems. These people are frequently
 evicted from accommodation facilities and find
 themselves on the street and/or in low-threshold
 services intended for homeless people.

Healthcare professionals working with this population are often overwhelmed by the patients they see who present high levels of distress related to homelessness, extreme poverty, social marginalisation and the lack of any support network. In these circumstances, the effectiveness of available treatment is weakened, hindering their return to good health.

*Dr Stefanos Kontokostas, psychiatrist,
 Open Minds II – Promoting Mental Health
 and Well-Being in the Community (2019),
 Doctors of the World Greek Delegation.*

WHAT DOES THE LAW SAY about the level of seriousness required for the lack of care to constitute inhuman or degrading treatment?

N.T.P and others v France¹²⁴ |2018|ECHR

This case was about the means of housing a family – a mother and her three young children – while they were waiting to apply for asylum. The Court concluded that the claimants were accommodated for the night in a hostel financed by public funds and that two of the children were attending primary school. Furthermore, the claimants were also receiving medical care financed by the State and were being helped by NGOs. The Court therefore handed down a judgement that the claimants had been able to 'meet their most basic needs' (food, hygiene, and a roof) and that the French authorities had not acted indifferently to their needs. Consequently, their situation was not serious enough to fall within the scope of article 3.

M.K. v France¹²⁵ |2018|ECHR

This decision by the ECHR ordered the French government to house an asylum seeker (a mother and her three children) using the interim measures stated in Article 39. In accordance with the Court's established case law, these interim measures are applied when there is a risk of imminent and irreparable damage. In practice, the Court did not indicate if the damage was coming from the claimant's lack of housing or from the non-respect by the French government of the three decisions from the Toulouse administrative court ordering the State to provide the family with housing. Either way, this demand for the interim measures enabled the claimant to be housed immediately and highlights the risk of violating the rights guaranteed by the Convention in cases where access to emergency accommodation is refused.

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National Centre for National Centre for Social Solidarity (EKKA), 2019. Available at http://www.ekka.org.gr/images/EKKA_Dashboard_31-3-2019.pdf

122

Senovilla Hernández D. (2020), *op. cit.*

123

Médecins du Monde (2018), 'Synthèse de l'observatoire de l'accès aux droits et aux soins 2018' [Overview of the observatory on access to rights and care 2018], available [in French] at: <https://www.medecinsdumonde.org/fr/actualites/publications/2019/10/15/synthese-de-lobservatoire-de-laccess-aux-droits-et-aux-soins-2018>

124

N.T.P. and Others v. France, Application no. 68862/13, 24 May 2018.

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M.K. v. FRANCE and two other cases, App. No(s). 34349/18, 34638/18 and 35047/18. <http://hudoc.echr.coe.int/eng?i=001-187849>

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In the United Kingdom, a person must be granted homeless status in order to be entitled to specific social welfare. The non-statutory services are those managed by civil society organisations where access is not conditional upon having the status.

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Médecins du Monde, MSF, the Belgian Red Cross of the francophone community, la Plateforme citoyenne de soutien aux réfugiées [the Citizens' Platform Supporting Refugees], CIRE, Vluchtelingenwerk Vlaanderen and Oxfam-Solidariteit.

The absence of accommodation options for migrants in transit

People falling under the term 'migrants in transit' enter one European country wishing to go to another European country to apply for asylum or to stay there (e.g. for family reasons or reasons related to work or study). This country is not, in principle, responsible for processing their application due to the Dublin Regulation. They do not apply for asylum in the country (or countries) through which they are 'transiting'. They have very different profiles (women, men, unaccompanied minors) and are in disparate situations (old or new arrivals in Europe, international protection granted in another country, etc.).

Their situation is considered irregular and **they find themselves in a European administrative vacuum**. As a result, their fundamental rights and primary needs are often denied: they do not have access to the asylum reception system and they are often refused access to general emergency accommodation. When this is not the case – in **France** where access is supposed to be unconditional, in **Spain** and the **United Kingdom** where the services are non-statutory¹²⁶ – the lack of places and prioritisation of more vulnerable people forces them into extreme deprivation. The widely publicised cases of camps in Calais, in Milan (in 2016), in Ventimiglia and in Park Maximilian in Brussels were gross manifestations of this. Following the increase in the number of asylum seekers in Europe in 2015 and the evictions from the Calais 'jungle' at the end of 2016, many migrants in transit made their way to **Belgium**, the majority of whom wanted to go to the United Kingdom. In September 2017, to offer them a minimum of dignity, seven associations created a humanitarian Hub.¹²⁷ In 2018, almost 200 people used the Hub every day, i.e. more than 47,000 people over the year. Its aim

is to provide first-line assistance and to direct people towards the most appropriate support services according to their specific situation. People can receive advice on their legal and social situation, see a doctor, speak to a psychologist, charge their mobile phone and call their family or even receive clothing.¹²⁸ According to an MSF report, migrants in transit experience extreme psychological stress related to their exile and their migration journey but also to their living conditions and to the repressive police force that they are subjected to. Among the people received at the Brussels humanitarian Hub, one in four attributes their psychological problems to their experiences in Europe: mediocre living conditions, uncertainty about which procedure to follow, police behaviour, etc.¹²⁹

Official data on housing deprivation very rarely covers undocumented people, which contributes to making them and their needs invisible.

According to Médecins du Monde, in **France**, among the undocumented migrants coming to the CASO, one in five is homeless and 85% of people who in theory are under the AME (Aide Médicale d'Etat/State Medical Aid, provision enabling foreigners in an irregular situation to access healthcare) do not have acquired rights, which leads to serious difficulties in accessing healthcare services.¹³⁰

Whatever the extent of ECHR protection of asylum seekers, a large number of migrants do not intend to get the protection provided for through the Geneva Convention in the country they are transiting through and thus risk becoming homeless. Nonetheless, the right to emergency accommodation is a minimum living condition and should oblige States to provide everyone with it, regardless of their legal status. This impression is reinforced by the position of the European Court of Human Rights, which requires that minimum reception condition are ensured before any family seeking asylum is

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returned. In this regard, the European Committee of Social Rights adopted an interpretive declaration on the rights of refugees in accordance with the European Social Charter in which the Committee restates the content of the collective complaint, *FEANTSA v the Netherlands*.¹³¹ **The right to emergency shelter and to all other emergency social assistance is not limited to those**

who belong to certain vulnerable groups, but extends to all people in unsafe circumstances, in accordance with the principle of respect of their human dignity and protection of their fundamental rights. The Committee considers that certain social rights directly linked to the right to life and to human dignity form an intangible core of rights that protect the dignity of all.

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See <http://www.bxlrefugees.be/#services>.

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MSF (2019), 'Une fuite sans fin: Soins en santé mentale au hub humanitaire de Bruxelles' [An eternal exodus: mental healthcare at the Brussels humanitarian hub], available [in French] at: <https://www.msf-azg.be/sites/default/files/imce/Rapport%20MSF%20migration%20Hub.pdf>

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Médecins du Monde (2018), 'Synthèse de l'observatoire de l'accès aux droits et aux soins 2018' [Overview of the observatory on access to rights and care 2018], available [in French] at: <https://www.medecinsdumonde.org/fr/actualites/publications/2019/10/15/synthese-de-lobservatoire-de-laccess-aux-droits-et-aux-soins-2018>

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FEANTSA v. the Netherlands Complaint No. 86/2012, Decision on the Merits of 2 July 2014.

2. 'UNDER PROTECTION' BUT HOMELESS: THE DIFFICULTIES BENEFICIARIES OF INTERNATIONAL PROTECTION FACE IN ACCESSING HOUSING

When an asylum seeker has their application accepted, they become beneficiaries of international protection. They thus have permission to stay on the territory of the reception country for a fixed period based on the status granted to them, in the medium or long term. For the person concerned, this step is the beginning of their integration process in the reception country. According to Article 32 of the recast Qualification Directive,¹³² **beneficiaries of international protection have a right to housing under the same conditions as other people from third countries in regular situations. They cannot be subject to discrimination regarding access to housing.** However, the principle of non-discrimination is adapted to allow 'for national practice of dispersal of beneficiaries of international protection' (Article 32 of the recast Qualification Directive), **refugees can thus be forced to live in a particu-**

lar place. Furthermore, the legislation does not impose any legal obligation on the authorities of Member States regarding the provision of housing for beneficiaries of international protection.

However, **gaining international protection status or refugee status does not guarantee the best accommodation conditions**, far from it. There are countless legal, practical and administrative obstacles to transitioning 'upwards', i.e. towards affordable, dignified and sustainable housing within a reasonable time frame. This leads to serious consequences for the people concerned and for the reception capacity for new arrivals, as it limits the number of places freed up for their arrival. **The number of homeless refugees has especially increased in areas where homelessness is closely linked to a critical lack of affordable housing.**¹³³

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Directive 2011/95/ EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted. Available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011L0095>

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European Council on Refugees and Exiles (2019), 'Housing out of reach? The reception of refugees and asylum seekers in Europe', Asylum Information Database, available at http://www.asylumineurope.org/sites/default/files/shadow-reports/aida_housing_out_of_reach.pdf



Photo : David Boureau | Emergency accommodation centre for Migrants, Paris-Ivry d'Emmaüs Solidarité – Paris, France

The problem of housing transitioning despite the change in administrative status

When an asylum seeker receives international protection while they are housed in the asylum seeker reception system, the issue of transitioning to sustainable housing solutions and supports arises. However, many beneficiaries of international protection are forced to remain in facilities intended for asylum reception or to use general services due to a lack of other solutions. In **France** in 2018, the proportion of places occupied by refugees in the national reception provisions was on average 16%: they occupied 16% of CADA places, 22% of ATSA places, 9% of PRAHDA places and 8% of HUDA places.¹³⁴ At the end of 2018 in **the Netherlands**, 20% of places in asylum seekers accommodation were occupied by beneficiaries of international protection (4,600 of 22,500 places).¹³⁵ In terms of reception conditions, **the transition from one status to another involves changes to the process and orientation, ideally enabling people to leave facilities intended specifically for asylum seekers in a dignified manner.** Asylum seekers do not know in advance if they will be granted the status or not so it is difficult to plan solutions ahead of time. A minimum amount of time is necessary to prepare for this 'upwards' move.¹²⁹

In **the Netherlands**, transition from asylum seeker reception centres to accommodation for beneficiaries of international protection is only made when adequate housing, outside of the reception centres, is found by the COA in cooperation with the municipalities. Four placement criteria are taken into account: place of education/training, place of work (minimum of six-month contract and 20 hours per week), medical or psychosocial issues or the presence of (first-degree) family connections in the Netherlands. If one

of the criteria applies, the COA tries to place the beneficiary within 50 km of the municipality concerned. Refusal of placement – justified – is allowed; but if the refusal is considered unjustified by the COA, no further offer is made and the reception services end their accommodation provision. It is only in these (rare) situations that refugees risk becoming homeless.¹³⁶

In **Germany**, the assistance an asylum seeker receives is regulated by asylum legislation. When international protection is granted, the person moves under the general social welfare regime and must transfer to independent accommodation. The situation varies depending on the local housing market and the local policies in place. According to a study financed by the German Ministry for Labour and Social Affairs published in 2019,¹³⁷ 86% of German urban communities questioned said that they had received asylum seekers into collective accommodation and 49% also used dispersed independent housing. In both cases, having obtained protection status, people can stay in shared accommodation or independent housing until they find their own solution. But in a lot of cases, in places where the housing market is not subject to specific planning, beneficiaries of international protection have to resort to accommodation for homeless people. According to estimations from BAGW, on one night in June 2018, 542,000 people were homeless in Germany, 140,000 of whom were living in emergency accommodation or general temporary accommodation, and 402,000 (74%) were living in accommodation for asylum seekers and refugees.¹³⁸

In some countries however, there is no public system for accommodating beneficiaries of international protection and the very short deadlines for leaving the asylum seeker facilities expose these new beneficiaries to homelessness. This is the case in **England**, where 32% of people housed by the *No Accommodation Network*

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People rejected from the right to asylum occupy 12% of places in the national reception provision. OFII (2019), Annual Report 2018, available [in French] at: <http://www.ofii.fr/IMG/pdf/RAA%20OFII%202018-BD.pdf>

135

The figure was 30% for Austria. European Council on Refugees and Exiles (2019), *op. cit.*

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ECRE/AIDA (2018), Country Report Netherlands.

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Busch-Geertsema V., Henke J., Steffen A. (2019), 'Entstehung, Verlauf und Struktur von Wohnungslosigkeit und Strategien zu ihrer Vermeidung. Hg. von Bundesministerium für Arbeit und Soziales', Berlin, available [in German] at: <https://www.giss-ev.de/fileadmin/publikationen/fb534-entstehung-verlauf-struktur-von-wohnungslosigkeit-und-strategien-zu-vermeidung-und-behebung.pdf>

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FEANTSA (2019), Country profile for Germany, available at <https://www.feantsa.org/en/resources/resources-database?search=&theme=&type=Country+profile&year=>

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NACCOM (2018), 'Mind the Gap', available at: <https://naccom.org.uk/mind-the-gap-new-report-on-refugees-facing-homelessness-after-move-on-period/> and NACCOM (2019), 'Mind the Gap - One year on: continuation report on homelessness amongst newly recognised refugees', available at: <https://naccom.org.uk/wp-content/uploads/2019/06/NACCOM-Homelessness-Report-2019-06-18-DIGITAL.pdf>

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NACCOM (2018), *ibid.* See also British Red Cross (2018), 'Still an ordeal', available at <https://www.redcross.org.uk/about-us/what-we-do/we-speak-up-for-change/improving-the-lives-of-refugees/refugee-move-on-period> and Refugee Council: https://www.refugeecouncil.org.uk/wp-content/uploads/2019/03/APPG-on-Refugees--Refugees_Welcome_report.pdf

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McClenaghan M. (2019), 'How a doctor who has never seen you can say you're fit enough to sleep on the streets', *The Bureau of Investigative Journalism*, available at <https://www.thebureauinvestigates.com/stories/2019-12-18/how-a-doctor-who-has-never-seen-you-can-say-youre-fit-enough-to-sleep-on-the-streets>

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NACCOM (2018), *ibid.*

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APPG (2017), 'Refugees welcome? The experience of new refugees in the UK', available at https://www.refugeecouncil.org.uk/wp-content/uploads/2019/03/APPG-on-Refugees--Refugees_Welcome_report.pdf

(support services for homeless people in Manchester, London and Leicester) were refugees.¹³⁹ The majority became homeless after having trouble finding work and before their paltry financial assistance was stopped: the 'transition' period, i.e. the statutory deadline for leaving asylum seeker accommodation when a person obtains international protection, is 28 days. Direct links have been shown by the associations between these very short deadlines for leaving accommodation and the high prevalence of homelessness among beneficiaries of international protection. Any person who has experience of trying to find a job, housing (social or in the private sector) and apply for social welfare will understand that getting these three issues resolved in 28 days is an impossible task,¹⁴⁰ made all the more difficult by the delay for receiving welfare payments is five weeks minimum. People do not know if they will receive international protection nor when; it is therefore impossible for them to make plans in advance. Access to emergency accommodation is the only solution that beneficiaries are entitled to while waiting for access to social welfare, which beneficiaries of international protection are entitled to. Except that access to accommodation for homeless people in England is subject to being granted homeless status, and to an evaluation of vulnerability and priority needs. More than a hundred English councils have resorted to using private companies to evaluate the vulnerability of people applying for homeless services, often carried out without any meeting taking place. If vulnerability is not established, all aid including emergency accommodation, is refused. A doctor can decide that a person is capable of sleeping rough without having met them beforehand. Among those considered 'not vulnerable enough' and thus ineligible for emergency accommodation, are migrants with mental health problems and refugees who are victims of torture.¹⁴¹ Refugees who manage to access emergency

homeless accommodation report feeling unsafe in these places where violence, and alcohol and drug abuse are common¹⁴².

Many of our clients are street homeless and/or without any income at all at some point after receiving notification of their status as a refugee. Even those who manage to stay with friends have to move around as they are unable to tell a friend how long they will be there. The 'lucky' ones access night shelters in the winter months and it is not unusual for them to rely solely on day centres for a hot meal every day. Many get into debt or rely on 'hardship' payments from charities such as the Refugee Council. This is not a sustainable situation and of course is extremely damaging to the mental health and resilience of a person who has already suffered so much. J

Written account, Refugee Council, United Kingdom¹⁴³

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http://www.infomie.net/IMG/pdf/cfda_exile.e.s-queles-accueils-face-a-la-crise-des-politiques-publiques.pdf

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See below, section B.

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There has also been a national strategy for reception and integration of refugees since 2018, managed by the Inter-ministerial Delegation for Refugee Reception and Integration (Di-AIR). This strategy aims in particular to improve integration into the workplace for beneficiaries of international protection.

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Cimade (2020), 'Etat des lieux des dispositifs d'accueil et d'hébergement dédiés aux personnes demanderesse d'asile et réfugiées' [Review of reception measures and accommodation for asylum seekers and refugees], available [in French] at: <https://www.lacimade.org/schemas-regionaux-daccueil-des-demandeurs-dasile-quel-etat-des-lieux/>

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Programme financed by the European Union, coordinated by UNHCR in cooperation with the Greek government and municipalities, it covers accommodation (collective or in apartments) of asylum seekers and refugees. To find out more: <http://estia.unhcr.gr/en/home/>

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Ministry of Migration Policy Ministerial Decision No. 6382/2019 of 12 March 2019, 'Determination of framework materializing the programme providing financial assistance and shelter - ESTIA, Official Gazette 853/B/12.03.2019. See Refugee Support Aegean (2019), 'Evictions of recognized refugees from accommodation will lead to homelessness and destitution', News Press Release, available at: <https://rsaegean.org/en/evictions-of-recognized-refugees-from-accommodation-will-lead-to-homelessness-and-destitution/#post-5117-footnote-2>

Similarly, in **Belgium**, there is no specialised housing stock for this purpose. Once the status of beneficiary of international protection has been granted, the person has two months to leave the asylum reception centre – a period that can be extended by one month, twice. A survey by the VVSG (Association of Flemish Cities and Municipalities) shows that this two-month period is too short: in 2019, 51% of OCMWs/PCSWs (Public Welfare Centres) state that it would take three to four months to leave with a solution in place, 45% state that it takes five months on average (while only 20% held this opinion according to the same survey in 2017). Pressure on the housing market has increased over the last two years. In order to avoid having to turn refugees onto the street, the Public Welfare Centres sometimes have to suspend their local reception initiative with Fedasil: beneficiaries can therefore stay a little longer in the reception centre but, as a result, there are no new reception places for incoming asylum seekers. While refugees can sometimes be sent into the Public Welfare Centre's emergency housing, this is also just a temporary solution.

In **France**, the deadline for leaving asylum accommodation after a favourable decision is three months, renewable once in exceptional circumstances. In 2017, 12,098 beneficiaries of international protection left the asylum reception system without a secure housing solution.¹⁴⁴ When protection is granted, beneficiaries usually fall under the common law provisions for access to housing: access to private housing through a direct lease (traditional private market or subsidised, often inaccessible to people on low incomes), entitlement to common law financial aid to access housing or support for accessing housing, access to adapted housing. Despite the existence of an enforceable right to housing, the French State has no legal obligation to specifically house beneficiaries of international pro-

tection, who can find themselves in conditions of deprivation that are even worse than those of asylum seekers, due to the many obstacles they face accessing dignified and affordable housing¹⁴⁵ and the inadequate number of specialised long-term housing units. 15% to 20% of homeless people living on the streets of Paris are reported to have refugee status, according to estimations by France Terre d'Asile. It was only in 2015 that DIHAL's (Interministerial delegation for temporary accommodation and access to housing) Migrant Section piloted a public action to promote housing for beneficiaries of international protection.¹⁴⁶ The temporary accommodation centres (CPHs) have been housing and supporting the integration of statutory refugees since 1973. For more than 20 years, the provision was limited to 1,083 places for the entire territory, 1,000 extra places were created in 2017, 3,000 in 2018 and 2,000 in 2019, bringing the current total to 8,710 places.¹⁴⁷

While establishing short statutory periods and transition periods is very problematic in countries where there are very few housing solutions for refugees, the lack of a time limit can also have harmful effects: beneficiaries of international protection can end up stuck in low-quality temporary accommodation that is unsuitable in the long term and a factor in exclusion. Furthermore, fewer places become free which exacerbates the shortage of places for new arrival asylum seekers.

In **Greece**, the ESTIA programme for asylum seekers and refugees¹⁴⁸ was time limited as a result of a ministerial decision in March 2019¹⁴⁹: accommodation and financial assistance through the ESTIA programme are now offered for a maximum six-month period after international protection has been granted. This led to the first 'evictions' from the ESTIA programme which affected 204 people who had been granted international protection before the end of July

2017.¹⁵⁰ Associations criticise the lack of integration programmes enabling people to learn the language and search for a job as well as the many barriers to accessing social welfare and affordable housing.

In **Italy**, the asylum system itself is in transition. SIPROIMI (formerly SPRAR) is the system for protecting beneficiaries of international protection, in collective accommodation or apartments. It is a system only for people whose asylum application has been accepted. Since the 'Salvini Decree', only people with a five-year residence permit, i.e. those with subsidiary protection or political asylum and unaccompanied minors, can access this system. The conditions for residency under SIPROIMI/SPRAR include learning Italian and having a long-term plan, to be set with the programme operators. The majority of people in this system are vulnerable (single-parent families, with physical/mental health problems, etc.). The length of stay there is six months, renewable after evaluation if the process and level of vulnerability requires it. The functioning of the system depends largely on the municipality: SIPROIMI/SPRAR needs compliance from cities and a willingness to manage reception on their territory. As a result, many municipalities do not want to provide this reception service. Support in these structures is intended to be comprehensive: Italian classes are obligatory, basic needs are taken care of (meals and health) and integration activities are offered. However the 'Salvini Decree' also led to budget cuts to the SIPROIMI/SPRAR funding: financing allocated to accommodation in private apartments fell by 39% between 2018 and 2019 (from EUR 35 to EUR 21.35 per person per day) and funding allocated to collective accommodation centres fell by 28% (from EUR 35 to EUR 26.35 per person per day). Before the 'Salvini Decree', holders of a humanitarian residence permit¹⁵¹ could access SIPROIMI/SPRAR, but this is no longer the case.

People with humanitarian protection had to leave SIPROIMI/SPRAR before 31 December 2019 and, while some services and municipalities planned to take responsibility for these people (for example, Milan, where the majority are very vulnerable or families or people with mental health problems¹⁵²), many are now particularly exposed to housing deprivation.

At each stage, people are required to be integrated, to have solid long-term plans for all aspects of their lives (social, work, education, culture and housing), to adapt to structures which are, in contrast, very fragmented and interventions that are based on emergency and short termism. **There are so many obstacles to overcome, complicating further their access to common law housing.**

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Ibid.

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See part I.b) of this chapter.

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On-site visit by FEANTSA/FAP to Milan, November 2019 and meeting with the Farsi Prossimo cooperative.

THE LIVING CONDITIONS OF PEOPLE REJECTED FROM ASYLUM

The tightening up of the conditions for gaining international protection and of asylum policies has serious consequences on the number of people rejected from asylum. In the European Union in 2018, of 581,895 first instance decisions on asylum applications, 63% were rejections. Decisions acknowledging rejection of the asylum application represented 76% of first instance decisions in Spain, 72% in France, 68% in Sweden, 65% in United Kingdom and the Netherlands, 58% in Germany, 53% in Greece and 49% in Belgium.¹⁵³

Access to shelter for people rejected from the right to asylum differs from country to country. In the **United Kingdom**, rejected asylum seekers do not have access to support services for homeless people because they do not have the right to public funding. Specific services exist, offered by charitable associations. In 2018, NACCOM provided 1,111 rejected asylum seekers and 180 migrants who did not have rights to public financing, to accommodation with third parties and housing in buildings donated to the associations. The situation of rejected asylum seekers unable to return to their country of origin is described in a Red Cross report.¹⁵⁴ In **Sweden**, financial assistance and housing supports for asylum seekers who are governed by a specific legal framework (LMA-lagen) are under the competency of the Swedish Migration Agency; these supports cease as soon as a deportation decision is made – except for families, who must not however try to escape the deportation or they risk losing their right to support. In **Spain**, rejected asylum seekers must leave the reception programme 15 days maximum after notification, regardless of what 'phase' of the programme they are in. These people then turn to municipal social services and services for homeless people. In **France**, recent case law from the Council of State has led to restrictions accessing emergency accommodation for rejected asylum seekers with OQTF (Obligation to leave French territory): for these people, unconditionality of emergency accommodation must be applied only to rejected asylum seekers who can justify their particular circumstances and only as long as it takes for them to organise voluntary return. In practice, these case law interpretations really pose a challenge to housing this population – in a general and systematic way – with consideration on a case-by-case basis not always being given. This has led to general instructions for refusing reception to irregular migrants on French territory with no consideration given to their individual situation; sometimes the age of children (less than one year or more than one year) is used to make the distinction between families who can benefit from reception in an emergency facility and those who cannot, as they are considered non-priority. In this context, single undocumented men, and increasingly, women and families, are forced to live on the streets without a housing solution, yet they have a right which protects them and which should guarantee that their administrative situation cannot be used to justify refusal of a fundamental right. A new type of accommodation centre has recently been created without any legal basis: DPAR (Measures to prepare for assisted return), which was set up regionally via the 2018 finance law. They are inspired by the Belgian model of centres solely for the return of rejected asylum seekers. Accommodation is conditional upon people accepting help to return. However, people are under house arrest and are subject to measures restricting their freedom.

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Eurostat 2020, [migr_asydcfst], see 'Going Further – Annexes and Tables' Table 3.1 – First instance decisions on asylum applications, 2018 (number of people, only those from outside EU-28).

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Red Cross (2016), 'Can't Stay, Can't Go', available at: <https://naccom.org.uk/wp-content/uploads/2017/02/Cant-Stay-Can't-Go-British-Red-Cross-March-2016.pdf>



WHAT DOES THE LAW SAY about lack of basic assistance for asylum seekers subject to an order to leave the territory?

V.M. v Belgium¹⁵⁵ | 2015 | ECHR

Members of a Serbian family seeking asylum, who were subject to an order to leave Belgium, were deprived of their basic subsistence needs and forced to return to their country of origin where one of the children (seriously disabled) died a short time after their return. The family claimed that the exclusion from Belgian accommodation services exposed them to inhuman and degrading treatment and that the reception conditions in Belgium had led to the death of their eldest daughter.

The Court examined whether there had been a violation of Article 3 of the ECHR with regard to inhuman or degrading treatment. To determine if the threshold of gravity that characterises infringement of Article 3 was reached, the Court based its decision on the status of an asylum seeker as a person belonging to a particularly disadvantaged and vulnerable group requiring special protection. The Court agreed that this vulnerability was worsened by the presence of young children, including one baby and one disabled child. In this case, it was considered that the claimants **were evicted from the reception centre 'without means of subsistence, without housing, and without access to sanitary facilities [...] they found themselves on the streets and stayed there – without any assistance to provide their most basic needs (food, hygiene and shelter)'. These living conditions, combined with the lack of any hope of improving their situation, were so serious that they fall under Article 3 of the Convention and constitute degrading treatment.**¹⁵⁶

It is worth mentioning the Return Directive, which entered into force in 2010 and provides common rules for the return and removal of persons residing without authorisation, regulating recourse to forced measures and detention. These measures must fully respect human rights and the fundamental freedoms of the people concerned. The Directive was transposed into national law by all States party to it (all EU Member States except the United Kingdom and Ireland, as well as the four Schengen states: Switzerland, Norway, Iceland and Liechtenstein). It entitles exiles to rights that can be invoked in cases taken in national jurisdictions.

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ECHR, V.M. and Others v. Belgium, (Application no. 60125/11, 7 July 2015).

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N. Bernard (2017), 'Migrants' right to housing, Belgian and international law', Université Saint-Louis, Brussels.

The escalation of barriers to accessing common law housing for people under international protection

Access to adequate housing is a right that is being severely tested for a growing number of people residing in the European Union.¹⁵⁷ The right of an individual to respect of his or her home is enshrined in Article 7 of the European Union Charter of Fundamental Rights as well as by Article 8 of the ECHR. Article 11 of the International Covenant on Economic, Social and Cultural Rights (which all EU Member States are a party to) forms the basis of **the right to 'adequate housing'**. According to the United Nations Committee on Economic, Social and Cultural Rights, 'adequate housing' must meet the following requirements: be of sufficient quality to guarantee protection from the weather; reflect the cultural needs of its occupants (including, consequently, vehicles, caravans, camps and other provisional structures); be connected to water and electricity mains as well as the sanitation network; and have adequate infrastructure enabling them to benefit from public services and work opportunities. The housing must, in addition, be affordable and its occupants must be able to enjoy adequate protection against all forced or rapid evictions.¹⁵⁸

In practice, gaining international protection does not mean the fight is over, far from it. **An accumulation of obstacles – financial, legal and administrative – to the increasingly inaccessible housing market complicate access to adequate housing for refugees.** This in turn increases exclusion – spatial, social and legal – as well as the isolation, segregation and discrimination that they are particularly exposed to.

The growing gap, over the last decade, between housing costs across all European Union coun-

tries and household income, particularly for poor households, is a key factor in the exclusion of beneficiaries of international protection from the housing market. In **Greece**, financial assistance for housing is only accessible to people legally residing on the territory for at least five years and in possession of a rental contract. The solidarity allowance is only allocated on condition that the person is able to provide a valid rental contract of minimum six months or a homeless certificate (provided by the municipal social services). An illustration of the difficulties encountered as a result of these conditions is given by Refugee Support Aegean; they gave an account of a family recognised as beneficiaries of international protection who become homeless. In Athens, the homeless certificate is issued to people on the streets or in inadequate accommodation, but this does not cover people living temporarily with other people or in squats. This was the case of this family, who were refused the certificate and, as a result, the solidarity allowance, leading to extreme deprivation for a family with two dependent children and whose parents have health problems.¹⁵⁹ 'HELIOS', a pilot programme financed by the European Union building on ESTIA, was introduced to provide support during this transition period: it plans for financial support for the first six months following departure from the ESTIA programme and providing information on potentially available apartments in the private sector. However, in the absence of integration programmes including language courses and taking into account the difficulties of signing a contract with landlords, the associations remain highly sceptical of the concrete effects of this programme which is still in pilot stage. The inaccessibility of the Greek rental market must also be taken into consideration. According to a study of 17,000 properties for rent in the Attica region on one of the biggest Greek real estate platforms, 0% are affordable for a household earning minimum wage (for a 40 hour working week).¹⁶⁰ In these

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See Statistics on Housing Exclusion in Europe 2020 of this report and other work by FEANTSA: <https://www.feantsa.org/en>

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UN Committee on Economic, Social and Cultural Rights (1991), General observation No. 4: The right to adequate housing (Art. 11 par. 1 of the Covenant), E/1992/23, 13 December 1991.

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Refugee Support Aegean & Pro Asyl (2019), 'Returned recognized refugees face a dead-end in Greece', available at: <https://saegean.org/en/returned-recognized-refugees-face-a-dead-end-in-greece/#denialofbenefits>

conditions, international protection cannot guarantee a dignified and adequate standard of living for beneficiaries in Greece.

(We have just received our official documents here. But we cannot transform them into a roof over our heads, we cannot feed our children with them)

Aza, the mother of a family which has received international protection in Greece, and is homeless. Source RSA/ProAsyl¹⁶¹.*

Beneficiaries of international protection are largely excluded from social housing in the initial years after their arrival because, having obtained their residence permit, they are subjected to very long waiting lists for social housing. This is not, however, the case in **Denmark**, where refugees are prioritised on the social housing lists. The asylum housing system functions in Denmark as **a combination of distribution & supply/demand matching systems**: asylum seekers are initially distributed across the territory and are allocated housing in one of the municipalities, but in this phase, they do not have freedom to choose their place of residence. However, if the three-year integration programme is successfully completed in the designated municipality, they are free to move where they want. While refugees express their preferences and needs in terms of housing, the municipalities state what housing is available until a match is found. This considered allocation results in better integration, as it facilitates access to the labour market, housing and, to a certain extent, integration into schools. Similar strategies have been developed in **the Netherlands** (where continuity of protection is ensured by a person's exit from asylum accommodation only being permitted if a sustainable housing solution is available), in **Sweden** and in **Germany**.

In **Sweden**, beneficiaries of international protection who do not manage to find housing have, since 2016, been referred to Swedish municipalities by the Migration Agency via a quota system

(based on the size of the municipality, the number of refugees already received and the suitability of the local employment market to people's professional situations). **The municipality is thus responsible for providing housing and cannot use lack of accommodation as a reason for refusing people housing.**¹⁶² According to the Swedish National Board of Housing, Building and Planning, 221 of the 290 municipalities stated that they do not have enough housing at their disposal for beneficiaries of international protection, due to a lack of rental properties, family housing and affordable housing. This is against a backdrop where landlords require high incomes and stable employment from their tenants and do not accept the welfare payment given to beneficiaries of international protection to meet the income conditions of a rental contract.¹⁶³ In September 2019, the housing authority of Gothenburg – the country's second-biggest city – sounded the alarm stating that, 'over the next three years, 2,700 people (including 850 children) are going to lose their housing if the elected representatives don't find a solution'.¹⁶⁴

In **Germany**, according to the above-mentioned study,¹⁶⁵ slightly more than a quarter of urban communities who responded stated that for people accommodated in independent housing, the community was planning for the possibility of transferring the rental contract into the person's name when status is granted. If refugees or beneficiaries of subsidiary protection cannot pay the costs, it is covered by the local social welfare office or the local job centre, but only up to an 'adequate' level; what is considered 'adequate' depends on the local housing market, so refugees have to ask the local authorities to what extent rent will be reimbursed.¹⁶⁶

In **Italy**, after a stay under the SIPROIMI/SPRAR programmes, there is no public programme responsible for providing a structured exit solution in the transition to integration. Although support includes help in finding work or training, in putting money aside for future rent, or even direct

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Sideris S. (2020), 'The rent is too damn high', Medium/ AthensLive, available at: <https://medium.com/athenslivegr/the-rent-is-too-damn-high-69e22e0daa8>

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<https://rsaegpan.org/en/returned-recognized-refugees-face-a-dead-end-in-greece/#denialof-benefits>

162

A specific law covers this: *Lag (2016:38) om mottagande av vissa nyanlända invandrare för bosättning "Bosättningslagen"*.

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<https://www.boverket.se/sv/samhallsplanering/bostadsmarknad/olika-grupper/nyanlanda/>

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Anne-Françoise Hivert (2019), 'En Suède, les réfugiés se retrouvent sans logement' [In Sweden, refugees find themselves homeless], *Le Monde*, 12 October 2019, available [in French] at: https://www.lemonde.fr/international/article/2019/10/12/en-suede-les-refugies-se-retrouvent-sans-logement_6015275_3210.html

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financial aid for rent (in general for a period of one month) or a rental guarantee, people are facing housing costs that are completely disconnected from their income as well as discrimination on the private rental market. Quick-fix solutions are thus considered: beneficiaries of international protection might use sub-lets on the black market, which particularly exposes them to undignified and overcrowded housing. Many house-share, paying high rent for very small living spaces. Some find themselves using services for homeless people or on the streets, in slums or in squats. Social housing is not an option in Italy for these people – except when rare places become free in the affordable private social housing foundations, where many conditions must be met and where

there is no turnover because the waiting lists are very long and people have to prove residency in the municipality for the last five years.¹⁶⁷

Administrative deadlocks, particularly regarding addresses, have been reported in some countries. In **Bulgaria**, for example, a valid identification document is necessary to access all social welfare, including in relation to housing. Upon signature of the rental contract, beneficiaries of international protection must present a valid identification document but to obtain this document, the person must already have an address. Yet, since 2016, it is no longer permitted to use the address of the asylum reception centre in which the person was previously staying in order to obtain this identification document.

WHAT DOES THE LAW SAY about the principle of non-discrimination?

Article 2 of the TEU (Treaty on European Union) and Article 10 of the TFEU (Consolidated version of the Treaty on the Functioning of the European Union) enables European institutions to take the necessary measures to fight all discrimination based on sex, race or ethnic origin, religion or beliefs, disability, age or sexual orientation. The **principle of banning discrimination** was confirmed with the proclamation of the Charter of Fundamental Rights in 2000: Article 21 of this charter cites, in addition to the reasons mentioned in Article 10 of the TFEU, social origin, genetic characteristics, language, political opinions or any other opinion, belonging to a national minority, property and birth. Article 21, paragraph 2, explicitly bans any discrimination based on nationality.¹⁶⁸ There are currently four directives that bind European Union Member States to fight discrimination and to ensure application of the principle of equal treatment.¹⁶⁹ The European Convention on Human Rights guarantees protection against discrimination to any person under the jurisdiction of a Member State, whether or not they are a national of this State.

'Access to housing would not only include ensuring that there is equality of treatment on the part of public or private landlords and estate agents in deciding whether to let or sell properties to particular individuals. It would also include the right to equal treatment in the way that housing is allocated (such as allocation of low quality or remote housing to particular ethnic groups), maintained (such as failing to upkeep properties inhabited by particular groups) and rented (such as a lack of security of tenure, or higher rental prices or deposits for those belonging to particular groups).'¹⁷⁰

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Busch-Geertsema V, Henke J, Steffen A. (2019), *op. cit.*

166

AIDA, Country Report Germany, 2018 Update, April 2019, 120-121.

167

Bear in mind that residency does not start when residency is applied for but when one receives a valid residence permit. Interviews with Casa della Carita & Caritas Ambrosiana, Milan, Italy, November 2019.

168

Charter of Fundamental Rights of the European Union, 364, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012P%2FTXT>

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Directive 2000/43/CE of 29 June 2000 (Anti-racism Directive), Directive 2000/78/CE of 27 Nov. 2000 (Employment Equality Framework Directive), Directive 2006/54/CE of 5 July 2006 (Gender Directive) and Directive 2004/113/CE of 13 December 2004 (Directive on equal treatment between men and women in the access to and supply of goods and services).

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European Agency for Fundamental Rights (FRA) (2018), 'Handbook on European non-discrimination law', available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-handbook-non-discrimination-law-2018_fr.pdf

171

Refugee Council (2017), *op. cit.*, available at https://www.refugeecouncil.org.uk/wp-content/uploads/2019/03/APPG_on_Refugees_-_Refugees_Welcome_report.pdf

172

CIDOB (2019), *op. cit.* available at https://www.cidob.org/en/publications/publication-series/notes-internacionals/n1_214/to_be_or_not_to_be_deficiencies_in_the_spanish_reception_system

173

SOS Racisme (2019), available [in French] at: <http://www.leparisien.fr/societe/logement-et-racisme-un-an-d-enquete-sur-les-discriminations-06-05-2019-8066877.php>; see also a similar study in Brussels: <https://>

Beneficiaries of international protection are thus particularly exposed to discrimination when accessing housing, whether this discrimination is based on their status, on their income, or on their understanding of the language or how the reception country functions. In **England**, the 'right to rent' legislation, established with the 2016 Immigration Act, compels landlords to verify the administrative status of their renters and to refuse to rent to people who cannot prove their right to rent a property. This is a major disincentive to landlords, already suspicious of residency documents, to rent their property to beneficiaries of international protection.¹⁷¹ In general, in all countries, the limited period of the residence permit can prevent access to a three-year rental contract. For example, in **Spain**, asylum seekers with a six-month residence permit are never accepted by private landlords.¹⁷² According to a study carried out over the year 2018 in **France** by SOS Racisme, 87% of private landlords and 68%

of public landlords racially discriminate when renting out a property: an Asian profile has 15% less chance of renting a property than a person with a French-sounding name, a North African person has 28% less chance and someone from the French Overseas Departments or from Sub-Saharan Africa has 38% less chance.¹⁷³ Likewise in **Germany**, several studies have shown discrimination against migrants on the housing market. A recent study from the German Federal Anti-discrimination Agency showed that more than one third of people from migrant backgrounds have been discriminated against on the basis of their origin when trying to rent or buy a property.¹⁷⁴ This is of course against the law, but convictions are rare. In December 2019, in the town of Augsburg, a German landlord received a fine of EUR 1,000 for explicitly stating in his property ad that he would only rent his property to people of German origin.¹⁷⁵

HOMELESS EXILES REMOVED FROM THE PUBLIC SPACE WITHOUT RECEIVING SHELTER

In several European countries, including **France, Belgium, England, Greece, Italy and Spain**, there has been an increase in slums inhabited by refugees, asylum seekers, rejected asylum seekers, etc. The living conditions are very difficult for all inhabitants in these slums regardless of the administrative status of the individuals residing there.

In France, despite a national slum clearance plan started in 2018, the issue persists: access to essential services such as water, sanitation, dignified and safe housing, healthcare, is generally obstructed in these places. A national manifesto signed by associations and citizen groups was published on 21 July 2019, to 'end the inhuman situation of vagrancy and camps in France'. **Incessant evictions from informal living spaces by law enforcement agencies, generally without any accompanying solutions for the people concerned, are major barriers to accessing fundamental rights, particularly the right to shelter in safe and dignified conditions.** According to the '*Observatoire des expulsions de lieux de vie informels*' [Observatory of evictions from informal living spaces], between 1 November 2018 and 31 October 2019, 1,159 evictions from informal living spaces took place on mainland France, which translates to several thousand people being driven out, some of them several times in one year. It should be stressed that 85% of these evictions took place in the Hauts-de-France region where the Calais and Grande-Synthe camps, occupied by non-European migrants, are located. In 46% of cases, evictions led to confiscation and destruction of property belonging to the evicted people and in only 19% of cases could the evicted people retrieve all their belongings. In some cases, there has also been a level of violence on the part of the law enforcement agency towards the people being evicted. In 90% of the evictions considered in the survey, no accommodation or housing offer was made to the people evicted, which means that all the people living in these informal living spaces were turned onto the street. In 2019, some operators (accommodation facilities under the national reception provisions) received instructions from the State's decentralised services (Department prefects) aiming to turn beneficiaries of international protection out onto the streets without any rehousing solution, thereby adding to the existing camps. Estimations, made mainly during evictions from these camps, take into account that beneficiaries of international protection represent about 20% to 25% of people there, particularly in the Ile-de-France Region.

<https://www.medecinsdumonde.org/fr/actualites/publications/2019/11/15/observatoire-des-expulsions-de-lieux-de-vie-informels>

'Squatting', 'antisocial behaviour', 'incivility', 'neighbourhood disturbances', 'pollution', etc.; occupation of public spaces by people suffering housing deprivation is seen primarily as a 'nuisance', which focuses on the public order problems and not on the violation of dignity and the relevant people's lack of choice in the matter. **The Homeless Bill of Rights confirms the fundamental rights stemming from international obligations and national rights in their concrete form, which effectively enables homeless people to exit homelessness and to enjoy the same rights as every human being.**

<https://www.fondation-abbe-pierre.fr/droitsdespersonnessansabri>

www.citylab.com/equity/2019/10/housing-discrimination-brussels-tenant-apartments-belgium/599080/?fbclid=IwAR2E40i0iPaIzBLgFyuBiCylN5nmSUAjbl2mRcvqYnAVJClqrjwXyNCK

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Friedel Taube (2020), 'Migrants face housing discrimination in Germany', *DW*, 29 January 2020, available at: <https://www.dw.com/en/migrants-face-housing-discrimination-in-germany/a-52193155>

175

DW Augsburg landlord fined for only renting to Germans', 10 December 2019, available at: <https://www.dw.com/en/augsburg-landlord-fined-for-only-renting-to-germans/a-51608127>

176

Homeless Mission in Strasbourg, extract from the 2018 report.

177

See for example the illuminating statements from people living in containers in Lyon, presented by operators as a 'mobile village' and a 'social innovation of temporary occupation' but described by the asylum seekers living there as unfit housing (no windows, no insulation, no private space, rent payment, no information and no participation of the inadequately housed people, etc.): 'Putting people in containers, it's very humiliating. Containers are for putting on ships, for storing things... What storing people?' 'What makes me laugh is that after we arrived, they did drawings on the walls, they bought little decorations for the car park, flower pots etc. to make the containers prettier. I feel like they don't understand the problem'. See: Sudfa (2020), 'Ici - Les containers ou la rue' [Here it's containers or the street], Les Blogs de Mediapart, available [in French] at: https://blogs.mediapart.fr/sudfa/blog/050220/ici-les-containers-ou-la-rue?utm_content=buffer00935&utm_medium=social&utm_source=Twitter_Mediapart&utm_campaign=CM

178

Czischke Darinka (2013), 'Social innovation in Housing: Learning from practice across Europe', Discussion paper commissioned by the Chartered Institute of Housing on behalf of the Butler Bursary, available at: <http://www.cih.org/resources/PDF/Membership/Social%20Innovation%20in%20Housing%20-%20Darinka%20Czischke%20Final%20report%20and%20appendix%20Dec%202013.pdf>

179

Ibid.



Photo : Mauro Striano | Tentes sur le canal Saint-Martin - Paris, France

(1,800 asylum seekers came through the Pada reception platform in Strasbourg in 2014, going to 3,000 in 2016 and 4,000 in 2018. Two-thirds of people housed in the Department of Bas-Rhin find shelter in the Strasbourg Eurométropole, through CADA and especially through HUDA. Those who do not find a bed after passing to Guda stay close to the Prefecture for obvious reasons, i.e. Strasbourg, and form part of the groups that are regularly found in tents. Our teams are constantly reporting and raising the alarm on the increased number of people and families on the streets living in squats or in camps in undignified sanitary and social conditions. 'Categorising' people who are looking for accommodation has become widespread across the territory, leaving families and single people on the street and without care. We find regrettable the lack of political will for respecting the principle of unconditional reception which underpins the tradition of solidarity to people in poverty in France.)

*Mission sans-abris à Strasbourg
Médecins du Monde*¹⁷⁶

Feedback from the field and best practice

How can we define a good practice, a solution that makes a positive difference? 'Social innovation' and 'inclusive city' are desirable concepts, but at the same time they have become vague ideas and labels behind which questionable practices are hidden under cover of 'urban design'.¹⁷⁷ Social innovations are judged truly innovative by their outcomes and their means, i.e. as much by the process as by the result. The process is of crucial importance, because it highlights the shift in how things are done, particularly the 'open, collaborative, participative, and non-linear aspects'.¹⁷⁸ Furthermore, innovation in housing is very context-specific. What is innovative in one country might not be in another.¹⁷⁹ Practices considered socially innovative have certain shared features, in particular 'user involvement, user perspective, cross-sector collaboration, multidimensional approach, streamlining, and user empowerment'.¹⁸⁰

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With this in mind, we will endeavour to present here the reception initiatives for asylum seekers and beneficiaries of international protection regarding affordable, dignified, adequate, and sustainable housing, that embody the vision of housing as a fundamental right and common good.¹⁸¹

USING SOCIAL HOUSING, IDENTIFYING SPECIFIC NEEDS AND INDIVIDUALISED SUPPORT :

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Ibid.

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See also the 33 best practices of housing for refugees listed in The Bartlett Development Planning Unit University College London (UCL) (2018), 'Affordable housing – Policy and practices – Social innovation in housing for refugees', available at https://www.uia-initiative.eu/sites/default/files/2019-02/Curing%20the%20Limbo_report%20on%20housing_Feb%202019%20%281%29.pdf.

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<https://www.government.nl/topics/asylum-policy/asylum-procedure/reception-asylumseeker>

183

Housing experts, Norrbotten region, Sweden, FRA Report 2019.

184

Union Sociale pour l'Habitat (2019), 'Contribution des bailleurs sociaux au logement des réfugiés: Etat des lieux des bonnes pratiques' [The Contribution of social landlords to housing refugees: Review of best practices], Direction des politiques urbaines et sociales/ June 2019, available [in French] at <https://www.union-habitat.org/sites/default/files/articles/pdf/2019-08/etudelogementdesrefugiesvf.pdf>

In **the Netherlands**, the transition towards accommodation/housing when refugee status has been granted is systematic and sustainable.¹⁸² This is one of the rare Member States where the asylum system and the general reception system for homeless people remain interlinked to each other (aside from with regard to rejected asylum seekers). Beneficiaries of international protection are prioritised for social housing: the COA (Central Agency for the Reception of Asylum Seekers), which manages first reception, has a distribution methodology that reflects the needs of the person. For example, when a person already has a social network or the opportunity to find work in a particular area, the services will try to place them accordingly. However, in the event of an unjustified refusal, no second offer will be made. **The person's process is seen in the long term, in order to ensure there is no intermediate period without a housing solution throughout the inclusion process.** Voluntary networks in the reception municipalities help new residents to navigate the school system, learn the language, navigate the healthcare system, etc. An increasing number of municipalities are organising training and facilitating access to work for new residents.

In **Sweden**, the municipality of Luleå and the municipal public housing landlord (Lulebo) set a goal of making 25% of vacant housing available to beneficiaries of international protection assigned to Luleå. Priority is given to families and to unaccompanied minors.¹⁸³

The housing of refugees by social landlords is also practised in **France**, in an even more marginal way. The specific needs of this population sometimes present challenges for the providers, who are well advised to upskill.

(For the moment, the landlords surveyed had quite positive experiences, however difficulties have escalated for the associations regarding language barriers and, in some cases, very unstable social or medical situations which hinder access to employment. Refugees often arrive with serious health issues or psychological trauma as a result of their migratory route, which necessitates adequate care that is close at hand. With regard to psychiatric issues, particularly the overwhelmed CMPs (medical and psychological centres) and their extremely long wait-times, speedy treatment of post-traumatic issues can be hampered for certain refugees and thus their overall integration is negatively affected.¹⁸⁴)

In **France**, State-funded measures to promote housing for beneficiaries of international protection was piloted by DIHAL (Interministerial delegation for temporary accommodation and access to housing), representing real progress in the **coordination of the various stakeholders involved in integrating beneficiaries of international protection.** In 2017, a first interministerial circular aiming to make 20,000 housing units available for beneficiaries of international protection was published and 8,700 units were mobilised in 2018. The strategy aims to develop partnerships with social landlords and to use private landlords more, particularly with the use of rental intermediation. Regarding rental intermediation, a specific measure for refugees on their own exists ('*Solibail*' is specifically for households in difficulty, prioritising families living in hotels, but its offshoot '*Solibail réfugiés*' is for beneficiaries of international protection who are on their own, living in hotels or accommodation centres).

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Despite everything, the finance provided is not enough to properly bring about an ambitious policy enabling beneficiaries of international protection to access their rights. Furthermore, we note that the innovative provisions are invented and tested on some territories, but the existing blockages regarding access to housing persist, despite stakeholders who support beneficiaries of international protection pointing these out for several years. Nonetheless, the measures tested regard fairly low volumes of people (in 2018 for example, almost 46,700 people were granted international protection). It is also noted that facilitating mobility of beneficiaries of international protection could go against their individual care plan and their territorial bond.

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Find out more about using the private market for social purposes, see FEANTSA & Fondation Abbé Pierre (2018), 'Louer sans abuser'. Mobiliser le parc locatif privé à des fins sociales en Europe [Ethical Renting: mobilise the private rental market to provide social solutions in Europe], 'L'accès au logement digne et abordable en Europe : Boîte à idées et solutions innovantes' [Access to Decent and Affordable Housing in Europe: Case Studies and Innovative Solutions], available at: <https://www.feantsa.org/en/report/2018/12/19/ethical-renting?bcParent=27>.

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Ibid. See also the Convivial movement in Belgium, specialised in helping refugees access housing and integrate: <https://www.convivial.be/logement/>.

A national platform for housing refugees was also created in 2015 to promote mobility; some territories are particularly overwhelmed in terms of access to social housing. The platform has benefited at least 4,000 people since its creation. Public funds have also been funnelled towards: socially supporting rehoused refugees (carried out by operators or local association structures); transitional accommodation structures (CPH, Temporary Accommodation Centres) with nine months of support provided; transit centres and gateway housing; solidarity homeshares, etc.¹⁸⁵

In **Italy**, some **Housing First** projects include beneficiaries of international protection when they exit the asylum seeker reception system.

USE OF VACANT PRIVATE HOUSING:

Private rental stock is another resource that some local authorities use to house exiled people.¹⁸⁶ Rental intermediation in **France** and **Belgium** enable beneficiaries of international protection to be housed.¹⁸⁷ In **Germany**, the city of Dresden, through its Social Welfare Office, agreed a partnership with Vonovia (one of the country's biggest real estate groups) and with 132 private landlords, in order to temporarily house asylum seekers in private apartments, by using properties which had been vacant for more than six months.¹⁸⁸ In June 2018, two-thirds of asylum seekers in Dresden were housed temporarily in private housing units and supported by social workers to find permanent housing. Vonovia holds 10,000 permanent right-of-occupancy housing units on its books for the city of Dresden, which get allocated to low-income households and refugees. In **Italy**, several rural municipalities that have lost a large section of their population over the last twenty years, have established deliberate reception policies using vacant properties to house exiles and encouraging their inclusion through training, employment and participation (via local artisanship for example).¹⁸⁹

Due to reception places being more available in areas of economic and demographic decline, and with slow housing markets, distribution policies tend to prioritise the placement of asylum seekers and refugees in these areas. This presents a real challenge for accessing employment and social inclusion in general, and risks reinforcing the effects of poverty and segregation. This type of distribution needs to be countered by deliberate and targeted local policies, that respect the wishes of migrants. Riace and Sutura in Italy are examples of places where people in the reception system have driven the creation of employment, supporting local economic recovery and diversifying the approaches for maintaining rental properties. This demonstrates the potential for such dynamics.

Strategically locating housing is vital to people's success and is necessary to avoiding segregation, isolation and stigmatisation: *'While it is certainly advisable to distribute refugees across the national territory, consideration must be given on a case-by-case basis to the location of housing allocated to a refugee household so that they can access the necessary services but also, in less densely populated areas, so that they can be mobile. As the 4 March 2019 instruction asks: what is the public transport network like? Is there potential for eco-friendly modes of transport (walking, cycling, etc.)? Are supports available to help get a driving licence, to rent a moped, etc.? Could carpooling be an alternative?'*¹⁹⁰

SELF-RESTORATION OF DILAPIDATED HOUSING, BETWEEN RECEPTION POLICIES AND URBAN RENEWAL:

Self-restoration of housing has proved successful across various local contexts in addressing both the experiential needs and the independence of homeless people, through co-build-ing/renovating housing and communities, as

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On 31 May 2018, Dresden's Social Welfare Office was responsible for 2,634 asylum seekers. In 2016, the number was 5,022. Two former hotels with a total capacity of 563 places, open since 2015 to accommodate asylum seekers were closed at the end of 2018 because large-scale, rapid and sustainable rehousing had been implemented. – Interview with Dominic Heyn, Social Policy Advisor, City of Dresden, June 2018.

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See the examples of Sutura on Sicily: <https://www.theguardian.com/world/2018/may/19/sutura-italy-the-sicilian-town-revived-by-refugees-and-Riace-in-the-South-of-Italy>: <https://www.bbc.com/news/in-pictures-37289713>

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Union Sociale pour l'Habitat (2019), *op. cit.*

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<http://canopyhousing.org/>

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Nausicaa Pezzoni (2019), 'Entre politiques d'accueil et régénération urbaine. Le projet "Maisons au-delà du seuil" à Milan' [Between reception policies and urban renewal: The project 'Houses Beyond-the-Threshold' in Milan], *Métropolitiques*, 19 December 2019, available [in French] at: <https://www.metropolitiques.eu/Entre-politiques-d-accueil-et-regeneration-urbaine-Le-projet-Maisons-au-dela-du-seuil.html>

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Céline Bergeon & Alice Cléry & Anne-Cécile Hoyez & Faustine Viellot-Tomic (2019), 'Retour sur une expérience de logement des migrants: le conventionnement du squat des Jardins de la Poterie à Rennes' [Feedback on migrant housing experience: legalising the squat in Rennes],

demonstrated by the 2015/16 winner of the UN's World Habitat Award, Canopy Housing, in Leeds in **England**.¹⁹¹ In Milan, **Italy**, 'Houses Beyond-the-Threshold' was an architectural, artistic and social project, carried out between 2016 and 2017 in the working-class neighbourhood of Molise Calvaire, the objective being to offer inclusion programmes through housing, employment and culture to about twenty unaccompanied minors. They were trained in accordance with the *Architettura delle Convivenze* method to restore dilapidated public housing, that they could then live in until they reach adulthood¹⁹².

(The renovation process in which these young people participated led them to claim ownership of the space that they were learning to transform. This allowed them to identify with the living space, to develop the sense of belonging required to move towards citizenship – even if it is not permanent ownership, as these housing units are for transitional purposes. Self-restoration and construction influence actual integration; they are seen as work performed for oneself and for those who will come after, with the migrants themselves becoming advocates for the system. All of the migrants said that in addition to being in a place that they have taken care of, that they belong to a place that will be a home to those who come after. They are thus taking care of a communal space, which is what every project on community living is about.)

Nausicaa Pezzoni speaking about the 'Houses Beyond-the-Threshold' project

MAKESHIFT SYSTEMS AND CIVIL SOCIETY SOLUTIONS:

Across Europe, makeshift systems and alternative solutions are organised by civil society and associations in places where the State and/or public authorities do not assume their responsibilities. Temporary accommodation solutions, like squats for example (approved or

otherwise), are often experienced by migrants 'as a breathing space, a moment of respite in the rocky and ever-changing accommodation landscape, which has a detrimental effect on daily life'.¹⁹³ In **France**, new guidance on the ELAN law encourages the renovation and use of empty buildings through occupancy by vulnerable populations, but this remains a temporary solution subject to political agendas. Temporary reception initiatives and/or sub-lets by host families have increased significantly in recent years, particularly in **Italy**, **Spain**, **France**, and the **United Kingdom**: the CALM network in France,¹⁹⁴ Italy's Vesta,¹⁹⁵ Nausicaa, and Rifugiato in Famiglia¹⁹⁶ projects, Refuges at Home¹⁹⁷ in the United Kingdom, the Refugees Welcome network (present in 13 European countries) **are all solutions, vital for the bonds they form and the sharing of space they entail but they can never replace a holistic, long-term public response to the reception crisis that Europe is facing today.**

In Europe, being granted international protection is not an end in itself or an effective guarantee of protection. It becomes meaningless when its protective aspect is jeopardised by unfit living conditions, such as living on the streets or housing deprivation.

Segmentation of exile accommodation facilities in terms of their administrative status, extreme overlap between the already-overwhelmed accommodation systems (asylum reception system and general emergency accommodation system), inadequate resources, poor planning and coordination of each of these systems, fragmentation and abdication of political responsibilities (linked to short-term electoral agendas) are all factors that complicate and reduce the possibility of exiles receiving shelter in dignified living conditions.

CONCLU- SION

Métropolitiques,
7 November 2019,
available [in French]
at: https://www.metropolitiques.eu/Retour-sur-une-experience-de-logement-des-migrants.html?utm_source=articlesmet&utm_medium=email&utm_campaign=2019_11_15

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<https://www.singafrance.com/calm>

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<https://www.progettovesta.com/en/>

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<https://www.rifugiatoinfamiglia.it/>

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<https://www.refugeesathome.org/>

In analysing the reception systems, a general observation – common to all countries considered – was noted: **the predominant approach focuses on managing migration flows rather than a process based on fundamental rights and looking after the essential needs of people seeking protection.** The health crisis is another flagrant example of this: one of the first reactions of several European countries was to close borders and suspend asylum procedures, instead of immediately providing people with shelter.

However, this analysis also allowed different situations to be identified; situations that vary

depending on many factors specific to each country. Some countries, by virtue of their geographical location at Europe's external border, such as **Greece** and **Italy**, have been subjected to constant pressure over the last number of years. As arrival countries – both first-line and transit – they bear the consequences of European divisions and a lack of coordinated solidarity, and have tightened up their national legislation to try and limit the heavy burden on their territory. The situation on the Greek islands, which has been constantly criticised as inhuman since 2015, shames Europe as a collective project. Strong

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measures must be undertaken as a matter of urgency to shelter people who are living in unfit conditions there.

Over the last decade, **Spain** has become one of the Member States receiving the highest number of asylum seekers. However, the reception system has not evolved with these changes, in a similar vein to the French reception system, where the lack of specialised places and adequate funding has led a large number of people seeking protection to turn to inappropriate solutions, such as general emergency accommodation or makeshift informal shelter or even sleeping on the streets. Other countries, who are better prepared, seem to be able to guarantee structured and dignified first reception, e.g. **Germany**, while also maintaining a strategy for migration control. **Across Europe, some categories of people are deliberately excluded from support services or benefit from them to a lesser extent. They are the ultimate example of access to essential rights being made conditional on the arbitrary right of being present in the country in the first place.**

Once protection has been granted, the obstacle course has only just begun. In ensuring continuity of accommodation on leaving the asylum reception system, **only the Netherlands has structured a pathway to leave the system and move up the ladder, i.e. to dignified and long-term housing for beneficiaries of international protection.** Housing solutions for these people are available to some extent, but often insuffi-

ciently, in other European countries. Financial inaccessibility, competitiveness and discrimination – characteristics of housing markets across the European Union – are also barriers to housing for refugees, with some having no other choice than to turn to the black market, makeshift homes, or the streets, with all the risks and damage to fundamental rights that this entails.


Respecting procedure deadlines, ability to adapt reception measures to people's profiles, capacity to identify and actually take account of the vulnerabilities presented, seeking to integrate people and make them independent are all factors that would guarantee effective right to asylum and therefore provide the protection needed. For this, the necessary human and financial resources must be provided, and this cannot be borne by already-overwhelmed countries alone. By arming itself with asylum and immigration legislation, the European Union has laid the basis for harmonising reception conditions across Member States. Unfortunately, the leeway within this legislation has led, not towards top-down harmonisation, but the opposite. **At every stage of the asylum process, people are seeing their fundamental social rights violated. Because this is also reflective of the Europe-wide housing crisis, reception conditions and accommodation for exiles must be an integral part of social policies to combat poverty in the European Union.**



Photo : David Boureau | *Emergency accommodation centre for Migrants, Paris-Ivry d'Emmaüs Solidarité – Paris, France*

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CHAPTER 4

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INTRODUCTORY REMARKS

One in ten households spent over 40% of their income on excessive housing costs in the EU in 2018. 15.5% of households lived in overcrowded conditions, 13.9% lived in damp housing, 4% experienced severe housing deprivation, with unfit housing conditions remaining a harsh reality for those exposed to them, particularly in Eastern European countries. A worsening of housing exclusion overall has been observed over the last ten years in the countries most severely affected by the economic crisis, including Greece. An analysis of 2018 Eurostat/EUSILC data¹ allows us to consider various housing exclusion factors across EU countries and for a comparison to be drawn between the housing situation of poor households with that of the rest of the population. Individuals excluded from the housing market are therefore not covered by this analysis, as the data relate only to households which have a home.

The statistical data presented in this index should be used as guidance to this complex and multifaceted issue – and not to draw definitive and exhaustive conclusions. Inconsistencies and series breaks have to be taken into account; for 2018, Ireland and the United Kingdom have categorised some data as provisional. Caution is also advised when looking at changes over time. Generally speaking, the analysis focuses on the ten-year period from 2008 to 2018. With post-crisis developments worth analysing, some changes from 2013 to 2018 have also been taken into account; 2012 was not chosen as the base year, as it was marked by major series breaks. For Croatia, the 28 EU Member States (as a whole) and from time to time Germany, changes have been measured since 2010. Series breaks are observed

for Denmark, Lithuania and Slovenia (in 2011), the United Kingdom (in 2012, 2014 and 2017), Spain (in 2013), Estonia (in 2014), Bulgaria, Luxembourg, the Netherlands (in 2016) and Hungary (in 2018). Data for Austria are categorised as unreliable from 2008 to 2011.

In this context, the reader must bear in mind that potential comparisons between countries are limited by the differing socio-historical contexts, and disparities in how the various markets are structured – housing, employment, financial and services – as well as household and population demographics, the ratio of renters to homeowners, the urban/rural balance, etc. So many factors affecting housing conditions in Europe are country specific.

The proportion of poor households (whose income is below 60% of each country's equivalent median income after social transfers) **in the EU rose from 16.5% in 2010 to 17.1% in 2018.** Housing market prices in some EU countries have returned to the pre-recession peak of 2008.² In September 2019, the European Systemic Risk Board (ESRB) identified major systemic risks and issued warnings to five countries (Czech Republic, Germany, France, Iceland and Norway) and recommendations (to Belgium, Denmark, Luxembourg, the Netherlands, Finland and Sweden) regarding 'medium-term vulnerabilities in the residential real estate sector'. These vulnerabilities are related to the rise in household over-indebtedness and the inability of households to repay their housing loans, the increase in mortgages and the easing of lending criteria, and the price dynamics of the residential property sector.³

1
The data was extracted in January 2020 and updated in March 2020.

2
Financial Times, 1 October 2019, 'Central Banks push for action on Europe's rising house prices': <https://www.ft.com/content/6d5ee188-e292-11e9-9743-db5a370481bc> and <https://www.ft.com/content/6d5ee188-e292-11e9-9743-db5a370481bc> et <https://www.ubs.com/global/en/wealth-management/chief-investment-office/life-goals/real-estate/2019/global-real-estate-bubble-index-2019.html>

3
ESRB (2019), Press Release – ESRB issues five warnings and six recommendations on medium-term vulnerabilities in the residential real estate sector <https://www.esrb.europa.eu/news/pr/date/2019/html/esrb.pr190923-75f4b1856den.html>

1.

HOUSING COSTS AND EXPENSES

In the EU, although the population as a whole spends an average of 21% of its income on housing, poor households spend 41% of their income on housing (i.e. above the 40% threshold which is considered excessive). This is 2.4 times more than non-poor households, which spend on average

17% of their income on housing. Between 2008 and 2018, the proportion of income spent on housing expenditure⁴ fell for the population as a whole by -6.2%, while it stagnated for poor households at +0.2%.

TABLE 1

AVERAGE SHARE OF HOUSING EXPENDITURE AS A PROPORTION OF HOUSEHOLD DISPOSABLE INCOME (2018, %).

Country	POOR HOUSEHOLDS		TOTAL POPULATION	
	2018 (%)	Change 2008-2018 ⁵	2018 (%)	Change 2008-2018
Greece	72.2	+32.7%	40.9	+34.1%
Denmark*	56.6	+8.6%	27.3	-10.8%
Germany	49.4	-7.3%	26.1	-17.9%
United Kingdom*	49.2	-1.6%	25.1	-12.5%
The Netherlands*	46.7	-0.6%	23.4	-17.6%
Hungary	45.8	+4.8%	21.2	-14.5%
Bulgaria*	45.1	+26.0%	26.8	+14.0%
Czech Republic	43.9	-4.1%	21.0	-16.7%
Sweden	42.9	-13.0%	21.6	-12.6%
EU (28)*	41.0	+0.2%	21.0	-6.2%
Austria	39.5	+2.9%	18.1	-1.1%
Luxembourg*	38.7	+38.2%	16.4	+19.7%
Belgium	36.9	-14.8%	18.8	-18.6%
Finland	36.3	+5.5%	17.8	-1.1%
Romania	36.1	-16.4%	20.1	-29.2%
Spain	35.8	+6.2%	17.3	+3.6%
France	35.6	+14.5%	17.5	+2.9%
Poland	35.3	-4.6%	18.6	-15.8%
Italy	34.6	+8.8%	16.2	-8.0%
Croatia*	34.0	-26.9%	16.8	-33.6%
Slovakia	32.2	-6.1%	17.2	-5.0%
Latvia	31.6	+0.3%	17.3	-3.9%
Slovenia	31.0	+2.3%	15.5	+3.3%
Portugal	30.8	+13.7%	16.2	-3.0%
Lithuania	30.0	+1.4%	14.8	-5.1%
Estonia*	28.2	+5.6%	14.2	-4.7%
Ireland	28.0	+8.9%	15.0	+2.0%
Cyprus	17.8	+6.6%	11.6	+2.7%
Malta	13.6	-31.3%	7.8	-21.2%

*EU & Croatia: 2010 – 2018 change. *Bulgaria and Estonia: series break in 2014. *Luxembourg and the Netherlands: series break in 2016.

*United Kingdom: series breaks in 2012 and 2017. *Denmark: series break in 2011. EU-SILC (2020) [ilc_mdcd01]

4

The following are accounted for when it comes to housing costs/expenditure – rental costs; loan or mortgage repayment; lease payment or loan repayment for ancillaries (parking/garage space); management fees and services (e.g. concierge); and utilities. The total housing costs and the disposable income are accounted for here after deduction of housing allowances.

5

All changes are calculated and expressed in percentages and not in percentage points.

In the EU, the proportion of poor households overburdened by housing costs increased by 0.8 percentage points, from 37.2% to 38%, from 2010 to 2018. The highest growths between 2008 and 2018 were recorded in Luxembourg (+96.1%), Bulgaria (+53.8%), Greece (+38.3%) and France (+30.1%).

Poor households are eight times more likely to be overburdened by housing costs than non-poor households (4.6% of whom were overburdened by housing costs in 2018).

It is vital to note that these data include both tenants and homeowners, with the various methodologies used when calculating the housing cost overburden rate of homeowners frequently called into question⁶ and tending to pull the average downwards.

According to the June 2019 Eurobarometer, those surveyed in both Luxembourg and Ireland said housing is the main problem facing their countries⁷.

TABLE 2
HOUSEHOLDS OVERBURDENED BY HOUSING COSTS (OR HOUSING COST OVERBURDEN RATE) (2018, %)

Country	POOR HOUSEHOLDS		TOTAL POPULATION	
	2018 (%)	Change 2008-2018	2018 (%)	Change 2008-2018
Greece	90.7	+38.3%	39.5	+77.9%
Denmark	69.7	+14.8%	14.7	-14.0%
Bulgaria	50.6	+53.8%	17.9	+34.6%
United Kingdom	50.3	+7.7%	15.1	-7.4%
Germany*	49.5	+17.3%	14.2	-2.1%
Hungary	46.4	+9.2%	9.6	-17.2%
Czech Republic	41.9	-11.8%	7.8	-39.1%
Luxembourg	40.6	+96.1%	9.6	+159.5%
The Netherlands	40.6	-12.1%	9.4	-31.4%
EU (28)*	38.0	+2.2%	10.3	-4.6%
Sweden	37.0	-28.2%	8.3	-17.0%
Austria	36.5	-4.2%	6.8	-20.0%
Belgium	36.5	-17.0%	8.9	-28.8%
Romania	33.3	-20.7%	10.3	-46.1%
Spain	32.9	+2.5%	8.9	-5.3%
Italy	32.9	+20.1%	8.2	-1.2%
Poland	28.1	-12.5%	6.2	-36.1%
Croatia*	24.4	-49.6%	5.1	-63.8%
Slovakia	24.4	-7.2%	4.1	-26.8%
Slovenia	24.0	+13.7%	4.9	+11.4%
Latvia	23.0	-15.1%	6.7	-23.0%
Lithuania	22.3	+10.9%	5.6	+12.0%
Portugal	22.3	+4.2%	5.7	-25.0%
France	20.3	+30.1%	4.7	+11.9%
Finland	18.1	-3.7%	4.3	-8.5%
Estonia	16.1	+22.9%	4.0	+11.1%
Ireland	14.6	+19.7%	3.4	+3.0%
Cyprus	6.6	+10.0%	2.0	+11.1%
Malta	5.6	-54.8%	1.7	-48.5%

*EU, Germany and Croatia: Change from 2010 to 2018. *United Kingdom: series breaks in 2012, 2014 and 2017. *The Netherlands, Luxembourg and Bulgaria: Series break in 2016. *Estonia: series break in 2011. EU-SILC (2020) [ilc_lvh07a]

6

See INSEE (2018), 'Taux d'effort en logement: en prenant en compte le coût du service de logement, les propriétaires français sont bien placés en Europe' [Household price-to-income ratio: taking into account the cost of the housing service, French landlords are well placed in Europe], INSEE Analyses n°39, available [in French] at: <https://www.insee.fr/fr/statistiques/3589066>

7

European Commission (2019), Standard Eurobarometer 91 – Public Opinion in the European Union: <https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2253>

The countries where poor households spend the most on housing on average per month (at Purchasing Power Parity) were Luxembourg (EUR 666/month), Denmark (EUR 631/month), the United Kingdom (EUR 628/month), Germany (EUR 581/month) and the Netherlands (EUR 547/month).

Housing costs for poor tenants increased between 2008 and 2018 in almost all EU countries, with particularly high proportions in Romania (+264.6%), Estonia (+136.9%) and Poland (+108.8%).

Looking at 'post-crisis' trends from 2013 to 2018, housing costs for poor tenants rose sharply in Greece (+68.3%), while in the UK it was poor homeowners who were particularly affected (+86.6%).

TABLE 3
HOUSING COSTS FOR POOR HOUSEHOLDS ACCORDING TO TENURE STATUS
 (IN EUR, PER MONTH, AT PURCHASING POWER PARITY)

Country	POOR TENANTS		POOR HOMEOWNERS		TOTAL POOR HOUSEHOLDS	
	2018 (in €)	2008-2018 change	2018 (in €)	2008-2018 change	2018 (in €)	2008-2018 change
Luxembourg*	931.6	+27.9%	363.9	+2.3%	665.7	+23.0%
United Kingdom*	802.9	+9.6%	472.2	-10.9%	627.8	+0.6%
Greece	754.8	+2.4%	418.4	+10.9%	501.7	+9.3%
Denmark	673.6	+35.4%	518.4	+11.5%	630.7	+30.5%
The Netherlands*	645.4	+8.7%	388.7	-34.4%	546.8	-7.8%
France	616.4	+34.2%	278.9	+18.2%	503.0	+33.0%
Austria	612.8	+28.4%	365.5	+7.9%	515.5	+22.5%
Germany	602.0	+22.6%	528.1	-20.1%	581.1	+7.8%
Belgium	594.8	+13.7%	358.9	-25.2%	498.5	-0.5%
EU (28)*	562.9	+20.8%	319.0	+4.9%	418.5	+15.1%
Spain	547.9	-7.7%	234.0	+1.2%	340.3	-0.2%
Sweden	517.2	+5.7%	369.3	-13.6%	472.9	+1.5%
Italy	498.4	+15.5%	193.9	-13.1%	300.3	+6.6%
Finland	497.4	+19.1%	264.8	+9.8%	394.3	+18.4%
Ireland	471.5	+12.8%	259.0	-4.8%	363.9	+11.4%
Czech Republic	466.6	+56.7%	290.1	-9.3%	353.8	+13.8%
Slovenia	457.7	+29.5%	237.7	-1.5%	289.4	+12.6%
Poland*	439.7	+108.8%	243.4	+26.4%	256.8	+32.8%
Romania	433.5	+264.6%	118.7	+33.2%	123.0	+37.1%
Cyprus	410.9	-24.4%	152.2	-1.2%	225.4	-1.9%
Estonia*	358.5	+136.9%	165.3	+63.2%	182.7	+75.5%
Hungary	357.5	+25.0%	190.0	-11.1%	213.1	-4.3%
Portugal	318.5	+33.7%	166.0	+6.9%	208.5	+19.9%
Slovakia	316.1	+64.3%	232.1	+40.4%	246.4	+45.3%
Croatia*	295.2	-64.0%	190.7	-24.5%	195.6	-29.0%
Bulgaria*	267.6	+58.4%	187.0	+68.3%	190.1	+67.3%
Malta	235.3	+53.7%	129.1	-17.1%	157.8	+1.7%
Lithuania	168.7	+0.1%	140.3	+27.8%	142.3	+25.4%
Latvia	145.1	+15.2%	149.7	+23.3%	149.0	+22.0%

*EU & Croatia: 2010 – 2018 change. *Poland: series break in 2010. *Bulgaria and Estonia: series break in 2014.
*Luxembourg and the Netherlands: series break in 2016. *United Kingdom: series breaks in 2012 and 2017. EU-SILC (2020) [ilc_mdcd03]

In 2018, 3.3% of Europe's population and 8.3% of poor households were in rent or mortgage arrears. Poor households were 3.8 times more likely to be in housing arrears than non-poor households in Europe (2.2%).

Poor households in Greece (19.7%), France (17.9%), Ireland (13.1%), Austria (12.3%) and Cyprus (12.2%) were most likely to have accumulated housing-re-

lated debt. The proportion of poor households affected increased in 18 EU countries between 2008 and 2018. In some countries, this rise only concerned poor households (such as Ireland, Austria and Spain), while other countries also faced this increase in debt among the population as a whole (such as Greece, Cyprus, Slovakia and Denmark).

TABLE 4
ARREARS OF RENTS AND MORTGAGE LOANS (2018, IN %)

Country	IN POOR HOUSEHOLDS		IN THE TOTAL POPULATION	
	2018 (%)	2008-2018 change	2018 (%)	2008-2018 change
Greece	19.7	+56.3%	11.2	+103.6%
France	17.9	+9.8%	5.2	-10.3%
Ireland	13.1	+42.4%	5.0	-10.7%
Austria	12.3	+30.9%	3.5	-10.3%
Cyprus	12.2	+388.0%	7.1	+108.8%
Spain	11.6	+41.5%	4.4	-2.2%
United Kingdom*	11.2	+49.3%	4.9	+32.4%
Belgium	10.1	+5.2%	3.1	-6.1%
Slovakia	10.0	+11.1%	4.8	+60.0%
Finland	9.9	-5.7%	4.5	+2.3%
Denmark	9.1	+127.5%	2.9	+163.6%
EU (28)*	8.3	-11.7%	3.3	-19.5%
Luxembourg*	7.7	+97.4%	2.3	+109.1%
Czech Republic	7.5	-19.4%	1.9	-17.4%
The Netherlands*	6.9	-26.6%	2.5	+4.2%
Portugal	6.8	+11.5%	2.8	0.0%
Italy	6.4	-22.0%	2.5	-41.9%
Hungary	6.0	-25.0%	2.9	-23.7%
Malta	6.0	+71.4%	2.6	+73.3%
Sweden	6.0	+25.0%	2.2	+22.2%
Slovenia	5.8	-10.8%	2.4	-11.1%
Germany	4.2	-35.4%	1.7	-26.1%
Latvia	4.2	-12.5%	2.6	-18.8%
Bulgaria*	2.3	+35.3%	1.7	+13.3%
Lithuania	2.2	+83.3%	1.2	+200.0%
Croatia*	1.7	+30.8%	0.9	-47.1%
Estonia*	1.5	+25.0%	1.8	+63.6%
Poland	1.2	0.0%	0.8	+33.3%
Romania	0.7	-36.4%	0.4	-33.3%

*EU & Croatia: Change from 2008 to 2018. *Bulgaria and Estonia: series break in 2014. *Luxembourg and the Netherlands: series break in 2016. *United Kingdom: series breaks in 2012 and 2017. EU-SILC (2020) [ilc_mdcs06]

According to a recent OECD study,⁸ housing is a source of concern for both poor households and younger generations. Moreover, poor households (top three income deciles) are primarily concerned with not being able to pay housing costs and not making ends meet, while higher income households (bottom three deciles) are mainly con-

cerned about not being able to pay for childcare/education for their children and care for elderly relatives. Securing or maintaining housing for respondents or their families is a major concern for more than a third of poor households in many European countries.

TABLE 5

IN THE NEAR FUTURE (THE NEXT YEAR OR TWO), WHICH OF THE FOLLOWING DO YOU PERCEIVE AS THE GREATEST RISK TO YOURSELF OR YOUR IMMEDIATE FAMILY? (OECD, 2018, %)

Country	Securing/maintaining affordable housing	
	Poor households (1 st -3 rd deciles)	Non-poor households (8 th -10 th deciles)
Finland	47.31	29.57
Norway	39.58	27.34
Austria	39.32	26.05
France	39.32	25.35
Lithuania	38.74	31.90
Denmark	37.85	22.62
Estonia	36.98	25.70
Germany	35.81	22.46
Ireland	33.98	21.86
Belgium	33.92	18.79
Chile	33.83	25.37
Israel	33.60	20.88
OECD average	32.92	22.28
Canada	31.82	21.22
UNITED STATES	30.64	18.44
The Netherlands	29.44	17.35
Portugal	26.82	20.64
Mexico	26.43	29.17
Italy	25.95	15.22
Greece	25.07	14.33
Poland	23.88	15.28
Slovenia	20.94	18.42

Source: OECD (2019), *Risks That Matter*

8

OCDE (2019), *Risks That Matter Survey 2018*, <http://www.oecd.org/social/risks-that-matter.htm>

2. HOUSING QUALITY AND QUALITY OF LIFE: UNFIT HOUSING CONDITIONS IN EUROPE

In 2018, 15.5% of Europe's population and 26.3% of poor households were living in overcrowded conditions.

Between 2008 and 2018, a majority of EU countries saw the proportion of poor households living in

overcrowded housing decline. Some countries are exceptions, such as the Netherlands (+85.7%), Malta (+66.7%), Belgium (+65.5%), Sweden (+33.5%), Denmark (+33.3%) and Greece (+25.6%).⁹

TABLE 6
OVERCROWDED HOUSING (2018, IN %)

Country	AMONG POOR HOUSEHOLDS		AMONG THE TOTAL POPULATION	
	2018 (%)	2008-2018 change	2018 (%)	2008-2018 change
Romania	56.4	-8.6%	46.3	-15.5%
Slovakia	54.9	-1.1%	35.5	-17.2%
Bulgaria*	48.7	-7.8%	41.6	-13.5%
Poland	47.7	-29.0%	39.2	-22.8%
Latvia*	47.0	-12.5%	41.9	-27.0%
Croatia*	44.3	-4.5%	39.3	-10.1%
Greece	44.2	+25.6%	29.2	+9.4%
Sweden	41.8	+33.5%	15.2	+38.2%
Italy	38.0	+8.6%	27.8	+14.4%
Austria	32.3	-3.9%	13.5	-8.8%
Denmark	30.0	+33.3%	9.2	+26.0%
Czech Republic	28.7	-43.1%	15.7	-47.3%
Hungary*	26.5	-59.7%	20.1	-58.4%
EU (28)*	26.3	-12.3%	15.5	-12.4%
France	24.3	-8.0%	8.2	-15.5%
Lithuania	23.8	-54.2%	22.8	-52.9%
Luxembourg*	21.7	-32.4%	8.4	+5.0%
Finland	20.4	+21.4%	7.3	+25.9%
Slovenia	19.6	-58.5%	12.5	-68.4%
Belgium*	19.2	+65.5%	5.9	+43.9%
Germany	19.0	+1.1%	7.4	+5.7%
Portugal	18.7	-25.5%	9.6	-38.9%
Estonia	12.9	-71.2%	12.6	-69.8%
The Netherlands*	11.7	+85.7%	4.1	+141.2%
Spain	11.3	+0.9%	4.7	-16.1%
United Kingdom*	9.8	-14.8%	4.8	-26.2%
Malta	7.0	+66.7%	3.4	-12.8%
Cyprus	5.2	-38.8%	2.5	-24.2%
Ireland	4.2	-38.2%	2.7	-42.6%

⁹ EU & Croatia: Change from 2010 to 2018. *Latvia: 2018 data unavailable/replaced by 2017 data. Hungary: series break in 2018. *Belgium, Bulgaria, the Netherlands and Luxembourg: series break in 2016. *United Kingdom: series breaks in 2012 and 2017. EU-SILC (2020) [ilc_lwho05a]

9
In Belgium and the Netherlands, a series break in 2016 is to be taken into account here.

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Severe housing deprivation is characterised by a dwelling that is not only overcrowded but also unacceptable due to damp conditions, an absence of basic sanitary facilities or a lack of light.

In 2018, 4% of Europe's population and 9.6% of poor households were facing severe housing deprivation. While Eastern European countries (Romania,

Bulgaria, Latvia, Poland, Hungary and Slovakia) were the hardest hit, Denmark followed closely with 12.4% of poor households experiencing severe housing deprivation. Between 2008 and 2018, this trend fell off somewhat in the majority of EU countries, however alarming increases for the overall population can be seen in Denmark, the Netherlands, Belgium and Sweden.

TABLE 7
SEVERE HOUSING DEPRIVATION (2018, IN %)

Country	AMONG POOR HOUSEHOLDS		IN THE TOTAL POPULATION	
	2018 (%)	2008-2018 change	2018 (%)	2008-2018 change
Romania	37.4	-29.8%	16.1	-44.7%
Bulgaria*	26.2	-36.9%	10.1	-57.0%
Latvia	21.1	-33.9%	14.9	-33.2%
Poland	15.8	-52.8%	8.6	-52.5%
Hungary	14.5	-63.8%	7.5	-63.6%
Slovakia	14.3	+20.2%	3.7	-32.7%
Denmark*	12.4	+163.8%	3.2	+190.9%
Greece	12.1	-11.0%	5.9	-27.2%
Croatia*	10.9	-44.1%	6.2	-49.6%
Austria	10.6	-10.2%	3.2	-30.4%
Lithuania*	10.5	-67.2%	6.9	-63.3%
Italy	9.7	-27.6%	5.0	-31.5%
EU (28)	9.6	-28.4%	4.0	-29.8%
Portugal	8.7	-29.8%	4.1	-40.6%
Slovenia*	8.6	-67.9%	4.8	-71.1%
Sweden	8.4	+40.0%	2.9	+81.3%
France	8.3	-17.0%	2.7	-20.6%
Belgium*	8.1	+62.0%	2.2	+100%
Germany	5.9	+13.5%	2.3	+15.0%
Czech Republic	5.3	-71.2%	2.3	-64.6%
Luxembourg*	5.3	-36.1%	2.2	-8.3%
Spain*	4.9	+44.1%	1.5	-6.3%
Malta	4.3	+168.8%	1.2	+20.0%
United Kingdom*	4.0	-14.9%	1.9	-17.4%
The Netherlands*	3.5	+105.9%	1.3	+116.7%
Cyprus	3.2	+18.5%	1.1	-31.3%
Estonia*	2.8	-83.3%	2.9	-72.1%
Finland	2.3	+43.8%	0.9	+28.6%
Ireland	1.5	-37.5%	0.8	0.0%

*EU & Croatia: Change from 2010 to 2018. *Estonia: series break in 2014. *Belgium, Bulgaria, the Netherlands and Luxembourg: series break in 2016. *Denmark, Spain, Lithuania and Slovenia: series break in 2011. *United Kingdom: series breaks in 2012 and 2017. EU-SILC (2020) [ilc_mdho06a]

In 2018, 7.3% of Europe's population and 17.9% of poor households could not afford to maintain an adequate temperature in their homes.

While the European average for this indicator has been declining over the last ten years, 16 countries saw an increase in the proportion of poor households facing this form of fuel poverty,

particularly Greece (with 41.2% of poor households concerned, +37.8% in ten years), Spain (20.8% of poor households concerned, +58.8% in ten years) and Ireland (11.6% of poor households concerned, +52.6% in ten years).

TABLE 8**FINANCIAL INABILITY TO MAINTAIN ADEQUATE HOUSING TEMPERATURE (2018, %)**

Country	IN POOR HOUSEHOLDS		IN THE TOTAL POPULATION	
	2018 (%)	2008-2018 change	2018 (%)	2008-2018 change
Bulgaria*	56.0	-31.2%	33.7	-49.2%
Cyprus	45.4	-5.6%	21.9	-25.0%
Greece	41.2	+37.8%	22.7	+47.4%
Portugal	37.0	-33.9%	19.4	-44.4%
Lithuania	35.5	+14.9%	27.9	+23.5%
Italy	30.0	+14.9%	14.1	+23.7%
Croatia*	21.2	+12.2%	7.7	-7.2%
Spain	20.8	+58.8%	9.1	+54.2%
Hungary	19.9	-5.7%	6.1	-37.1%
Belgium	18.5	+8.8%	5.2	-18.8%
Romania	18.2	-45.3%	9.6	-60.7%
EU (28)*	17.9	-15.2%	7.3	-23.2%
Malta	15.8	+13.7%	7.6	-13.6%
Slovakia	15.8	+14.5%	4.8	-20.0%
France	15.6	+35.7%	5.0	-5.7%
Latvia	15.4	-53.3%	7.5	-55.4%
Poland	13.7	-60.2%	5.1	-74.6%
United Kingdom*	11.8	+2.6%	5.4	-10.0%
Ireland	11.6	+52.6%	4.4	+18.9%
Slovenia	11.4	-20.3%	3.3	-41.1%
Czech Republic	8.9	-47.0%	2.7	-55.0%
Germany	8.9	-48.3%	2.7	-54.2%
Denmark	7.8	+30.0%	3.0	+76.5%
The Netherlands*	6.3	+34.0%	2.2	+22.2%
Luxembourg*	6.2	+106.7%	2.1	+133.3%
Austria	4.8	-52.0%	1.6	-59.0%
Sweden	4.6	+31.4%	2.3	+43.8%
Estonia*	4.2	+40.0%	2.3	+109.1%
Finland	3.1	-27.9%	1.7	-10.5%

*EU & Croatia: Change from 2010 to 2018. *Bulgaria and Estonia: series break in 2014. *Luxembourg and the Netherlands: series break in 2016. *United Kingdom: series breaks in 2012 and 2017. EU-SILC (2020) [ilc_mdex01]

3. SOCIAL FACTORS WORSENING HOUSING DIFFICULTIES

CHILDREN AND HOUSING EXCLUSION

Children (minors aged under 18 years) are particularly vulnerable to housing exclusion in Europe, and specifically to overcrowded conditions. In the EU, 21.9% of all children were living in overcrowded housing in 2018, compared to 15.5% of all households. In five countries, more than half of children were living in overcrowded conditions, with the proportion rising to two thirds in Romania. Among disadvantaged children, the situation was even worse, with overcrowding rates of around 75% in Latvia, Bulgaria and Romania.

Between 2008 and 2018, overcrowding among poor children worsened in particular in the

Netherlands (+243.6%), Finland (+110.3%), Belgium (+79.2%), Sweden (+48.3%) and Greece (+28.6%).

Across the EU, nearly a quarter of poor children and 15.6% of all children were living in cold housing in 2018. The data were particularly alarming in Cyprus (45.3% of poor children affected, +46.1% in ten years), Portugal (36.7% of poor children affected, +40.6% in ten years) and Denmark (31.1% of poor children affected, +101.9% in ten years).

Such inadequate housing makes young children under the age of six particularly vulnerable in some countries (Cyprus, Portugal, Hungary, Slovenia, Denmark, Belgium, Luxembourg, United Kingdom and Spain).

TABLE 9
OVERCROWDED HOUSING AMONG CHILDREN (UNDER 18 YEARS OLD) (2018, %)

Country	AMONG POOR CHILDREN		AMONG ALL CHILDREN	
	2018 (%)	Change 2008-2018	2018 (%)	Change 2008-2018
Romania	78.7	-4.0%	66.4	-9.7%
Bulgaria*	76.6	-5.4%	61.8	-5.6%
Latvia	74.7	-5.6%	59.2	-14.9%
Croatia*	73.4	+1.9%	52.6	-10.2%
Slovakia	64.6	-6.9%	45.5	-16.4%
Poland	61.1	-19.7%	50.5	-20.2%
Sweden	60.8	+48.3%	21.8	+59.1%
Greece	55.8	+28.6%	40.0	+30.7%
Italy	52.4	+8.5%	41.9	+22.2%
Lithuania	49.8	-32.9%	36.3	-42.7%
Austria	45.4	-11.8%	22.4	-5.1%
Hungary*	45.2	-42.2%	35.6	-44.7%
Czech Republic	40.7	-40.4%	24.9	-42.1%
EU (28)*	36.4	-7.1%	21.9	-9.1%
Portugal	34.2	-17.6%	16.3	-30.6%
Slovenia	33.2	-47.4%	18.1	-62.6%

TABLE 9**OVERCROWDED HOUSING AMONG CHILDREN (UNDER 18 YEARS OLD)** (2018, %)

Country	AMONG POOR CHILDREN		AMONG ALL CHILDREN	
	2018 (%)	Change 2008-2018	2018 (%)	Change 2008-2018
Estonia	31.6	-54.7%	20.1	-63.6%
France	30.8	-8.1%	12.4	-8.8%
Denmark	30.3	-3.2%	9.9	-8.3%
Belgium*	30.1	+79.2%	9.8	+46.3%
Germany	28.4	+20.9%	11.2	+16.7%
Luxembourg*	27.3	-16.5%	11.1	+7.8%
Finland	24.6	+110.3%	8.3	+84.4%
United Kingdom*	17.1	-16.2%	8.7	-20.2%
Spain	14.1	-21.7%	6.4	-28.9%
The Netherlands*	13.4	+243.6%	4.9	+226.7%
Malta	12.7	+46.0%	4.7	-14.5%
Cyprus	8.4	-49.1%	3.3	-35.3%
Ireland	7.9	-32.5%	4.2	-19.2%

*EU & Croatia: Change from 2010 to 2018. *Hungary: series break in 2018. *Belgium, Bulgaria, the Netherlands and Luxembourg: series break in 2016. *United Kingdom: series breaks in 2012 and 2017. EU-SILC (2020) [ilc_lvho06]

TABLE 10**DAMP HOUSING (PEOPLE LIVING IN HOUSING WITH EITHER LEAKS IN THE ROOF, OR DAMP WALLS, FLOORING OR FOUNDATIONS, OR MOULD IN THE WINDOW FRAMES OR FLOORING), (2018, %).**

Pays	Among children aged under 18 years			Among children aged under 6 years		
	Poor children		Total children aged under 18 years	Poor children		Total children aged under 6 years
	2018 (%)	2008-2018 change		2018 (%)	2008-2018 change	
Cyprus	45.3	+46.1%	30.9	43.4	+55.6%	29.6
Latvia	44.8	-2.2%	25.7	35.1	-26.1%	23.6
Hungary	43.5	-17.9%	24.6	35.0	-36.1%	25.1
Portugal	36.7	+40.6%	25.8	44.5	+63.6%	27.1
Bulgaria*	34.3	-41.5%	14.8	36.5	-31.4%	16.1
Slovenia	34.2	-24.7%	21.9	38.9	-13.6%	25.3
Belgium	32.1	0.0%	21.4	30.8	+5.8%	22.9
Denmark*	31.1	+101.9%	19.4	51.5	+125.9%	24.8
United Kingdom*	30.9	+10.0%	21.7	30.9	-3.4%	19.8
Luxembourg*	29.8	+26.8%	21.8	30.4	+49.0%	21.2
Lithuania	29.5	-39.0%	15.5	27.7	-43.1%	13.4
The Netherlands*	29.2	+13.2%	16.3	22.6	+5.6%	15.8
Germany	28.3	-10.2%	17.5	28.2	-27.7%	17.6
France	27.3	+14.7%	15.4	29.7	+47.0%	15.7
Spain	25.3	+17.1%	17.4	29.4	+32.4%	18.8
EU (28)*	24.5	-12.8%	15.6	25.3	-12.2%	15.8
Romania	22.0	-45.4%	11.2	22.9	-43.5%	9.2
Ireland	21.7	+12.4%	12.3	21.7	+28.4%	11.4
Greece	18.8	-29.6%	11.8	24.6	+2.1%	12.7
Poland	18.1	-52.4%	11.6	15.9	-58.8%	10.8
Estonia*	17.6	-43.6%	13.4	12.7	-51.2%	11.5
Austria	17.1	-21.2%	11.9	16.9	-14.2%	13.1
Czech Republic	16.6	-45.9%	8.7	12.9	-47.6%	8.6
Croatia*	16.6	-44.9%	10.0	16.2	-61.3%	10.5
Slovakia	16.0	-5.3%	5.5	15.4	+26.2%	4.6
Italy	14.1	-42.7%	11.5	14.1	-31.2%	12.2
Sweden	13.2	-9.6%	9.4	11.6	-20.0%	9.4
Malta	7.7	-8.3%	5.6	6.0	+9.1%	4.3
Finland	5.6	-40.4%	5.2	6.4	-22.0%	5.4

*EU & Croatia: change from 2010 to 2018. *Bulgaria: series breaks in 2010, 2014 and 2016. *Denmark: series break in 2011. *Estonia: series break in 2014. *Luxembourg and the Netherlands: series break in 2016. *United Kingdom: series breaks in 2012 and 2017. EU-SILC (2020) [ilc_mdho1c]

HOUSING CHALLENGES EXPERIENCED BY PEOPLE WITH PHYSICAL DISABILITIES

On average, across the European Union, people with an activity limitation¹⁰ were more likely to be overburdened by housing costs (12.5%) than unaffected people (9.7%). The countries with the largest disparities were Croatia and Belgium (where the share of people with physical disabilities overburdened by housing costs is twice as high as that of people without disabilities), as well as Sweden, the Czech Republic and Luxembourg. For the population with a physical disability as a whole, the largest increases between 2010 and 2018 were seen in Luxembourg (+142.6% compared with +71.7% among those unaffected), Sweden (+81.5% compared with -5.9% among those unaffected) and Portugal (+78.8% compared with +26.8% among those unaffected).

Young people with a physical disability were particularly vulnerable when it comes to being overburdened by housing costs which increased by 11.8% between 2010 and 2018 on average in the EU for young people aged between 16 and 29 years with activity limitation, whereas it stagnated at 12.5% for all those aged over 16 years with activity limitation and decreased by 4.5% for people without activity limitation. The proportion of young people with a physical disability overburdened by housing costs rose in 14 countries, in particular Italy (+127.7% compared with -5.5% among young people without activity limitation), Portugal (+230.3% compared with +27.1% among young people without activity limitation) and Slovenia (+113.5% compared with +34.5% among young people without activity limitation).

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Activity limitation according to Eurostat is a dimension of health/disability capturing long-standing limitation in the performance of usual activities (due to health problems) https://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:Activity_limitation. This indicator refers to the population aged over 16 years, as 'usual activities' include work-related activities.

TABLE 11**(HOUSEHOLDS OVERBURDENED BY HOUSING COSTS (OR HOUSING COST OVERBURDEN RATE)
FOR ADULTS WITH AN ACTIVITY LIMITATION (2018, IN %)**

Country	ADULTS (AGED +16 YEARS)			
	With an activity limitation (%)	Change 2010-2018 (%)	Without an activity limitation (%)	Change 2010-2018 (%)
Greece	34.5	+100.6%	38.6	+116.9%
Bulgaria*	25	+201.2%	16.7	+203.6%
Denmark*	21.9	-9.5%	14.8	-33.3%
Germany	19.2	+4.3%	13.2	+3.1%
United Kingdom*	19.2	-7.7%	12.6	-20.3%
Czech Republic*	15.8	+11.3%	9.1	-5.2%
Sweden	14.7	+81.5%	8	-5.9%
Belgium	14.5	+13.3%	7	-10.3%
Romania*	13.8	-15.9%	12	-22.6%
The Netherlands*	13.4	-10.7%	9.1	-34.1%
Luxembourg*	13.1	+142.6%	7.9	+71.7%
EU (28)	12.5	0.0%	9.7	-4.9%
Hungary*	12.2	+4.3%	9.9	-8.3%
Latvia*	8.8	-25.4%	5.7	-36.0%
Poland	8.7	-32.0%	5.8	-28.4%
Croatia	8.3	-67.2%	3.9	-73.6%
Italy	8.3	+20.3%	7.9	+8.2%
Spain	7.8	+13.0%	8.6	-11.3%
Lithuania	7.2	-23.4%	4.8	-52.9%
Austria	7.2	-1.4%	6.4	+1.6%
Slovenia	6.6	+10.0%	4.3	+26.5%
Portugal	5.9	+78.8%	5.2	+26.8%
Estonia	5.5	-6.8%	4.4	-26.7%
France	5.4	-1.8%	5	-7.4%
Slovakia	5.3	-38.4%	3.7	-45.6%
Finland*	5.1	+8.5%	4.6	+4.5%
Ireland	3.2	-22.0%	3.5	-32.7%
Cyprus	1.3	-56.7%	2.2	-29.0%
Malta	1.3	-72.3%	1.7	-51.4%

*Czech Republic, Latvia, Hungary, Romania and Finland: 2018 data unavailable/replaced by 2017 data & 2010-2017 trends.

*Luxembourg, Bulgaria, the Netherlands: Series break in 2016. *United Kingdom: series breaks in 2012 and 2017. Denmark: series break in 2011. **Percentage of young people included in the percentage of adults. EUSILC (2020) [hlth_dhc060]

TABLE 12
**HOUSEHOLDS OVERBURDENED BY HOUSING COSTS (OR HOUSING COST OVERBURDEN RATE)
 FOR YOUNG PEOPLE WITH AN ACTIVITY LIMITATION (2018, IN %)**

Country	YOUNG PEOPLE (AGED 16 TO 29)			
	With an activity limitation (%)	Change 2010-2018 (%)	Without an activity limitation (%)	Change 2010-2018 (%)
Greece	51.2	+51.5%	26.6	-9.5%
Bulgaria*	48.8	+99.2%	43.1	+75.2%
Denmark*	20.9	-13.3%	14.6	-23.2%
Germany	20.5	+29.7%	15.8	-7.6%
United Kingdom*	18.5	+81.4%	9.3	-21.2%
Czech Republic*	17.9	+14.7%	12.4	+14.8%
Sweden	17.5	+44.6%	15.5	+21.1%
Belgium	16.2	-14.7%	11.2	-11.1%
Romania*	16.1	+11.8%	11.7	-4.1%
The Netherlands*	14.8	+127.7%	8.6	-5.5%
Luxembourg*	13.8	+142.1%	14.3	+175.0%
EU (28)	12.5	+1.6%	8.4	+82.6%
Hungary*	11.3	+98.2%	7	-15.7%
Latvia*	11.2	-16.4%	8	-16.7%
Poland	11.1	-32.3%	12.8	-14.1%
Croatia	10.9	+230.3%	6.1	+27.1%
Italy	9.8	+38.0%	8.5	-6.6%
Spain	9.8	+2.1%	8.2	-3.5%
Lithuania	8.8	-25.4%	12.2	-26.1%
Austria	7.9	+113.5%	3.9	+34.5%
Slovenia	7.1	-17.4%	8.6	+19.4%
Portugal	4.7	-68.9%	7.4	-40.3%
Estonia	4.7	-63.3%	6.7	-19.3%
France	3.5	-47.0%	3.1	-75.6%
Slovakia	3.4	-68.5%	4.6	-44.6%
Finland*	2.7	-69.7%	3.7	-41.3%
Ireland	2.7	-68.6%	3.9	-45.1%
Cyprus	2.3	-73.6%	2.5	-35.9%
Malta	0	-100.0%	1.1	-62.1%

*Czech Republic, Latvia, Hungary, Romania and Finland: 2018 data unavailable/replaced by 2017 data & 2010-2017 trends.

*Luxembourg, Bulgaria, the Netherlands: Series break in 2016. *United Kingdom: series breaks in 2012 and 2017. Denmark: series break in 2011.

**Percentage of young people included in the percentage of adults.

EUSILC (2020) [h1h_dhc060]

Similarly, **in 19 EU countries, people with an activity limitation experienced more severe housing deprivation than people without activity limitation.** This disparity was particularly noticeable in Sweden, Malta, Ireland and Austria, where people with physical disabilities faced twice as much severe deprivation as those without disabilities. The data show once again that young people with an activity limitation are particularly affected by

severe housing deprivation (7.6% compared to 3.8% for the population as a whole) in almost all EU countries, particularly in Sweden, Lithuania, Malta, Austria, Greece, Hungary and Poland. **7.6% of young people with an activity limitation face severe housing-related deprivation in the EU, compared to 5.7% of young people without activity limitation.**

TABLE 13**SEVERE HOUSING DEPRIVATION FOR PEOPLE WITH AN ACTIVITY LIMITATION. (2018, IN %)**

Country	ADULTS (AGED +16 YEARS)		YOUNG PEOPLE (AGED 16 TO 29 YEARS)	
	With activity limitation	Without activity limitation	With activity limitation	Without activity limitation
Latvia	13.9	12.9	23.7	17.0
Romania	12.5	14.3	21.5	21.3
Poland	10.5	7.1	18.9	9.2
Bulgaria	7.9	9.5	25.9	17.1
Croatia	6.4	5.7	9.4	7.6
Lithuania	6.1	5.9	24.8	7.9
Hungary	6.1	6.2	20.9	9.3
Italy	5.7	4.3	13.8	7.0
Greece	5.4	5.5	19.7	8.9
Sweden	4.9	2.0	10.1	3.1
Slovenia	4.4	4.2	10.8	6.2
Austria	4.1	2.3	8.6	3.7
Slovakia	4.0	3.2	7.7	5.3
EU (28)	3.8	3.3	7.6	5.7
Portugal	3.4	3.9	11.6	7.5
Denmark	3.0	2.9	9.0	8.5
France	2.5	2.3	6.2	5.2
Estonia	2.4	2.3	7.0	3.2
Luxembourg	2.0	2.0	1.8	3.0
Belgium	1.9	1.8	5.2	2.9
Czech Republic	1.9	1.8	2.7	3.8
Spain	1.8	1.2	4.9	2.7
Germany	1.7	1.9	6.5	3.7
Malta	1.7	0.8	5.2	1.6
United Kingdom	1.6	1.3	4.0	3.0
Ireland	1.2	0.6	0.0	1.7
The Netherlands	1.1	1.0	2.5	2.5
Cyprus	0.8	1.0	5.1	1.9
Finland	0.8	0.9	1.6	2.1

*Estonia: series break in 2014. *Belgium, Bulgaria, the Netherlands and Luxembourg: series break in 2016.

*Denmark, Spain, Lithuania and Slovenia: series break in 2011.

*United Kingdom: series breaks in 2012 and 2017.

**Percentage of young people included in the percentage of adults.

EUSILC (2020) [h1th_dhc060]

HOUSING CHALLENGES FACED BY FOREIGN NATIONALS

In 2018, non-EU nationals were on average 2.4 times more likely to be overburdened by housing costs (24%) than nationals from reporting countries (9.9%). This disparity in housing costs could be seen across all EU countries (except Germany), and in particular in Malta (where non-EU nationals were 13.8 times more likely to be overburdened by housing costs than Maltese nationals), Cyprus (8.4 times more likely), Ireland (8.6 times more likely), Spain (5.8 times more likely) and Slovenia (4.5 times more likely). The proportion of non-EU nationals overburdened by housing costs was particularly high in Greece (76.1%) and Bulgaria (43%).

In all EU countries, non-EU nationals were systematically living in overcrowded conditions. The disparity between non-EU nationals and nationals of the reporting country was particularly significant in Ireland (10.5 times higher), Belgium (7.1 times higher), Austria (6 times higher), the Netherlands (5.9 times higher), Luxembourg (5.7 times higher) and Spain (5.7 times higher). From 2009 to 2018, the proportion of foreign nationals living in overcrowded conditions increased in particular in Poland (+174.7%), Ireland (+117.5%) and the Netherlands (+136.3% from 2010 to 2018).

TABLE 14
HOUSEHOLDS OVERBURDENED BY HOUSING COSTS (OR HOUSING COST OVERBURDEN RATE) (2018, %)

Country	Among non-EU nationals	Among nationals of the reporting country
Romania*	/	10.2
Slovakia*	/	4.2
Greece	76.1	35.1
Bulgaria	43.0	17.9
Spain	36.1	6.2
The Netherlands	30.3	10.3
Belgium	26.3	7.6
United Kingdom	25.8	15.6
Poland	25.5	7.2
Italy	24.7	6.6
EU (28)	24.0	9.9
Denmark	22.6	17.1
Czech Republic	22.3	7.8
Ireland	21.7	2.5
Slovenia	20.4	4.5
Luxembourg	20.2	6.7
Sweden	19.2	8.1
Hungary	18.6	9.0
Malta	16.6	1.2
Germany	13.6	15.2
France	11.4	4.8
Austria	11.0	5.2
Portugal	10.6	5.3
Croatia	10.1	5.4
Cyprus	9.3	1.1
Latvia	8.8	6.6
Lithuania	7.4	5.4
Finland	7.4	4.9
Estonia	4.6	4.2

*Romania and Slovakia: no data available.
EUSILC (2020) [ilc_lvho25]

TABLE 15**OVERCROWDED HOUSING BY KEY NATIONALITIES (OVER 18 YEARS OLD)** (2018, %)

Country	AMONG NON-EU NATIONALS		AMONG NATIONALS OF THE REPORTING COUNTRY
	2018 (%)	2009-2018 change	2018 (%)
Romania*	/	/	41.5
Slovakia*	/	/	33.1
Croatia	58.5	-8.2%	36.3
Greece	55.8	-7.0%	25.0
Bulgaria*	55.3	+4.9%	37.3
Italy	55.3	+26.3%	22.7
Poland	52.2	+174.7%	35.0
Sweden	47.8	+32.4%	11.2
Austria	45.0	+1.6%	7.5
Latvia	44.3	-22.3%	39.0
Slovenia	42.4	-52.0%	10.0
Czech Republic	33.7	-13.8%	13.1
EU (28)*	33.2	+4.1%	13.5
Lithuania*	30.2	-44.0%	19.8
Portugal	29.1	-23.2%	8.0
France	27.5	-26.1%	5.9
Belgium*	25.0	+16.3%	3.5
Finland	22.0	+65.4%	6.7
The Netherlands*	21.5	+136.3%	3.6
Luxembourg*	21.3	-21.7%	3.7
Denmark	20.3	-30.5%	8.5
Hungary	19.8	-66.2%	16.6
Spain	19.4	+12.8%	3.4
Germany	16.5	-24.0%	6.2
Estonia*	15.9	-69.1%	10.0
Ireland	13.7	+117.5%	1.3
United Kingdom*	13.3	-36.1%	4.1
Malta	10.8	+63.6%	3.1
Cyprus	6.6	+6.5%	1.8

*Romania and Slovakia: no data available. *Belgium, Bulgaria, Luxembourg and the Netherlands: series break in 2016.
 *Estonia: series break in 2014. *Lithuania: series break in 2013.
 *United Kingdom: series breaks in 2012 and 2017.
 EUSILC (2020) [ilc_1vho15]

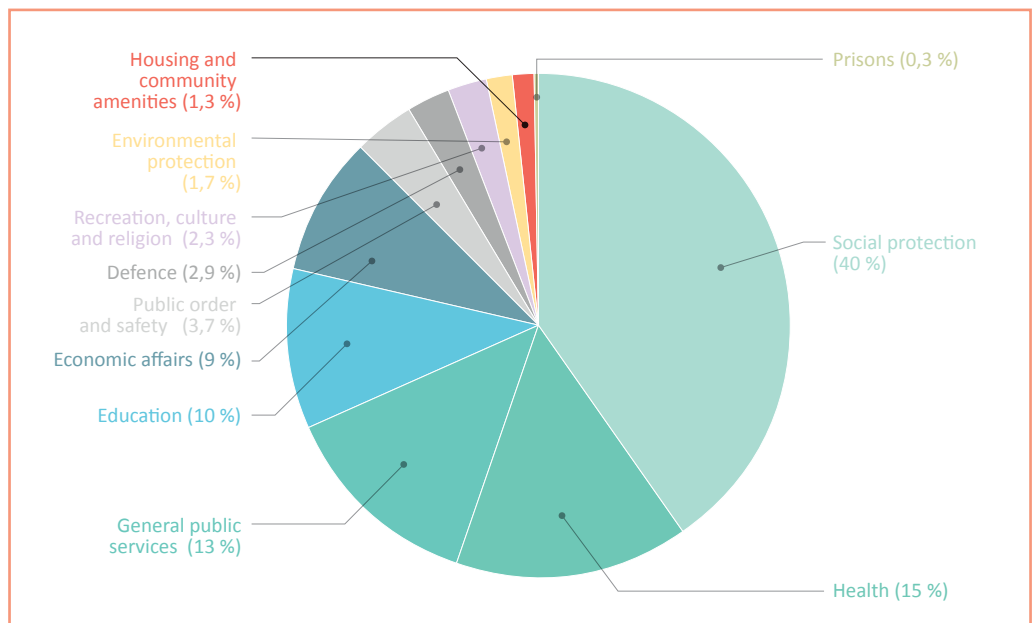
4. PUBLIC HOUSING POLICIES: A PRIORITY FOR EUROPEANS BUT NOT FOR PUBLIC AUTHORITIES

EUROPEAN GOVERNMENT EXPENDITURE ON HOUSING CONSTRUCTION AND HOUSING-RELATED SOCIAL PROTECTION BENEFITS

When it comes to housing, Europe's government expenditure is split between housing-related social benefits (in the social protection budget) and support for housing construction.

GRAPH 1

EUROPEAN GOVERNMENT EXPENDITURE ON HOUSING CONSTRUCTION AND HOUSING-RELATED SOCIAL PROTECTION BENEFITS (2018, AS A % OF TOTAL EXPENDITURE).



Graph: FEANTSA/Fondation Abbé Pierre
Source: Eurostat (2020), General government expenditure by function (COFOG), gov_10a_exp.

Funding for property construction comes second last in terms of government spending on average across Europe. **Government expenditure on funding for the construction of housing and public utilities accounts for 1.3% of total government expenditure in 2018 across Europe.** Expenditure fell by an average of 31.6% in the EU in ten years,

from EUR 114.7 billion in 2008 to EUR 97.9 billion in 2018; the only countries where spending has increased are Lithuania and Sweden.¹¹ The countries with the highest proportion of public expenditure allocated to housing and public utilities are Croatia (3.6% of total expenditure), Cyprus (3.5%), Bulgaria (2.9%), Latvia (2.9%) and Romania (2.7%).

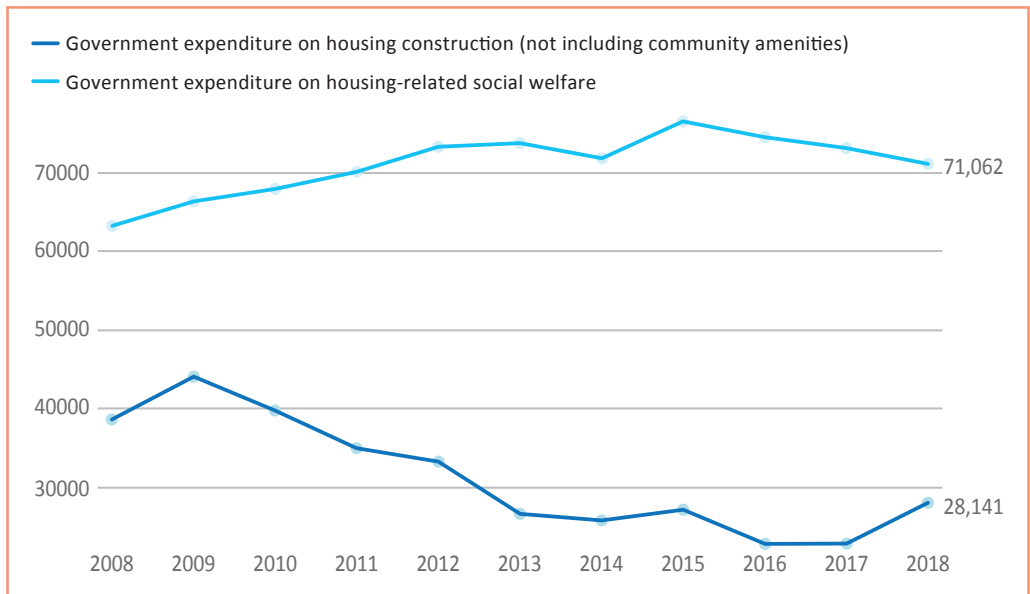
TABLE 16**GOVERNMENT EXPENDITURE ON HOUSING CONSTRUCTION & UTILITIES** (2018, AS % OF TOTAL EXPENDITURE)

Country	2018 (%)	Change 2008-2018 (%)
Croatia	3.6	-51.4%
Cyprus	3.5	-45.3%
Bulgaria	2.9	-25.6%
Latvia	2.9	-9.4%
Romania	2.7	-18.2%
Ireland	2.0	-48.7%
France	2.0	-13.0%
United Kingdom	2.0	-25.9%
Czech Republic	1.9	-13.6%
Lithuania	1.5	+50.0%
Hungary	1.5	-21.1%
Luxembourg	1.4	-17.6%
Poland	1.4	-22.2%
Sweden	1.4	+27.3%
EU (28)	1.3	-31.6%
Slovakia	1.3	-23.5%
Malta	1.2	-29.4%
Spain	1.1	-57.7%
Portugal	1.1	-35.3%
Italy	1.0	-23.1%
Slovenia	1.0	-44.4%
Germany	0.9	-43.8%
Estonia	0.8	-46.7%
The Netherlands	0.8	-38.5%
Austria	0.7	-12.5%
Belgium	0.6	-25.0%
Finland	0.6	-25.0%
Denmark	0.5	-28.6%
Greece	0.4	-20.0%

EUROSTAT - COFOG (2020) [gov_10a_exp]

11

For details of the expenditure included in housing construction aid see FEANTSA & Fondation Abbé Pierre (2019), 'Overview of Housing Exclusion in Europe 2019', p. 69 note 13, available at: <https://www.feantsa.org/fr/report/2019/04/01/the-fourth-overview-of-housing-exclusion-in-europe-2019>

GRAPHIC 2
**CHANGE IN TOTAL PUBLIC EXPENDITURE ON HOUSING CONSTRUCTION & HOUSING SUBSIDIES
IN THE EU-28 FROM 2008 TO 2018 (IN MILLIONS OF EUR)**


Source: Eurostat (2020), General government expenditure by function (COFOG), gov_10a_exp.

Across the EU, public expenditure on housing in 2017 accounted for 1.93% of total social protection benefits¹² (the other main categories being family/children, unemployment, sickness/healthcare, old age/survivors' pensions and social exclusion).¹³ This is the equivalent of EUR 79.6 billion or **EUR 155 per capita per year**. General expenditure on social protection accounted for 26.8% of EU GDP in 2017, an increase of 1.9 percentage points over the last

ten years; expenditure on housing accounted for 0.5% of EU GDP. There were significant variations between countries with some countries having seen a combined increase in the proportion of spending on housing and social exclusion¹⁴ (notably Lithuania and Finland), while in other countries (notably Poland, Romania and Malta), this decreased.

TABLE 17**SOCIAL PROTECTION EXPENDITURE BY MAIN CATEGORIES OF SPENDING**

(2017, AS A % OF TOTAL BENEFITS)

Country	Housing			Social exclusion	
	2017 (%)	Amount per inhab/year	Change 2007-2017	2017 (%)	Change 2007-2017
United Kingdom	4.48	418.31 €	+1.8%	2.18	-38.1%
Ireland	3.53	312.28 €	+68.9%	0.75	-63.9%
Finland	2.71	334.38 €	+179.4%	3.05	+31.5%
France	2.54	276.73 €	-4.9%	3.18	+15.2%
Hungary	2.29	53.07 €	-44.6%	0.53	-17.2%
Denmark	2.18	340.97 €	+0.5%	5.31	+87.6%
Germany	1.97	219.91 €	-19.3%	1.03	+87.3%
EU (28)*	1.93	155.57 €	-4.0%	2.09	+8.3%
Cyprus	1.93	81.53 €	-45.6%	7.14	+36.8%
Luxembourg	1.72	353.35 €	+120.5%	2.31	+8.5%
The Netherlands	1.69	200.74 €	+17.4%	5.22	+23.4%
Sweden	1.4	188.52 €	-15.7%	3.76	+80.8%
Czech Republic	1.22	39.91 €	+258.8%	1.14	+1.8%
Belgium	0.91	96.63 €	+59.6%	2.54	-15.1%
Malta	0.73	28.12 €	-43.4%	1.16	-44.0%
Latvia	0.48	9.65 €	-57.5%	0.71	-27.6%
Spain	0.44	25.47 €	-51.6%	0.98	-22.2%
Lithuania	0.44	9.57 €	+4300.0%	1.69	+38.5%
Estonia	0.43	12.14 €	+138.9%	0.52	-14.8%
Austria	0.34	41.36 €	-33.3%	2.2	+60.6%
Slovakia	0.29	8.05 €	+31.8%	1.42	-56.2%
Poland	0.19	4.62 €	-61.2%	0.57	-41.8%
Slovenia	0.11	4.95 €	+57.1%	3.02	+29.6%
Croatia*	0.1	2.48 €	+11.1%	1.3	+11.1%
Italy	0.09	6.97 €	+28.6%	1.11	+65.7%
Romania*	0.09	1.23 €	-43.8%	0.98	-70.6%
Greece	0.08	3.29 €	-78.9%	1.48	+722.2%
Portugal	0.01	0.47 €	0.0%	0.92	-24.0%
Bulgaria	0	0.03 €	-100.0%	1.23	-50.6%

*EU & Croatia: Change from 2008 to 2017.
EUROSTAT - SOCP (2020) [spr_exp_sum]

12

At the time of compiling this report, the most recent data on this subject date from 2017. This includes social protection in the form of allowances to help households meet housing costs (recipient households must fulfil income criteria); it also includes the administration, implementation and support of these social protection systems; allowances in kind, such as temporary or regular long-term payments to help tenants pay rent, payments to relieve owner-occupiers' housing expenses (mortgage assistance or interest), and the provision of low-cost housing and social housing.

13

Eurostat (2019), ESSPROS social protection data, <https://ec.europa.eu/eurostat/web/social-protection/data/database>

14

Expenditure on aid to combat social exclusion covers aid not included in the other categories, such as income support, aid for the reintegration of drug and alcohol addicts and other miscellaneous aid.

HOUSING AS A PUBLIC GOOD AND COMBATING HOMELESSNESS ARE PRIORITIES FOR EUROPE'S CITIZENS

The OECD's 2018 'Risks That Matter' survey showed that **one third (34%) of the OECD population surveyed wanted greater assistance from governments to improve access to affordable housing, and that more than one third (38%) believed that their government should make housing more affordable, even if it means raising taxes.** Among the countries on the front line were Austria, Germany, Ireland, Finland and the Netherlands. As we have seen previously, this

is a concern particularly for the poorest households (top three income deciles) and also by all young people aged 18 to 29: 43% of young people choose 'more affordable housing' as one of the top three types of assistance they need most from government, and 42% agree that government should 'make housing more affordable, even if it means raising taxes'. 31% are even willing to pay 2% more of their income in taxes to improve access to affordable housing (compared to 22% of those aged 30-54 and 18% of those aged 55-70).

TABLE 18

WHAT SUPPORT WOULD YOU NEED FROM THE GOVERNMENT TO MAKE YOU AND YOUR FAMILY FEEL MORE FINANCIALLY SECURE?¹⁵ (2018, AS A % OF TOTAL RESPONDENTS).

Country	More affordable housing (i.e. social housing, assistance to renters and first-time buyers)
Autriche	49.74
Allemagne	42.46
Irlande	40.87
Finlande	40.11
Pays-Bas	38.27
Danemark	37.14
Moyenne OCDE	34.15
Pologne	33.95
Slovénie	33.42
Portugal	33.39
Estonie	33.36
Belgique	31.25
France	27.28
Lituanie	24.60
Grèce	22.44
Italie	21.17

15

In addition to 'more affordable housing', the other possible responses were: 'better access to funds to start a business; a guaranteed transfer sufficient to cover my basic needs (e.g. government payment of basic income); better education for my children so they have the right skills for the future; better job-seeking and skills training support; better healthcare; better pension; better public safety; or need no additional support'.

Source: OECD (2019), *Risks That Matter*.

TABLE 19

AGREE THAT GOVERNMENTS SHOULD MAKE HOUSING MORE AFFORDABLE, EVEN IF IT MEANS THAT INCREASING TAXES (2018, % OF TOTAL RESPONDENTS)

Country	Agree
Ireland	51.69
Finland	46.28
The Netherlands	46.26
Germany	42.32
Austria	41.02
Poland	39.09
OECD average	37.71
Denmark	36.15
Portugal	34.51
Belgium	33.80
Estonia	31.00
Italy	29.35
Lithuania	26.93
Slovenia	24.57
France	23.99
Greece	23.63

Source : OCDE (2019), *Risks That Matter*

16

<http://www.home-eu.org/>

17

Survey conducted in eight countries (France, Ireland, Italy, Netherlands, Poland, Portugal, Sweden and Spain) from March to December 2017 (5,631 respondents).

18

Taylor Owen (2019), *'Homelessness as Unfairness. European Citizens and Homelessness – Results from the HOME-EU citizen survey.'*

19

WHO (2019), *'Healthy, prosperous lives for all: the EU Health Equity Status Report,* pp. 68-80.

The first results of the Home_EU¹⁶ project collected data on the attitudes of European citizens towards homelessness policies and the Housing First model.¹⁷

76% of the 5,631 respondents in the eight countries surveyed believed that **public spending on homelessness is insufficient and that governments should invest more in tackling homelessness** (compared to 14% who believed it was sufficient and 2% who believed it was excessive). 31% of those surveyed were willing to pay more taxes to help reduce homelessness.¹⁸

Finally, according to a 2019 World Health Organization report,¹⁹ **increasing public spending on housing by 1% would reduce health inequalities by 2%**; this is the most significant impact among the eight key government responses – **investing in access to housing for all has a greater effect on reducing health inequalities than investing in social protection or health itself.**

FOUR CLOSE-UPS ON HOUSING EXCLUSION

The profiles of the four following European countries partially supplement the close-ups published in prior editions of this report. This enables housing exclusion to be considered in a more localised and contextualised manner, by bringing together Eurostat EU-SILC data and external data, collected with the help of FEANTSA members.

The four countries presented are:

- # Greece
- # Spain

- # Denmark
- # Romania

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See the first four editions of the Overview of Housing Exclusion in Europe by FEANTSA and the Fondation Abbé Pierre, available at: <https://www.feantsa.org/fr/report/2019/04/01/the-fourth-overview-of-housing-exclusion-in-europe-2019?bcParent=27>

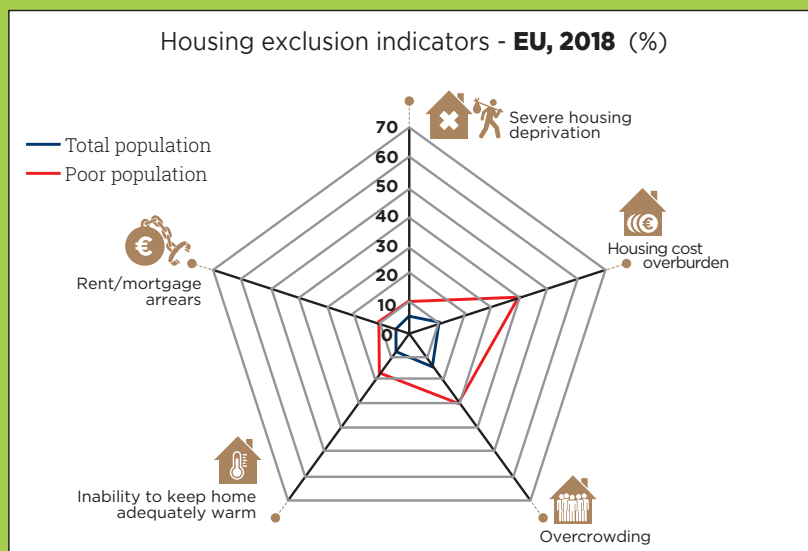




Photo : Mauro Striano | Tents on Canal St Martin – Paris, France

GREECE

Recent data on homelessness

There is no coordinated national strategy to collect data on homelessness in Greece.

A pilot one-night survey in May 2018 conducted by the Greek Ministry of Labour, and Social Affairs (in partnership with Panteion University) counted 1,645 homeless people in seven Greek municipalities (Athens, Piraeus, Thessaloniki, Nea Ionia, Heraklion, Trikala and Ioannina). A survey conducted between March 2015 and March 2016 by the City of Athens Homeless Shelter (KYADA) found that 47% of the 451 homeless people interviewed cited the loss of their job as the main cause of their circumstances, with 71% having become homeless during the five years preceding the survey due to the consequences of the financial crisis.²¹ Another study published in 2015 estimated that there were 17,720 people sleeping rough and another 500,000 homeless people (defined as such under ETHOS typology) in the Attica region.²²

3,774 unaccompanied minors were living in Greece in March 2019. Among them, 1,842 were living in temporary or long-term accommodation (hostels, hotels or secure spaces in reception centres catering for asylum seekers) and 1,932 were living outside temporary or long-term accommodation (in 'hotspots', in informal settlements, in detention centres or on the streets). 605 were reported to be sleeping rough, i.e. 16% of the total (figures which do not take into account the many undocumented unaccompanied minors).²³

The rapid increase in homelessness in Greece is an empirical estimate shared by all FEANTSA member organisations – it is the result of an unprecedented financial, economic and social crisis in the country. Exploding unemployment and falling income levels have led to increased exposure to homelessness and housing exclu-

Total population on 1 January 2018:

10,741,165 people

GDP/resident in 2018 (Purchasing Power Parity – Index: EU 28 = 100): 68

Number of homeless people: unknown

Percentage of poor households: 18.5%

Sources : Eurostat / EUSILC 2018 & FEANTSA

sion, as households are no longer able to afford to keep their homes. Meanwhile, drastic austerity measures have had a major impact on the capacity of support and solidarity services, with demand having increased at the same time. A national homelessness strategy was announced by the Greek government in June 2018, but as Greece is still under increased European surveillance (until 2060 – after having emerged in 2018 from the multiple adjustment programme memoranda since the financial crisis), adequate funds could not be invested to ensure its implementation.

Context of the Greek housing market

In Greece, 73.5% of households in 2018 owned their own home (14.2% of households were mortgage-holders and 59.3% of households owned their home outright) and 26.5% rented (21.3% at market price and 5.2% at a below-market price or for free). Over ten years (between 2008 and 2018), the proportion of owners fell by 3.2 percentage points with the proportion of tenants rising by the same amount.²⁴

After years of deep recession and a consequent drop in property prices (-40% between 2008 and 2018), austerity policies, a rising disparity between housing costs and falling income

21

https://www.affodioikisi.gr/mediafiles/2016/05/Street-work-presentation-final_26_5_2016.ppt

22

<http://ineobservatory.gr/publication/kinoniki-episfalia-ke-ellipsi-stegis-stin-athina-diadromes-apoklismou-ke-entaxis/>

23

National Centre for Social Solidarity (EKKA), 2019. http://www.ekka.org.gr/images/EKKA-Dashboard_31-3-2019.pdf

24

Eurostat, 2018.

25

The financialisation of housing refers to the transformation of a tangible asset, housing, into financial assets that can be traded on world markets (Dewilde, 2018). See also <https://newint.org/features/2019/06/19/unitednations-leilanifarha-housing>.

26

The commodification of housing refers to the process by which economic value takes precedence over the value in use of housing: 'Living space will be distributed based on the ability to pay and provided to the extent that it produces a profit. But ability to pay is unequal while the need for a place to live is universal.' Madden & Marcuse (2016), In *Defense of Housing: The Politics of Crisis*, p. 51.

27

<https://thepressproject.gr/erotisi-45-bouleuton-tou-surizagiametra-kata-tou-airbnb/>

28

AirDNA, https://www.lemonde.fr/economie/article/2019/04/12/athenes-se-airbnbise-les-habitants-se-revoltent_5449229_3234.html

29

Ibid.

30

<https://medium.com/athenslivegr/the-rent-is-too-damn-high-69e22e0daaa8>

31

EU-SILC (2020) [ilc_mdes06].

32

Country profile of Greece/FEANTSA and <http://www.eauction.gr/>.

levels, and the financialisation²⁵ and commodification²⁶ of housing have had obvious consequences with all housing exclusion indicators still in negative territory in 2018. 90.7% of poor households spent more than 40% of their income on housing. In attractive tourist hubs, the harmful effects of the proliferation of short-term rentals of the Airbnb variety were being felt,²⁷ with rents becoming unaffordable for locals, who were forced to find cheaper housing on the outskirts or to share housing.²⁸ Short-term rental income increased 105% in 2018 across the country, where more than half of all leases are now short-term rentals.²⁹ Rents rose across Greece by an average of 6.9% between 2007 and 2019. According to a survey of more than 17,000 housing units offered for rent on one of Greece's largest online property platforms, a household earning the minimum wage could not afford to rent a two-bedroom apartment built before 2004 in the Attica region. Only 11 affordable listings – up to EUR 212/month, equivalent to 33.3% of the minimum wage – for one-bedroom apartments were counted (two of which also appeared on a short-term rental platform at rates of EUR 40 and EUR 22 per day).³⁰ According to Eurostat, 29% of Greece's population were living in overcrowded housing and 41% of poor households are financially unable to maintain an adequate temperature in their homes.

The proportion of households in rent/loan arrears doubled in ten years, between 2008 and 2018.³¹ In November 2017, an online platform

was set up for banks to auction off the primary residences of indebted homeowners (previously these sales were held publicly in civil courts but were very often prevented by activists). In the summer of 2018, 125 online property auctions were held every day in Greece.³²

In January 2019, a housing allowance was introduced for tenants to help them pay their rent. The standard amount of the allowance has been set at EUR 70/month for a single person (+EUR 35 for each additional person in the household, adult or child), with a total amount not exceeding EUR 210/month. Eligible single people must have an annual income not exceeding EUR 7,000 (+EUR 3,500 per additional person in the household, adult or child). The allowance is only for people who have been legally resident in Greece for more than five years, which excludes asylum seekers and beneficiaries of international protection who arrived after 2015. Furthermore, in view of the large-scale persistence of household over-indebtedness (at risk of being evicted from their primary residence), a new legal framework for the protection of primary residences against foreclosure was introduced in April 2019.³³

Between November 2015 and March 2019, 57,583 asylum seekers and beneficiaries of international protection benefited from successive accommodation programmes that were financed by the EU and supervised by the UNHCR (RSER then ESTIA).³⁴

● Key figures for housing exclusion trends between 2008 and 2018³⁵

General population			
Indicator	2018	2008-2018 change	2013-2018 change
Housing cost overburden rate	Total: 39.5% Poor: 90.7%	Total: +77.9% Poor: +38.3%	Total: +7% Poor: -2.6%
Total housing costs (EUR PPP/month)	Total: 558 € Poor: 501.7 €	Total: +2.5% Poor: +9.3%	Total: +12.3% Poor: +13.6%
Mortgage/rent arrears	Total: 11.2% Poor: 19.7%	Total: +103.6% Poor: +56.3%	Total: -24.8% Poor: -21.5%
Overcrowding	Total: 29.2% Poor: 44.2%	Total: +9.4% Poor: +25.6%	Total: +7% Poor: +5.2%
Severe housing deprivation	Total: 5.9% Poor: 12.1%	Total: -27.2% Poor: -11%	Total: -15.7% Poor: +2.5%
Experiencing difficulty in maintaining adequate household temperature	Total: +22.7% Poor: 41.21%	Total: +47.4% Poor: +37.8%	Total: -23.1% Poor: -14.9%
Non-EU citizens			
Indicator	2018	Evolution 2008-2018	Evolution 2013-2018
Housing cost overburden rate	Total: 76.1%	Total: +28.1%	Total: +2.3%
Overcrowding	Total: 55.8%	Total: -7%	Total: +8.8%
Children under 18 years			
Indicator	2018	2008-2018 change	2013-2018 change
Cold housing	Total: 11.8% Poor: 18.8%	Total: -30.6% Poor: -29.6%	Total: -15.1% Poor: -14.9%
Overcrowding	Total: 40% Poor: 55.8%	Total: +30.7% Poor: +28.6%	Total: +21.6% Poor: +14.6%
People with an activity limitation/physical disability			
Indicator	2018	2010-2018 change	2013-2018 change
Housing cost overburden rate	Total: 34.5% Young people (aged 16 to 29): 48.8%	Total: +100.6% Young people (aged 16 to 29): +99.2%	Total: +3.9% Young people (aged 16 to 29): -21.2%
Severe housing deprivation	Total: 5.4% Young people (aged 16 to 29): 19.7%	Total: -34.9% Young people (aged 16 to 29): -33.7%	Total: -38.6% Young people (aged 16 to 29): -51.6%

33

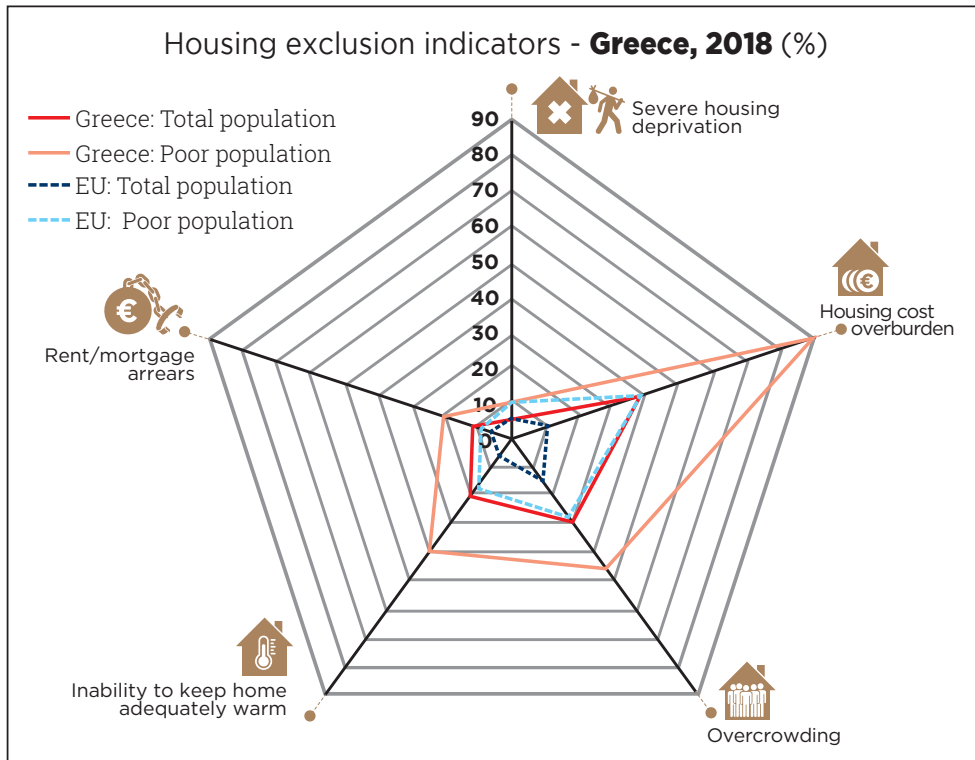
ESPN Greece (2019). It is also worth noting that since February 2017, Greece has implemented a minimum income nationally for the first time called the Social Solidarity Income (SSI), which is intended for people facing extreme poverty; homeless people are eligible (provided they are legal and permanent residents, meet income criteria and are registered with the municipal social services/attend day care centres).

34

<https://data2.unhcr.org/en/documents/details/68924>

35

Indicators in yellow show a worsening of the situation.



SPAIN

36

See SALES A. (2015), 'How Many Homeless People Live in Spain? Incomplete Sources and Impossible Predictions', European Journal of Homelessness Vol. 9, No. 2, December 2015 <http://www.feantsaresearch.org/download/saleseh2-2015article96043744236334400007.pdf>

37

https://www.ine.es/dynqs/INEbase/en/operacion.htm?c=Estadistica_C&cid=1254736176817&menu=ultiDatos&idp=1254735976608

38

Estimate obtained by Caritas by adding the 6,000 to 10,000 homeless people sleeping rough to the 22,938 people counted in 2012 by the Spanish National Institute of Statistics.

39

<https://www.sjdserveissociales-bcn.org/es/refugiados-personas-sin-hogar-complejidad-del-acceso-vivienda-solicitantes-proteccion-internacional>

40

https://img.artelsfundacio.org/wp-content/uploads/2019/11/2019_Diagnosi_XAPSL.L.pdf

41

See FEANTSA country profile of Spain. <https://www.feantsa.org/en/resources/resources-da-tabase?search=&them e&type=Country+profile&year=>

42

Ibid.

43

http://opendata.euskadi.eus/catalogo/contenidos/noticia/2018_10_23_49371/es_49371/49371.html

44

See FEANTSA country profile of Spain, *op. cit.*

Recent data on homelessness

Official data on homelessness in Spain is collected by the Spanish National Institute of Statistics (INE) at irregular intervals (two surveys in 2005 and 2012) and with many methodological biases.³⁶ According to the 2012 survey,³⁷ 22,938 homeless people used emergency shelters and hostels in 2012 (in local authorities with more than 20,000 inhabitants). 54.2% were Spanish nationals, and 45.8% were foreign nationals. 57.8% of homeless foreign nationals had been living in Spain for more than five years. 56.6% of homeless foreign nationals were from Africa, 22.3% from Europe and 15.2% from America. Organisations in the sector estimate the number of homeless people in Spain at between 23,000 and 35,000.³⁸

In 2018, INE conducted a survey on support services for the homeless. On average 18,001 people attended accommodation and day reception services every day (9.5% increase compared to 2016). Among these people, 39.5% were immigrants/asylum seekers, 25% were women, 15.5% were people with mental health problems and 19.8% were people with addiction problems (not alcohol-related). Many asylum seekers whose applications have been rejected become homeless in Spain.³⁹

Regular overnight censuses in major Spanish cities make it possible to describe trends in homelessness in urban centres. In Barcelona, 3,696 homeless people were counted on one night in 2019⁴⁰ (including 1,027 rough sleepers, 498 in slums and 2,171 in shelters), an increase of 83% compared to 2008. 18% of homeless people were aged between 18 and 30. In Madrid, 650 homeless people sleeping rough were counted during an overnight survey in December 2018, an increase of 25% compared to 2016. 61% were foreign, mostly Romanian⁴¹ In Cartagena, 578

Total population on 1 January 2018: 46,658,447 people

GDP/resident in 2018 (Purchasing Power Parity – Index: EU 28 = 100): 91

Number of homeless people: estimated between 23,000 and 35,000

Percentage of poor households: 21.5%

Sources : Eurostat / EUSILC 2018 & FEANTSA

homeless people (23 homeless people sleeping rough, 213 people in emergency or temporary accommodation and 342 people in unsafe or inadequate housing) were counted during a census in 2018.⁴² In the Basque Country, a census was organised in 26 municipalities in 2018⁴³: 435 homeless people sleeping rough were counted. Censuses were also taken in Galicia and Mallorca.⁴⁴

The Home_EU survey showed that 12.6% of respondents in Spain had experienced a homeless episode at least once in their lives (6.2% in Sweden, 5.4% in Italy, 4.6% in Portugal, 4.5% in the Netherlands, 3.1% in Poland, 1.9% in France and 1.7% in Ireland).

Context of the Spanish housing market

In Spain, 76.3% of the population were homeowners (29.4% of households were mortgage holders, 46.9% of households owned their home outright) and 23.7% rented (15.3% at market price and 8.4% at below-market or for free in 2018. In ten years (between 2008 and 2018), the proportion of homeowners fell by 3.9 percentage points and consequently the proportion of tenants has increased by 3.9 points.⁴⁵

Like in Greece and other countries that suffered

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Eurostat, 2018.

46<https://medium.com/rbdh/la-marchandisation-du-logement-en-espagne-c388f4cfc6c>**47**https://www.eldiario.es/economia/Blackstone-controla-viviendas-alquiler-socimis_0_901160622.html**48**<https://www.elindependiente.com/economia/2018/05/16/las-vpo-que-blackstone-compro-en-madrid-por-200-millones-valen-mas-de-mil/>**49**https://elpais.com/economia/2019/08/01/actualidad/1564652435_118589.html**50**https://www.lemonde.fr/economie/article/2019/03/26/en-espagne-la-fievre-immobiliere-fait-craindre-une-nouvelle-bulle_5441380_3234.html**51**<https://www.lesechos.fr/monde/europe/grisee-par-la-reprise-lespagne-craint-une-nouvelle-bulle-immobiliere-99611>**52**OECD (2020), Housing prices (indicator). doi: 10.1787/810c5baa-fr
<https://data.oecd.org/fr/price/prix-du-logement.htm>**53**https://www.elconfidencial.com/vivienda/2019-10-07/desahucios-alquiler-lau-ejecuciones-hipotecarias_2271672/**54**

See EPSN report on Spain (2019).

disproportionately from the fallout of the financial crisis, the collapse of the banking and real estate sector in Spain has led to an explosion in the number of people who found themselves unable to pay their mortgage or rent. The unemployment rate in Spain rose from 11.3% in 2008 to 26.1% in 2013, before dropping back to 15.3% in 2018.

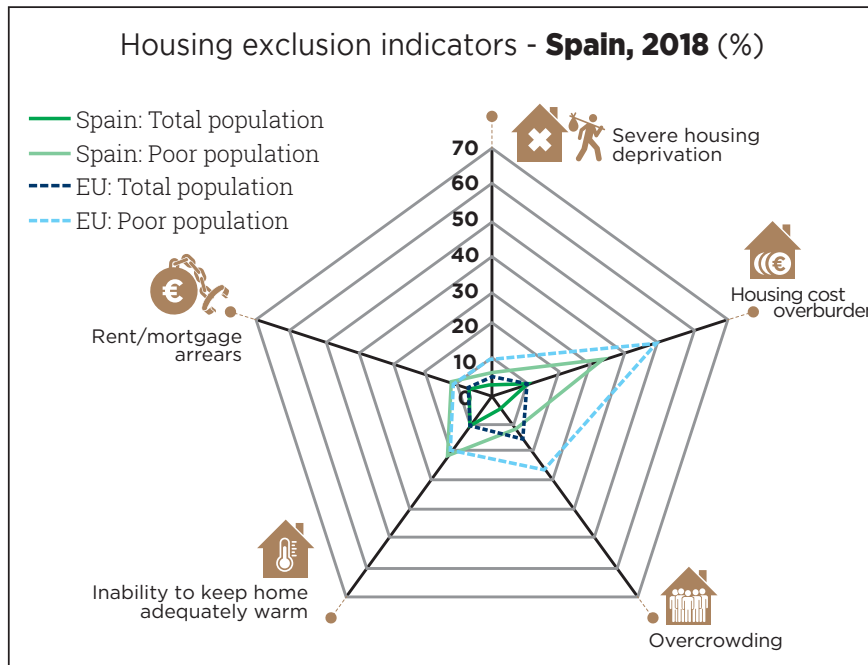
Like in Greece, the commodification and 'touristification' of housing in Spain has been a major issue over the last ten years.⁴⁶ In 2019, the US Blackstone vulture fund became the country's leading landlord, with around 30,000 housing units for rent (representing a market value of EUR 5,643 million) via listed real estate investment companies (intended for real estate investments and benefiting from a tax exemption, created to absorb part of the huge post-crisis real estate stock).⁴⁷ For example, between 2013 and 2017, one of Blackstone's subsidiaries, Fidere, boosted the market value of its real estate investments by 400%.⁴⁸ Even though the Spanish rental market mainly comprises smaller landlords, the accumulation of tens of thousands of dwellings by vulture funds allows them to influence market prices. Some indicators such as the 50% increase in rents between 2014 and 2019 according to the Bank of Spain⁴⁹ and the 30% increase in property prices in Madrid between 2016 and 2018⁵⁰ (as well as in Barcelona, Palma de Mallorca, Alicante and Malaga) sound

the alarm on a potential return to a real estate bubble.⁵¹ For the country as a whole, the rental price index (2015 = 100) rose from 95.7 in 2008 to 103.2 in 2018, while the price-to-income ratio rose from 144.1 at the peak of the housing bubble in 2008 to fall to 100 in 2015 and rise to 109.1 in 2018.⁵² Between January and August 2019, some 100 evictions a day were estimated to have taken place in Spain due to non-payment of rent and 42 a day due to non-payment of a mortgage loan.⁵³

No increase in the proportion of social housing in the overall housing stock could be observed. Minimum social benefits have recently been reduced through budget cuts, and access to housing is not specifically supported. The local authorities can allocate housing allowances, which generally speaking do not exceed EUR 10/month. Several policies and programmes have been implemented in Spain to counter the effects of the financial crisis on access to housing. In 2013, a social housing fund was set up to help vulnerable people deprived of their housing due to eviction; evicted people can stay in the dwelling in exchange for the payment of rent or in exchange for eventual ownership of the dwelling (with no additional interest/costs). A housing plan for 2018-2021 has been launched, which includes initiatives on rent payment assistance and targeted housing assistance for young people.⁵⁴

● Key statistics on housing exclusion and changes between 2008 and 2018

General population			
Indicator	2018	2008-2018 change	2013-2018 change
Housing cost overburden rate	Total: 8.9% Poor: 32.9%	Total: -5.3% Poor: +2.5%	Total: -13.6% Poor: -14.1%
Total housing costs (EUR PPP/month)	Total: 347.2 € Poor: 340.3 €	Total: -0.7% Poor: -0.2%	Total: -3.9% Poor: +2.1%
Mortgage/rent arrears	Total: 4.4% Poor: 11.6%	Total: -2.2% Poor: +41.5%	Total: -31.3% Poor: -22.1%
Overcrowding	Total: 4.7% Poor: 11.3%	Total: -16.1% Poor: +0.9%	Total: -9.6% Poor: +2.7%
Severe housing deprivation	Total: 1.5% Poor: 4.9%	Total: -6.3% Poor: +44.1%	Total: -16.7% Poor: +11.4%
Experiencing difficulty in maintaining adequate household temperature	Total: 9.1% Poor: 20.8%	Total: +54.2% Poor: +58.8%	Total: +13.8% Poor: +33.3%
Non-EU citizens			
Indicator	2018	2008-2018 change	2013-2018 change
Housing cost overburden rate	Total: 36.1%	Total: -6.7%	Total: -5.7%
Overcrowding	Total: 19.4%	Total: +12.8%	Total: +19.8%
Children under 18 years			
Indicator	2018	2008-2018 change	2013-2018 change
Cold housing	Total: 17.4% Poor: 25.3%	Total: +4.2% Poor: +17.1%	Total: -2.2% Poor: +12.4%
Overcrowding	Total: 6.4% Poor: 14.1%	Total: -28.9% Poor: -21.7%	Total: -9.9% Poor: +0.7%
People with an activity limitation/physical disability			
Indicator	2018	2008-2018 change	2013-2018 change
Housing cost overburden rate	Total: 7.8% Young people (aged 16 to 29): 16.2%	Total: +13% Young people (aged 16 to 29): -14.7%	Total: -7.1% Young people (aged 16 to 29): +8%
Severe housing deprivation	Total: 1.8% Young people (aged 16 to 29): 4.9%	Total: +20% Young people (aged 16 to 29): +48.5%	Total: +28.6% Young people (aged 16 to 29): -30%



DENMARK

Recent data on homelessness

The homeless census has been carried out every two years nationally since 2007: it is one of the few exhaustive and regular national census methodologies of homeless people in Europe. It is a census conducted over one week and includes all of the ETHOS categories.⁵⁵ In 2017, 6,635 people were counted as homeless, a rise of 33% since 2009. The increase was 50% among the young and 40% among the elderly.⁵⁶ The number of homeless people sleeping rough also grew, from 506 to 648 (+28% between 2009 and 2017). Of the 438 migrants estimated to be homeless in Denmark in 2017, 68% were from other European countries (Eastern and Central) and 17% were from Africa. One in three homeless people were living in temporary accommodation and one in three were living temporarily with relatives. One in ten was homeless and sleeping rough. 5% were living in an emergency shelter. According to the same data, 53% of the homeless reported having mental health problems, and 22%, physical health problems.⁵⁷ 46% of the registered homeless people had been so for more than a year and one in four had been so for more than two years.

Context of the Danish housing market

In Denmark, 60.5% of the population owned their own home (46.5% of households were mortgage-holders, 14% of households owned their home outright) and 39.5% rented (39.4% at market price and 0.1% at below market price or for free). Over ten years (between 2008 and 2018), the proportion of homeowners fell by 6 percentage points while the proportion of renters increased by 6 percentage points.⁵⁸

Social housing in Denmark is universal: it is accessible to all, without any eligibility criteria.

Total population on 1 January 2018: 5,781,590 people

GDP/resident in 2018 (Purchasing Power Parity – Index: EU 28 = 100): 128

Number of homeless people: 6,635 people registered as homeless in 2017

Percentage of poor households: 12.7%

Sources : Eurostat / EUSILC 2018 & FEANTSA

In Denmark, the social responsibility of local authorities is assumed with the latter paying 10% of the construction costs in exchange for the possibility of allocating social housing to people in immediate need of housing (e.g. refugees). Local authorities can allocate up to 25% of social housing to tenants of their choosing, and up to 100% by agreement between the local authority and the housing association. The 'balanced rent' principle links the calculation of the rent to the construction and maintenance costs of the dwelling concerned. For example, rents for new social housing are much higher (and at a level almost equivalent to those in the new private rental market) than for social housing built in the 1960s, due to the very high current construction and land costs (especially in and around urban areas).⁵⁹ In March 2018, the Danish government adopted a plan entitled '*A Denmark without parallel societies: no ghettos by 2030*', which has resulted in a particularly strict and stigmatising set of laws and housing policies: in areas officially called 'ghettos', social housing will be demolished, redeveloped or sold off to private landlords if 50% of the residents are immigrants and meet certain income, employment, education or criminal conviction criteria. According to some reports, under this policy, the number of people at risk of being evicted from their homes could exceed 11,000.

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European Typology of Homelessness and Housing Exclusion, developed by FEANTSA, available [in French] at <https://www.feantsa.org/en/toolkit/2005/04/01/ethos-typology-on-homelessness-and-housing-exclusion>.

56

ESPN country file of Denmark.

57

National Report Denmark ESPN 2019/ Benjaminsen, 2017.

58

Eurostat, 2018.

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Read more about social housing in Denmark: Skovgaard Nielsen R. & Deichmann Haagerup C. (2017), 'The Danish social housing sector: recent changes and future challenges', Critical Housing Analysis Vol.4 - Issue 1 - 142-149, available at: <http://dx.doi.org/10.13060/23362839.2017.41.333>

The rent price index rose from 84.4 in 2008 to 104.2 in 2018, while the price-to-income ratio rose from 122.2:100 in 2015 and 104.8 in 2018. Generally speaking, Danish incomes have tended to follow the increase in housing prices. On the other hand, 70% of poor households in Denmark were overburdened by housing costs, one of the highest proportions compared to other EU member countries, with an increase of 14.8% between 2008 and 2018.

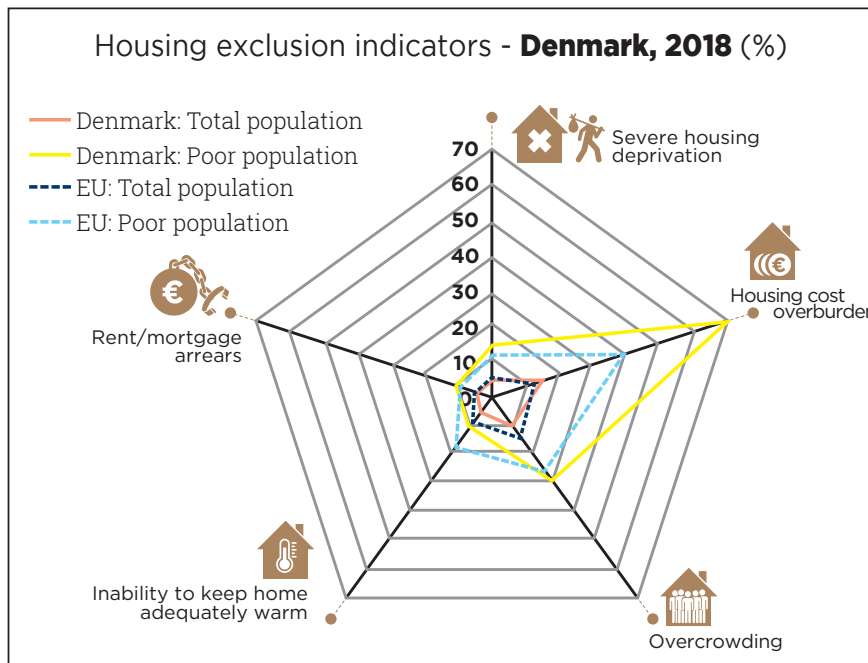
The modest increase in house prices nationally conceals rapid hikes in Copenhagen and Aarhus. Nationally, almost one poor household in ten was in rent/loan arrears, a proportion that grew by 127% between 2008 and 2018. Since January 2018, financial regulation has been tightened to reduce access to risky loans for households

that are highly indebted relative to their income. Overcrowding in housing and severe housing deprivation have risen sharply in Denmark over the last ten years, especially for poor households, 30% of which were living in overcrowded housing and 12% of which were experiencing severe housing deprivation.

A bill to prevent the acquisition of housing by foreign private equity funds was proposed in 2019, following the controversial acquisition by Blackstone of the 360 North real estate platform (representing 2,800 housing units). It is worth noting that Denmark is one of the few EU Member States with a law prohibiting foreigners from acquiring a second residence without proving a link with the country and applying for a permit issued by the Danish Ministry of Justice.

● Key statistics on housing exclusion and changes between 2008 and 2018

General population			
Indicator	2018	2008-2018 change	2013-2018 change
Housing cost overburden rate	Total: 14.7% Poor: 69.7%	Total: -14% Poor: -14.8%	Total: -17.9% Poor: -7.3%
Total housing costs (EUR PPP/month)	Total: 706.9 € Poor: 630.7 €	Total: -0.3% Poor: +30.5%	Total: -3.6% Poor: +9.9%
Mortgage/rent arrears	Total: 2.9% Poor: 9.1%	Total: +163.6% Poor: +127.5%	Total: -9.4% Poor: -5.2%
Overcrowding	Total: 9.2% Poor: 30%	Total: +26% Poor: +33.3%	Total: +16.5% Poor: +11.5%
Severe housing deprivation	Total: 3.2% Poor: 12.4%	Total: +190.9% Poor: +163.8%	Total: +39.1% Poor: +47.6%
Experiencing difficulty in maintaining adequate household temperature	Total: 3% Poor: 7.8%	Total: +76.5% Poor: +30%	Total: -21.1% Poor: -23.5%
Non-EU citizens			
Indicator	2018	2008-2018 change	2013-2018 change
Housing cost overburden rate	Total: 22.6%	Total: -33.3%	Total: -43.8%
Overcrowding	Total: 20.3%	Total: -30.5%	Total: -19.1%
Children under 18 years			
Indicator	2018	2008-2018 change	2013-2018 change
Cold housing	Total: 19.4% Poor: 31.1%	Total: +81.3% Poor: +101.9%	Total: -8.1% Poor: +3.3%
Overcrowding	Total: 9.9% Poor: 30.3%	Total: -8.3% Poor: -3.2%	Total: -10% Poor: +1.7%
People with an activity limitation/physical disability			
Indicator	2018	2008-2018 change	2013-2018 change
Housing cost overburden rate	Total: 21.9% Young people (aged 16 to 29): 51.2%	Total: -9.5% Young people (aged 16 to 29): +51.5%	Total: +6.3% Young people (aged 16 to 29): +103.2%
Severe housing deprivation	Total: 3% Young people (aged 16 to 29): 9%	Total: +25% Young people (aged 16 to 29): +109.3%	Total: +30.4% Young people (aged 16 to 29): +52.5%



ROMANIA

Recent data on homelessness

There are no official national data on housing deprivation in Romania. The limited data available date back to 2008-2009, when Samu Social and Médecins Sans Frontières conducted a study that counted 15,000 homeless people sleeping rough throughout the country, including about 5,000 in Bucharest. A 2011 census estimated that 165,000 people were living in non-conventional dwellings (i.e. informal settlements or institutions). A Save the Children Romania study conducted in 2014 identified 1,113 homeless children and young people under the age of 35 sleeping rough in Bucharest. 42% of them had been sleeping rough for more than ten years.

Since the 1990s, the profile of homeless people in Bucharest has changed with homeless children becoming young adults who grew up sleeping rough. Moreover, according to estimates by the Samu Social, 19% of homeless adults have been victims of real estate scams (i.e. property in exchange for certain services)⁶⁰. According to Casa Ioana, one of the largest organisations providing services for homeless women, families are the fastest growing segment of the homeless population.⁶¹

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Cauzele pentru care persoanele adulte fara adapost sunt in strada <http://www.samusocial.ro/media/statistice-cifre> <http://casaioana.org/en/about-family-homelessness>

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Eurostat, 2018.

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ESPN Romania (2019). Following the fall of communism in Romania in 1989, previously state-owned housing was gradually returned to its original owners, leading to successive waves of forced evictions. The people affected by these evictions are a priority group in terms of access to social housing (although this sector is weakly developed).

Context of the Romanian housing market

In Romania, 96.4% of the population owned their own homes in 2018 (1.1% of households were mortgage holders, 95.3% of households owned their home outright) and 3.6% were renters (1.2% at market price and 2.4% at below-market price or for free) in 2018.⁶² These proportions were similar to those from 2008.

The Romanian market is very unbalanced in terms of occupancy status – it is the EU country

Total population on 1 January 2018: 19,530,631 people

GDP/resident in 2018 (Purchasing Power Parity – Index: EU 28 = 100): 65

Number of homeless people: unknown

Percentage of poor households: 23.5%

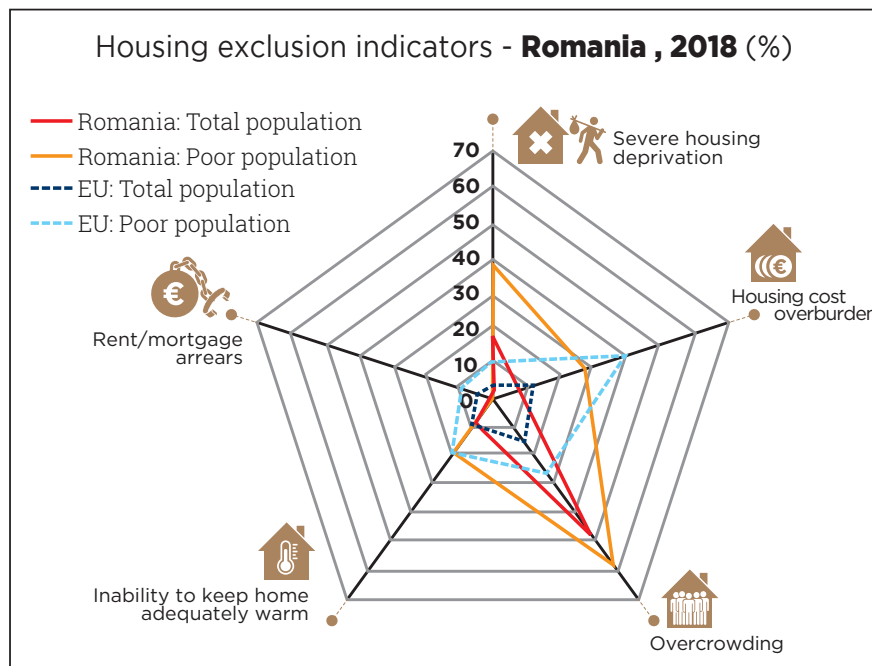
Sources : Eurostat / EUSILC 2018 & FEANTSA

with the most homeowners. Romania experienced an unprecedented real estate bubble before the 2008 crisis with access to credit greatly freed up and the country's entry into the EU in 2007 fast-tracking the phenomenon of rising property prices. The price-to-income ratio index in 2009 was 176.7 (2015 = 100), according to OECD data; it fell in subsequent years, as did rental, sales and land prices, to reach 78.7 in 2018. The lack of affordable housing and the very low social housing stock, the increase in the total housing costs (+26% between 2008 and 2018 for all households, +37.1% for poor households), evictions due to non-payment or restitution of previously state-owned housing are all factors that have contributed to the emergence of new marginalised communities living in informal settlements on the outskirts of cities.⁶³

Although the problem substandard housing has improved sharply over the last ten years, in 2018 it remained a persistent problem in Romania – almost one in two households and four in five poor children were living in overcrowded housing. More than one in three poor households were experiencing severe housing deprivation. Among the groups particularly vulnerable to homelessness, inadequate housing and evictions is the Roma population. Out of an estimated 1.8 to 2.2 million Roma people living

in Romania, 61% were estimated to be living in rural areas and 39% in urban areas.⁶⁴ 54% of Roma families who were living in social housing were not in a financial position to pay the rent, making them vulnerable to rental evictions. 56% of the Roma population were living in isolated communities. According to a 2011 regional study,

picked up by the World Bank,⁶⁵ 30% of the Roma population were living in particularly harsh conditions (compared to 5% of their non-Roma neighbours) and only 17% had running water in their homes (compared to 34% of their non-Roma neighbours).



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World Bank (2014), 'Diagnostics and Policy Advice for Supporting Roma Inclusion in Romania', available at: <https://www.worldbank.org/content/dam/worldbank/document/eca/romania/OutputEN.pdf>

66

Ibid.

● Key statistics on housing exclusion and changes between 2008 and 2018

General population			
Indicator	2018	2008-2018 change	2013-2018 change
Housing cost overburden rate	Total: 10.3% Poor: 33.3%	Total: -46.1% Poor: -20.7%	Total: -39.1% Poor: -19.8%
Total housing costs (EUR PPP/month)	Total: 173.4 € Poor: 123 €	Total: +26% Poor: +37.1%	Total: +12.6% Poor: +10.6%
Mortgage/rent arrears	Total: 0.4% Poor: 0.7%	Total: -33.3% Poor: -36.4%	Total: -50% Poor: -50%
Overcrowding	Total: 46.3% Poor: 56.4%	Total: -15.5% Poor: -8.6%	Total: -8.5% Poor: -12.4%
Severe housing deprivation	Total: 16.1% Poor: 37.4%	Total: -44.7% Poor: -29.8%	Total: -29.4% Poor: -23.4%
Experiencing difficulty in maintaining adequate household temperature	Total: 9.6% Poor: 18.2%	Total: -60.7% Poor: -45.3%	Total: -34.7% Poor: -28.9%
Non-EU citizens			
Indicator	2018	2008-2018 change	2013-2018 change
Housing cost overburden rate	<i>No official data</i>	<i>No official data</i>	<i>No official data</i>
Overcrowding	<i>No official data</i>	<i>No official data</i>	<i>No official data</i>
Enfants de moins de 18 ans			
Indicator	2018	2008-2018 change	2013-2018 change
Cold housing	Total: 11.2% Poor: 22%	Total: -58.4% Poor: -45.4%	Total: -45.1% Poor: +32.7%
Overcrowding	Total: 66.4% Poor: 78.7%	Total: -9.7% Poor: -4%	Total: -7% Poor: -3.3%
People with an activity limitation/physical disability			
Indicator	2018*	2010-2018 change*	2013-2018 change*
Housing cost overburden rate (data 2017)*	Total: 13.8% Young people (aged 16 to 29): 8.8%	Total: -15.9% Young people (aged 16 to 29): -25.4%	Total: -18.8% Young people (aged 16 to 29): -45.7%
Severe housing deprivation	Total: 12.5% Young people: 21.5%	Total: -37.2% Young people: -47.2%	Total: -35.6% Young people: -55.7%

*As 2018 data on housing cost overburden rate of people with an activity limitation are not available, the data used here are from 2017.



Photo : © BAGW | Emergency shelter for asylum seekers – Berlin, Germany

WHAT SHOULD THE EUROPEAN UNION DO?

1.

GENERAL RECOMMENDATIONS FOR THE REDUCTION AND ELIMINATION OF HOMELESSNESS

The final report of the Special Rapporteur on adequate housing, submitted to the 43rd session of the UN Human Rights Council on 20 March 2020,¹ gives guidelines on: guaranteeing the right to housing as a fundamental right linked to dignity and the right to life for all; eliminating homelessness as soon as possible; fighting discrimination; and guaranteeing equality.

The new European Commission, led by Ursula von der Leyen since 1 December 2019, has undertaken to put forward an Action Plan – based on a public consultation open until the autumn – to implement the European Pillar of Social Rights, Principle 19 of which protects access to housing and support for homeless people. Following its plenary session of 13 January 2020 on 'Housing First' as urgent action to address the situation of homeless people in Europe,² the European Parliament called for the establishment of an 'EU Framework for national homelessness strategies'. The homeless sector represented by

FEANTSA and the Foundation Abbé Pierre supports this initiative and calls for the launch of this EU framework in 2021, recommending the implementation of several measures:

A FIRM POLITICAL COMMITMENT

The European Union and Member States must reverse their policy approach and stop reacting with short-term emergency 'band-aid' solutions. Following the total failure of EU institutions to reach their goal of reducing poverty by 2020, setting less far-reaching and more targeted goals is recommended – the European Commission and Member States should adopt an **overall goal to eliminate homelessness by 2030**. In addition to being an excellent means of demonstrating a strong commitment to the implementation of Principle 19 of the European Pillar of Social Rights, it is a key prerequisite for achieving the sustainable development goals set out by the United Nations, in particular Goals 1 and 11.

1 UN Special Rapporteur on adequate housing (2020), 'Guidelines for the implementation of the right to adequate housing, Human Rights Council – 43rd session', available at: <https://undocs.org/en/A/HRC/43/43>

2 European Parliament (2020), 'Housing First' as urgent action to address the situation of homeless people in Europe: extracts from the debate (13/01) and illustrative footage', available at: https://multimedia.europarl.europa.eu/fr/situation-of-homeless-people-in-europe-debate_1182850-V_v

FURTHERING MEASURES TO ASSESS AND MONITOR HOMELESSNESS AND HOUSING EXCLUSION ACROSS EUROPE BY MOBILISING THE EXPERTISE AND RESOURCES OF EXISTING STATISTICAL ENTITIES:

homeless people are still invisible in European social statistics. The European Union still claims to monitor the social conditions in Member States without having any idea whether or not its citizens have a decent place to live. Up until now, although efforts have been made to include the effects of the housing crisis more systematically and meticulously in some European Semester documents and to test a 'housing difficulties' module via Eurostat-EUSILC, they have been insufficient for the most part. Authentic mechanisms for monitoring homelessness in Europe should therefore be implemented as soon as possible to allow for the comparison of data on homelessness and housing exclusion and for the performance of Member States to be assessed. Information on the profiles of the individuals affected should also be collected in order to highlight their specific needs and vulnerabilities. **The next European Union population and housing census in 2021 is an opportunity not to be missed.** In this context, the Commission has also emphasised the importance it attaches to data on the homeless, stating that Eurostat must be able to estimate the total homeless population in each Member State on the basis of the census results.³

MONITORING OF POLICIES TO COMBAT HOMELESSNESS

It is recommended that Council of the European Union publish **a proposal on integrated strategies for the elimination of homelessness and**

initiate the monitoring and evaluation of these strategies being implemented by Member States. Individuals and families need to have access to stable housing so that they are not forced to rely on emergency accommodation for long periods of time. 'Housing First' approaches, which provide all the help necessary for people to remain in their homes and be included in society for as long as necessary, need to be more widespread if the prevention of homelessness is to become a long-term, integrated and results-oriented public policy. Adopting a comprehensive, all-inclusive and integrated approach to homelessness and housing exclusion is key in order to share opportunities for cooperation. **It is the ability to look ahead via early strategies that will define a European Union that is up to the task of dealing with modern challenges, be they social, migratory or environmental.**

A CONSOLIDATION OF FINANCING AND INVESTMENT MEASURES

The European Commission and Member States should ensure that EU grants and loans, through the European Structural and Investment Funds (ESF+ and ERDF) and InvestEU, are used effectively as **levers to advance policy measures to tackle homelessness and for homeless services.** While the primary responsibility for organising and funding measures to tackle homelessness lies with local, regional and national bodies, EU funding should be used to: influence policies and enhance services; support and train those who wish to transform their practices; facilitate the transition from emergency-based systems to strategic policies to prevent and alleviate homelessness through housing solutions; monitor Member States' progress step by step; and

3

European Commission (2019), 'EU legislation on the 2021 population and housing censuses – Explanatory notes – 2019 edition', p. 18, available at: <https://ec.europa.eu/eurostat/documents/3859598/9670557/KS-GQ-18-010-EN-N.pdf/c3df7fcb-f134-4398-94c8-4be0b7ec0494>

track the allocation of ESF+ and ERDF funds for these purposes. **Member States and regions are laying down the programming for the 2021-2027 budget – this is a new opportunity to reduce homelessness with the help of EU funds.**

AN EXCHANGE OF PRACTICES

The European Commission should launch **a dedicated exchange of practices programme between Member States on policies to combat homelessness.** The free flow of ideas and practices that have a real impact on the reduction/elimination of homelessness needs to be nurtured. The health crisis linked to the COVID-19 pandemic represents a turning point, with public authorities having the opportunity and duty to question shortcomings in their social protection systems, making the need for imaginative solutions, information and good practice to be exchanged particularly timely.

A DEDICATED LEGISLATIVE FRAMEWORK

The European Commission should **explore the feasibility of an EU Directive on the unconditional right to shelter for all,** which would enshrine a principle of immediate and unconditional access to safe, secure and dignified emergency accommodation and adequate support, allowing access to fundamental rights, without discrimination on any grounds, including administrative status, nationality, gender, family status, sexual orientation, gender identity, age, ethnic origin, disability, alcohol or drug abuse,

unpaid fines or state of health. For asylum-seekers, this access must be guaranteed at all stages of the asylum process, in accordance with EU law and the Reception Conditions Directive.

A GUARANTEE THAT THE RIGHT TO HOUSING BE PROTECTED IN THE EXCEPTIONAL MEASURES TAKEN FOLLOWING THE COVID-19 HEALTH CRISIS:

Member States and the European Commission should ensure that measures to stimulate economic recovery in the context of the pandemic include opportunities for action, funding and investment to reduce and end homelessness. Moreover, the recession facing the EU today should not be a new opportunity to extend the commodification and financialisation of housing. It should, however, represent a historic opportunity, through the drop in property prices that may result, to put forward ambitious institutional and political responses, taking past failures into account and prioritising access to dignified, adequate and affordable housing as a key determinant of public health.

‘Due to the unprecedented nature of the crisis, tinkering around the edges of an unsustainable model of economic development will not work. The right to housing must be implemented in a manner that shifts the way housing is currently conceived, valued, produced and regulated.’

Leilani Farha, UN Special Rapporteur on adequate housing⁴

2. SPECIFIC RECOMMENDATIONS ON RECEPTION AND ACCOMMODATION CONDITIONS FOR REFUGEES IN EUROPE

Up to this point, the EU and the vast majority of Member States have never prepared themselves with the means to receive a large population of asylum seekers in a dignified manner, even today – despite the many humanitarian crises caused by a lack of planning. In light of international conflicts and natural disasters exacerbated by climate change, the number of displaced people seeking protection around the world will not suddenly stop. **Europe's reception crisis, combined with the systemic failure of our housing market and accommodation systems, is leading to an increase in the number of displaced people among those who are sleeping rough, homeless or facing housing exclusion.**

At present, migration policies and immigration rules largely take precedence over access to services and fulfilment of the vital needs of asylum seekers and refugees, many of whom are forsaken by public policies and deprived of protection, assistance and justice. **The EU must reprioritise access to fundamental and social rights for people in need of protection and access to material reception conditions.**

Rapid access to asylum procedures must be guaranteed, in accordance with the time limits laid down in the texts. People whose rights are lacking and who have been denied asylum but have not been *de facto* expelled (e.g. because of their vulnerable circumstances) are particularly exposed to substandard living conditions and have limited access to their rights. Asylum-seekers should therefore be granted settled status more easily and quickly. With regard to administrative detention, alternatives are a legal obligation; an individual assessment must be made on a case-by-case basis, and where custody is used in the absence of any other possible measure, it must be imposed for the shortest possible period of time.

The accommodation and social assistance sector refuses to be associated with policies distinguishing between 'good' and 'bad' migrants, not only because it is a question of respect for people's fundamental rights, but also because confinement in wholly unsafe conditions is detrimental to their integration into society. Moreover, in a common travel area, joint rules

and policies are needed when it comes to the reception of asylum seekers and people with a migration background, and also to the integration of beneficiaries of international protection. In order to develop an inclusive approach, we are calling on the European Institutions and the Member States to:

REAFFIRM THAT EVERYONE HAS THE RIGHT TO RECEPTION AND DIGNIFIED SUPPORT REGARDLESS OF THEIR ADMINISTRATIVE STATUS

For asylum-seekers and beneficiaries of international protection, this implies **ensuring respect for the principle of non-refoulement**, and other principles enshrined in the 1951 Convention Relating to the Status of Refugees (Geneva Convention) and in EU asylum law, and therefore respect for the law. This includes **the right to benefit from material reception conditions, ensuring asylum-seekers do not have to sleep rough or in unsuitable accommodation and that they are supported in their asylum application procedure**. In cases where States provide reception conditions in kind, we insist that the quality of the accommodation facilities meets specific standards of decency and dignity. And where support is proposed via financial allowances, the amount must be enough to ensure an adequate standard of living and to guarantee subsistence. This is difficult to achieve with the allowances currently being provided by Member States. The accommodation solution proposed must also take into account the stability that is required for asylum seekers so that the obligations regarding their asylum application are met. Irrespective of whether safety is provided in special structures for asylum seekers or in general accommodation structures, **the continuity, security and dignity of the accommodation must be guaranteed**. For people with multiple vulnerabilities – in particular children and unaccompanied minors, individuals with mental health problems and

victims of violence – **EU policies must prevent the creation of additional vulnerabilities or the exacerbation of existing ones.**

GUARANTEE ACCESS TO BASIC SERVICES, REGARDLESS OF ADMINISTRATIVE STATUS

These basic services should include not only adequate accommodation and support, but also food, health care and other services for homeless people, such as sanitation, laundry and storage space. National and local authorities must make the necessary financial and human resources available to homeless organisations to enable them to work effectively with all those experiencing homelessness, including those with a migration background.

PROTECT SOLIDARITY ASSOCIATIONS MANAGING SOCIAL AND MEDICO-SOCIAL SERVICES AND THEIR EMPLOYEES

These associations and their employees should not be implicated in policies that compromise their principles of solidarity and respect for human rights. They should not be subjected to pressure to provide data that would lead to deportations or to refuse people without the correct legal status.

IMPROVE ACCOMMODATION FACILITIES AS WELL AS DEVELOPING HOUSING SOLUTIONS, SUPPORTED HOUSING IF NECESSARY, IN THE PUBLIC AS PRIVATE SECTOR, TO FACILITATE INTEGRATION OF NEWCOMERS

This must happen through a review of the austerity policies imposed on States and by streamlining the EU funding that is intended to support the reception and integration of migrants. **A structural increase in the sector's allocated resources is necessary to ensure qual-**

ity support, while giving particular attention to vulnerable sections of the population and to the integration of those granted international protection status. This would also improve the administrative capacity for processing applications.

NOT TO AUTOMATICALLY APPLY THE DUBLIN PROCEDURE WITHOUT EXAMINING PEOPLE'S INDIVIDUAL SITUATION AND TAKING INTO ACCOUNT THEIR VULNERABILITY

This means States would guarantee access to the EU, register asylum applications and provide material reception conditions for everyone requiring protection, including asylum seekers going through the Dublin procedure.

Ultimately, we are calling for **an end to the 'Dublin' regulation and for it to be replaced by one that respects the European Charter of Fundamental Rights** and the States' international obligations regarding respect for human rights. The reform proposed by the European Commission in 2016 on the Dublin Regulation is a move towards a stricter system, making it

even more punitive towards those who do not meet the criteria for international protection in the first European country of entry and who have moved to another Member State. Moreover, this system poses a threat to the living conditions of newcomers and does not encourage the sharing of responsibility among EU countries. Any new system should enable asylum seekers to enter Europe, while evenly distributing the management of asylum seekers, giving greater consideration to the individual's choices in order facilitate their integration and ending the sanctions imposed on asylum seekers in secondary movement.

ESTABLISH SECURE AND LEGALLY BASED SYSTEMS TO FACILITATE PROTECTION

In addition to resettlement and humanitarian admission programmes, humanitarian visas and private sponsorship programmes, it is vital to develop more effective and inclusive family reunification procedures, encourage labour migration programmes and open up educational exchanges to refugees.

3. SPECIFIC RECOMMENDATIONS RELATED TO THE COVID-19 HEALTH CRISIS

To conclude, the EU is currently facing an unprecedented health crisis which is exacerbating housing inequalities and widening the gap between the those facing housing exclusion or homelessness and the rest of the population. Home has rarely been more of a life or death situation; it is a guarantor of public health. The consequences of the pandemic confirm that shelter or emergency accommodation cannot replace a safe home. We have an opportunity now to reconsider ineffective policies and to work, at last, on long-term action plans. Therefore, in the light of the exceptional measures taken in this context, we call on the institutions of the EU to:

DEFINE AND PROMOTE SPECIFIC PROTECTION MEASURES FOR THE HOMELESS OR THOSE EXPERIENCING HOUSING EXCLUSION TO BE IMPLEMENTED IN DEDICATED RECEPTION SERVICES

in order to support this group of people living in the European Union who are particularly vulnerable to the consequences of COVID-19, as well as professionals working in the sector.⁵

PROVIDE FOR THE ALLOCATION OF EUROPEAN FUNDS

(Coronavirus Response Investment Initiative, Solidarity Fund, Fund for European Aid to the Most Deprived, etc.) in order to finance protection and support measures for the homeless and those experiencing housing exclusion.

IMPLEMENT MECHANISMS FOR THE EVACUATION AND RELOCATION OF ASYLUM SEEKERS TRAPPED IN OVERCROWDED CAMPS ON THE GREEK ISLANDS

for humanitarian, public health and human dignity reasons.

PROVIDE PROTECTIVE MEASURES FOR THOSE EXPERIENCING HOUSING EXCLUSION

who are at a higher risk of homelessness due to the financial consequences of the COVID-19 epidemic. Specific measures targeting people in need are required, such as a moratorium on evictions to prevent individuals from losing their homes during the pandemic. There is an urgent need to think collectively about broader measures to protect vulnerable people from the economic impact of the pandemic.

5

See FEANTSA (2020), '7 measures authorities must take to protect homeless people from COVID-19: "Staying home" not an option for the homeless', available at: <https://www.feantsa.org/en/news/2020/03/31/seven-measures-authorities-must-take-to-protect-homeless-people-from-covid>



Photo : L'ilot © Chloé Thôme



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CHAPTER 5

**LEGAL
DEVELOPMENTS**
RELATING
TO HOUSING

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LEGAL DEVELOPMENTS RELATING TO HOUSING **141**

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I. EU LEGISLATION RELATING TO HOUSING

Although housing is not a competence of the European Union, European Law touches on housing in a wide range of fields. Areas where there has been no new legislative activity and texts that were already included in the first Overview¹ are mentioned in Annex I. Other regulations in thematic areas where recent developments have taken place are presented in more detail below.

1

Link to first Housing Exclusion Overview (pp. 80-92) : <https://www.feantsa.org/en/report/2015/10/19/an-overview-of-housing-exclusion-in-europe-20157bcParent=27>

1. THE RIGHT TO HOUSING AND HOUSING ASSISTANCE

With the entry into force of the Lisbon Treaty in 2009, the [EU Charter of Fundamental Rights](#) became legally binding. The Charter provides the main reference point for the protection of human rights in the EU and its Art 34 3. reads as follows:

In order to combat social exclusion and poverty, the Union recognises and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Union law and national laws and practices.

The proclamation of the [European Pillar of Social Rights](#) (EPSR) in 2017 was significant as it acknowledged the need to balance macro-economic objectives and budgetary and fiscal discipline imposed on EU Member States against the requirements of social rights. However, the EPSR principles are not enforceable in the absence of implementing measures, which impairs its

effectiveness. On 14 January 2020, the new European Commission released a communication on the preparations for an Action Plan to implement the European Pillar of Social Rights which will be produced in **2021** and serve as a guide for the renewed process of convergence towards better working and living conditions in Europe.²

For now, the main mechanism following up on progress within the framework of the EPSR is the [European Semester](#). It is the annual cycle of economic and social policy coordination in the EU and it focuses primarily on budgetary discipline and macro-economic stability. However, attention to social issues including homelessness and housing exclusion has gradually increased over time, enabling Principle 19 on housing and housing assistance for the homeless to emerge within the follow-up process of social progress.

2

A strong social Europe' https://ec.europa.eu/commission/presscorner/detail/en/ganda_20_20

2. COMPETITION AND STATE AID

Article 107 of the TFEU prohibits State aid except in specific economic circumstances. The Commission is responsible for ensuring that State aid complies with Union law and in principle Member States have to notify State aid payments. Member States retain considerable discretionary powers regarding the meaning of the SGEI. Social housing, as a service of general economic interest (SGEI), is exempt from the requirement to notify the Commission of State

aid payments³. The Commission must verify however that there are no manifest errors. Social housing is defined as being intended for 'underprivileged citizens or socially less advantaged groups which, due to solvability constraints are unable to obtain housing at market conditions'.

The Commission is currently reviewing its State Aid legislation, including by consulting on the 2012 SGEI Package which created a specific regime for health and social services.⁴

3
§ 11 of the
Commission
Decision C (2011)
9380.

3. ENERGY EFFICIENCY

Recent EU legislative and policy developments in the field of energy efficiency related to housing include:

Directive (EU) 2018/2001 of 11 December 2018 on the promotion of the use of energy from renewable sources: directive establishing a common framework for the promotion of energy from renewable sources and setting a binding Union target for the overall share of energy from renewable sources in 2030.

Directive (EU) 2018/2002 of 11 December 2018 amending Directive (EU) 2012/27 on energy effi-

ciency: directive establishing a common framework of measures to promote energy efficiency within the Union in order to meet 2020 targets on energy efficiency of 20% and 2030 targets on energy efficiency of at least 32.5%.

In March 2019, the European Commission put forward the **Clean Energy for all Europeans Package**, a set of new rules defining the legislative parameters for the coming years in matters of energy, including setting 2030 goals for energy efficiency. The Clean Energy package includes an emphasis on improving energy

4
Public consultation:
State subsidy rules
for health and
social services of
general economic
interest (evaluation):
<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/11835-Evaluation-of-State-aid-rules-for-health-and-social-services-of-general-economic-interest-and-SGEI-De-Minimis/public-consultation>

performance in the buildings sector as well as reaching a common definition of energy poverty with monitoring requirements from all Member States.

A milestone development in the last year is the 11 December 2019 Communication from the Von der Leyen Commission on **the European Green Deal**, the general roadmap to make the EU climate-neutral by 2050. This has been followed by more concrete plans on how this will be achieved, including the European Green Deal Investment Plan (EGDIP), also referred to as the Sustainable Europe Investment Plan (SEIP), which represents the investment pillar of the Green Deal. The Green Deal aims to 'leave no one behind' and one of its priorities is the improvement of the energy efficiency of buildings,

through the renovation of housing, in particular of social housing.

Most recently, in March 2020, the new Commission put forward a **European Climate Law** which sets out a binding objective of climate neutrality in the European Union by 2050 in line with the Paris Agreement. Energy efficiency and energy affordability figure as key aspects considered when setting a trajectory for achieving this goal.

4. STRUCTURAL AND INVESTMENT FUNDS

The European institutions have reached a partial agreement on the legislative package for cohesion policy 2021-2027. This package covers instruments such as the European Social Fund, the Fund for European Aid to the Most Deprived,

and the European Regional Development Fund, which could be used by Member States to support measures relating to homelessness and housing in the period 2021-2027.

5

An explanation of the EU's economic governance: https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/eu-economic-governance-monitoring-prevention-correction/european-semester/framework/eus-economic-governance-explained_en

5. EU ECONOMIC GOVERNANCE

In response to the financial and economic crisis, the European Union adopted six new legislative texts in 2011 (the so-called 'Six Pack') to strengthen the Economic Governance⁵ of the euro area and the role of the Union as regards the economic policy of the Member States on the basis of Article 121.6 of the Treaty.

The social and economic governance established in the EU following the crisis did not consider until recently the impacts of fiscal and budgetary measures on social rights. This omission had significant effects particularly in EU Member States receiving budgetary support.⁶ The European Commission has recently presented a review of the effectiveness of the economic surveillance framework and has launched a public debate on its future.⁷

Proposal for a Directive on credit servicers, credit purchasers and the recovery of collateral⁸

Another consequence of the crisis has been the accumulation of non-performing loans (NPLs) in banks' balance sheets. The EU is encouraging the development of secondary markets for NPLs, which would allow banks to manage or sell bad loans more easily. A Council's position was approved on a proposed directive which harmonises rules for how non-credit institutions can buy credit assets from banks.⁹ The aim of the new rules is to reduce existing banks' stocks of NPLs and prevent their accumulation in the future. A proposed Directive is currently being discussed in the European Parliament. This initiative may impact stressed borrowers in financial difficulty as they would be exposed to vulture funds and debt collectors located in other countries, and potentially to even worse treatment and repossession of homes.

6

De Schutter The European Pillar of Social Rights and the Role of the European Social Charter in the EU Legal Order: <https://rm.coe.int/study-on-the-european-pillar-of-social-rights-and-the-role-of-the-esc-/1680903132>

7

Economic governance review: https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/eu-economic-governance-monitoring-prevention-correction/economic-governance-review_en

8

COM/2018/0135 final - 2018/063 (COD) <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52018PC0135>

9

Non-performing loans: Council adopts position on secondary markets for bad loans: <https://www.consilium.europa.eu/en/press/press-releases/2019/03/27/non-performing-loans-council-adopts-position-on-secondary-markets-for-bad-loans/>

ANNEX. I.

SUMMARY OF OTHER EUROPEAN UNION LAW TEXTS IMPACTING HOUSING

Field	EU Law
Non-discrimination	<p>Article 19 TFEU</p> <p><i>Council Directive 2000/43/EC</i> implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (article 3.1(h)) on access to goods and services, including housing)</p>
Free movement	<p>Article 45 TFEU</p> <p><i>Directive 2004/38/EC</i> on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (article 24 on equal treatment)</p> <p><i>Directive 2014/54/EU</i> on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers</p>
Third country nationals	<p><i>Directive 2014/36/EU</i> on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (article 20 related to housing conditions)</p> <p><i>Directive 2011/98/EU</i> on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (article 12 related to equal treatment but provides the possibility of restrictions on equal access to housing)</p> <p><i>Directive 2011/95/EU</i> on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (article 32 on access to housing)</p>
Consumer protection	<p><i>Directive 2014/17/EU</i> on mortgage credit agreements for consumers relating to residential property</p> <p><i>Directive 93/13/EEC</i> on unfair terms in consumer contracts</p> <p><i>Directive 2005/29/EC</i> on unfair business-to-consumer commercial practices</p>

II. COURT OF JUSTICE OF THE EUROPEAN UNION

The role of the CJEU is ensuring that EU law is interpreted and applied the same in every EU country; ensuring members and EU institutions abide by EU law and lastly settling legal disputes between national governments and EU institutions. There have been recent decisions related to housing issues.

**HOUSING AFFORDABILITY AND
SHORT STAY ACCOMMODATION:****AIRBNB IRELAND (CASE 390/18)**

In a context of high tourist flows in European cities and a growing debate on the impact of short term rental platforms on the affordability of housing, many homes previously available in the private rental market are now being rented to tourists through different platforms, such as Airbnb, Home Away and others. Tourist rental is said to be increasing the price of rentals in cities and local governments are forced to somehow regulate this activity.

A recent ruling by the ECJ in relation to Airbnb held that, under EU law, Airbnb should be considered a digital information provider rather than a traditional real estate agent. The services provided in France by Airbnb benefit from the freedom to provide services laid down by the Directive on electronic commerce¹⁰ and France cannot require Airbnb to hold an estate agent's professional license as it did not notify the Commission of that requirement in accordance with Directive. Some European cities reacted strongly to the decision requesting the EU to adopt new legislation which allows them to regulate these platforms.¹¹

In the meantime, the European Commission has recently reached an agreement with four collaborative economy platforms (Airbnb, Booking, Expedia Group and TripAdvisor) on data sharing.¹² This will allow Eurostat to publish data on short-stay accommodation offered via these platforms across the EU.

10

Court of Justice of the European Union, Judgment in Case C-390/18 Airbnb Ireland: https://curia.europa.eu/jcms/jcms/pl_2695382/en/

11

Cities alarmed about European protection of holiday rental: <https://www.amsterdam.nl/bestuur-organisatie/college/wethouder/laurens-ivens/persberichten/press-release-cities-alarmed-about/>

12

Commission reaches agreement with collaborative economy platforms to publish key data on tourism accommodation: https://ec.europa.eu/commission/presscorner/detail/en/ip_20_194

13

Judgment of the General Court of 15 November 2018: Stichting Woonlinie and Others v Commission (Joined Cases T-202/10 RENV II and T-203/10 RENV II): <http://curia.europa.eu/juris/document/document.jsf?docid=210109&mode=lst&pageIndex=&dir=&occ=first&part=1&text=&doclang=EN&cid=1871668>

14

Judgment of the Court of 5 December 2019: 'EVN Bulgaria Toplofikatsia' EAD v Nikolina Stefanova Dimitrova (C-708/17), 'Toplofikatsia Sofia' EAD v Mitko Simeonov Dimitrov (C-725/17)

**STATE AID AND SERVICES OF
GENERAL ECONOMIC INTEREST:****STICHTING WOONLINIE AND OTHERS
V COMMISSION (JOINED CASES
T-202/10 RENV II AND T-203/10 RENV
II)**

The European Court of Justice confirmed the Commission decision approving and making binding the commitments by the Netherlands to modify the system of financing Dutch social housing.

After years of judicial proceedings which have generated a substantive debate on social housing in the European Union, the European Court of Justice, on 15 November 2018, dismissed the appeals of the Dutch social housing bodies against the decision of the European Commission linked to social housing reform in the Netherlands. The Court of Justice recalled that the Commission has to act in the case of manifest error and reminded its meaning in the area of social housing as SGEI, as well as the respective roles of the Member States, the Commission and of the Court itself in this matter. The Court considered that the Commission 'did not require a definition of the SGEI based on an income ceiling, [therefore] did not make a mistake, did not incur in abuse of its powers'.¹³

**CONSUMER RIGHTS, UNFAIR
TRADING PRACTICES, ENERGY:****EVN BULGARIA TOPLOFIKATSIYA
(JOINED CASES 708/17 AND 725/17)**

A recent decision by the CJUE ruled that the European Union law does not preclude a national law that provides that each owner of a property in a building in co-ownership is required to contribute to the cost of heating supplied to the common parts of that building.¹⁴

III. NEW DEVELOPMENTS ON THE RIGHT TO HOUSING

During the last year there have been many new developments in relation to housing that are worth mentioning also in the UN and Council of Europe systems.

UN SYSTEM

SPECIAL RAPPORTEUR ON THE RIGHT
TO ADEQUATE HOUSING

Going into the final year of her mandate as Special Rapporteur on the Right to Adequate Housing, Ms Leilani Farha has continued to be a strong defender of housing as a human right, advocating for it in her country visits and thematic reports.¹⁵ The final report of her mandate contained sixteen guidelines for the Implementation of the Right to Adequate Housing. In 2019, Ms Farha conducted an official visit to France, among her findings she found that: *'(..)Despite these efforts, housing affordability has become a significant problem. In most metropolitan areas there is an insufficient supply of social housing for those most in need. While the right to housing can be claimed, applicants who do so, are often allocated housing only after several years.'*

DECISION BY UN COMMITTEE ON
ECONOMIC, SOCIAL AND CULTURAL
RIGHTS:

LÓPEZ ALBÁN V. SPAIN

In October 2019, another decision by the UN Committee on Economic, Social, and Cultural Rights (CESCR) found that Spain violated Article 11.1 on the right to an adequate standard of living. This decision¹⁶ holds that: *'the eviction of the family occurs without an examination of proportionality by the authorities, which constitutes a violation of their right to housing'*. Similarly, the Committee considers that the refusal of the public housing author's application without taking into account her situation of need, and only because she was occupying a dwelling without a legal title, constituted, in itself, a violation of her right to adequate housing.

The Committee has once again confirmed its particularly extensive position on the right to housing, comparing to other international or regional human rights bodies. Over one hundred communications by individuals and families who consider that their human right to adequate housing has been violated by the Spanish State are still pending before the CESCR. A pending case from Belgium regarding an eviction for termination of lease by the landlord is currently being studied by the Committee.¹⁷

COUNCIL OF
EUROPE SYSTEMEUROPEAN CONVENTION OF HUMAN
RIGHTS

Although not explicitly included in the European Convention of Human Rights, the right to housing is connected to articles which are relevant in the fight against homelessness and housing exclusion, in particular Article 3 – prohibition of torture or inhuman or degrading treatment and Article 8 – right to respect for private and family life, for example. The European Court of Human Rights has continued to produce relevant jurisprudence:

PROPORTIONALITY ANALYSIS IN
PRIVATE RENTED ACCOMMODATION:

F.J.M. V. THE UNITED KINGDOM

This case concerned a possession order against a tenant when the landlords defaulted on their mortgage payments. The applicant complained that the courts in the United Kingdom had refused to carry out a balancing exercise between her rights as a tenant to not lose her home and the mortgagee's right to be repaid.¹⁸

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Ms Farha has extended her work beyond her formal duties as Special Rapporteur to including a call for a global movement to #MakeTheShift from housing as a commodity to a human right: <http://www.unhousingrapp.org/the-shift>. Her work is featured in PUSH, a documentary film about the financialisation of housing around the world.

16

López Albán v. Spain (E/C.12/66/D/37/2018): https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E/C.12/66/D/37/2018&Lang=en

17

CESCR pending cases: <https://www.ohchr.org/EN/HRBodies/CESCR/Pages/PendingCases.aspx>

18

F.J.M. v. the United Kingdom (Application no. 76202/16) [06/11/2018] <http://www.housingrightswatch.org/jurisprudence/fjm-v-united-kingdom-application-no-7620216-06112018>

The Court found that domestic legislation had taken account of the competing interests and that the parties in question had entered voluntarily into a contractual relationship in respect of which the legislature had prescribed how each of their Convention rights were to be respected. According to the Court, if a private tenant such as the applicant would require an independent tribunal to conduct a balancing exercise before making a possession order, the resulting impact on the private rental sector would be wholly unpredictable and potentially very damaging. The Court unanimously declared the complaint under Article 8 inadmissible.

The ECtHR recalls that the loss of one's home is the most extreme form of interference with the right to respect for the home. Accordingly, *'any person at risk of an interference of this magnitude should in principle be able to have the proportionality of the measure determined by an independent tribunal in light of the relevant principles under Article 8'* (§ 36). The ECtHR has developed jurisprudence in which it distinguishes between private and public landlords for the application of the proportionality check. The check only applies in cases where applicants lived in state-owned or socially owned accommodation, and no other private interests are at stake. In the private rented sector, the balance between the rights of tenants and private landlords can be struck by legislation.

TENSION BETWEEN THE RIGHT TO PROPERTY AND THE RIGHT TO HOUSING:

CASA DI CURA VALLE FIORITA V. ITALY

The case concerned a company being unable to recover possession of a building in Rome that had been occupied since 2012, without any legal title, by a group of housing activists (*movimento lotta per la casa*).¹⁹ A final and enforceable judi-

cial decision was given on 9 August 2013 ordering the eviction of the occupants. It remained unenforced owing to social considerations (a failure to find alternative accommodation for the occupants because of a lack of resources) and fears of public-order disturbances.

The Court acknowledged that social considerations and fears of public-order disturbances could justify difficulties with enforcement and a delay in evacuating the premises. Nevertheless, it saw no justification for the Italian authorities' complete and prolonged failure to take action, reiterating that a lack of resources could not in itself constitute an acceptable reason for failing to enforce a judicial decision. It therefore found that the national authorities, in failing to take any steps to comply with the decision of 9 August 2013, had deprived the provisions of Article 6 § 1 of the Convention of all useful effect and had breached the principle of a law-based State, founded on the rule of law and the principle of legal certainty.

INHUMAN AND DEGRADING TREATMENT:

KHAN V. FRANCE

Several unaccompanied minors, including Mr Khan, spent several months in the slum of the Lande ('Jungle') of Calais in northern France. The camp was dismantled several times in 2016, which led to a deterioration of Mr Khan's living conditions there. In March 2016, before leaving France, Mr Khan filed a complaint before the ECtHR.²⁰ The complaint refers to Articles 3 and 8 ECHR (prohibition of inhuman and degrading treatment, the right to respect for private and family life) and Article 1 of Protocol No. 1 (the right to peaceful enjoyment of property). Within a week, despite the request of NGOs, the ECHR issued its decision not to require interim measures from the French public authorities, considering that measures were already being

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Casa di Cura Valle Fiorita S.r.l. v. Italy - (Application no. 67944/13) [13.12.2018] <http://www.housingrightswatch.org/jurisprudence/casa-di-cura-valle-fiorita-srl-v-italy-application-no-6794413-13122018>

20

Khan v. France (application no. 12267/16) [28.02.2019]: <http://hudoc.echr.coe.int/eng?i=001-191587>

implemented following the judgement of the Children's Judge. However, in a February 2019 judgement, the ECtHR stated that the non-intervention of public authorities to identify and guarantee the assistance to unaccompanied minors present on the camp represents a breach of the obligations made to Member States by the ECHR in its Article 3. It considers that the public authorities did not do everything in their power to fulfil their obligations related to taking care of unaccompanied minors.

It is important to highlight that this decision followed numerous appeals from associations on the living conditions of people in this slum. The court's decision is in line with its jurisprudence on Article 3 and it has been very well received since it includes many arguments put forward by third party interventions (from the CNCDH and the DDD).

INTERIM MEASURES APPLIED IN P.H. AND OTHERS V. ITALY

The ECtHR decided to apply an urgent measure in this case concerning three Bosnian citizens of Roma ethnicity who were evicted with their minor children from a settlement in Ponte Riccio in April 2019.²¹ On 5 April 2019 the Mayor of Giugliano issued Decree no. 29, ordering that all the settlement's inhabitants be evicted for reasons of public health and safety. That order was carried out on 10 May. On 16 May 2019 the applicants made a request to the Court under Rule 39 of its Rules of Court for an interim measure to require the State to provide them and their families with adequate accommodation and to suspend any further eviction. The Court adjourned its examination of the request until 17 May 2019 after asking the parties to submit information. As it was not clear from the Government's response to the Court's questions whether the applicants had been rehoused, the Court decided to apply an interim measure indicating to the Italian Government that it

should provide temporary accommodation for the minors involved and their parents, without separating them.

EUROPEAN COMMITTEE OF SOCIAL RIGHTS

A number of collective complaints related to the right to housing have been lodged using the Additional Protocol of the Revised European Social Charter.

COLLECTIVE COMPLAINT AGAINST GREECE FOR NON-COMPLIANCE WITH THE RIGHT TO HOUSING

In November 2018, the International Commission of Jurists and the European Council for Refugees and Exiles lodged a collective complaint against Greece before the European Committee on Social rights for violations of migrant and asylum-seeking children's rights, both with families and unaccompanied, under the revised European Social Charter.²² ICJ and ECRE alleged that Greece fails to ensure the protection of unaccompanied migrant children in Greece and accompanied migrant children on the North Eastern Aegean islands due to inter alia the oversaturation of reception facilities. The alleged grievances include the non-compliance with the right to housing; the right of children and young persons to social, legal and economic protection; the right of the family to social, legal and economic protection; the right to protection of health; the right to social and medical assistance; and the right to education. In May 2019, the European Committee of Social Rights declared unanimously the complaint admissible and decided to establish immediate measures, in particular to ensure the appointment of a guardian; to ensure access to food, water, education, and appropriate shelter; to ensure access to health care and medical assistance.

21

PH. and Others v. Italy (application no. 25838/19) [20.05.2019] http://hudoc.echr.coe.int/eng_-_press?i=003-6409461-8418048

22

No. 173/2018 International Commission of Jurists (ICJ) and European Council for Refugees and Exiles (ECRE) v. Greece: <http://hudoc.esc.coe.int/fre/?i=cc-173-2018-dadmissandimmed-en>

COLLECTIVE COMPLAINT AGAINST ITALY ON THE HOUSING SITUATION OF THE ROMA POPULATION

In March 2019, Amnesty International filed a complaint²³ in response to the situation of Roma people in Italy. The complaint presents comprehensive evidence alleging how the housing situation of Romani communities in Italy amounts to a series of breaches of the European Social Charter. These include widespread forced evictions; the continued use of segregated camps featuring substandard housing and lack of equal access to social housing. In July 2019, the European Committee of Social Rights unanimously declared the complaint admissible and decided to indicate immediate measures. The measures include, in particular, to ensure that persons evicted are not rendered homeless and to ensure that evictions do not result in the persons concerned experiencing unacceptable living conditions.

FOCUS ON IRELAND

We would like to take a special look at Ireland, to give an example of how European legislation and jurisprudence can be used to advance the right to housing in domestic legislation.

INNOVATIVE LAW PASSED BY IRISH PARLIAMENT PROTECTS DISTRESSED MORTGAGE OWNERS BY INTRODUCING A PROPORTIONALITY ASSESSMENT

A piece of legislation has been passed by the Oireachtas which protects distressed mortgage owners. This Act²⁴ enables courts to consider whether making a possession order would be 'proportionate' and fully respect the rights of the borrower and those living in the home. It must examine whether the lender has made a state-

ment to the borrower, setting out the terms in which the borrower could remain in the home. It must also examine any proposal made by the borrower which would allow the household to remain in the home and can consider any additional matters it considers appropriate.

By applying these EU laws, in addition to the Irish legislative and legal developments, Irish courts and lawyers can really assist their clients and vulnerable defendants. This decision, along with other significant legal developments, provide courts and lawyers with the opportunity to really act to protect the interests of ordinary people at risk of losing their homes.

This had never been explicitly set out in legislation in Ireland before and had not been a consideration of courts in these proceedings.

IRISH COURT CONFIRMS THAT EU LAW PROVIDES IMPORTANT DEFENCES FOR PEOPLE AT RISK OF LOSING THEIR HOMES

In *Grant v County Laois Registrar* in April 2019, the Irish High Court has confirmed that EU Law protects people at risk of losing their home in Ireland.²⁵ Irish judges and registrars must assess mortgage documents for unfair mortgage terms on their own initiative – or, in other words, to carry out an own motion assessment on the terms of the mortgage in line with EU law. Circuit Court Registrars, along with judges, are obliged to assess mortgage documents for unfair mortgage terms on their own initiative, without being asked to do so by the borrowers. They will then have to delete any terms they find unfair before entering a possession order, in accordance with the EU Unfair Terms Contract Directive (UTCD).

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No. 178/2019
Amnesty International v. Italy: <http://hudoc.esc.coe.int/fre/?i=cc-178-2019-dadmissandimmed-en>

24

The Land and Conveyancing Law Reform (Amendment) Act 2019: <https://www.oireachtas.ie/en/bills/bill/2019/19/>

25

Grant v County Laois Registrar explainer: http://abusivelending.org/sites/default/files/Grant_Explainer.pdf



Photo : L'Ilot © Chloé Thôme

APPENDIX 1

DATA ON HOMELESSNESS IN EUROPE

Recent homeless trends in Europe

The number of homeless people has continued to rise in many Member States in recent years. In **Spain**, the average number of people who were using accommodation and food services for the homeless on a day-to-day basis increased by 9.5% between 2016 and 2018.¹ In **the Netherlands**, 39,300 people were estimated to be homeless in 2018, an increase of 121% since 2009.² In **Ireland**, the number of people who were living in state-run emergency accommodation increased by 211% from 2014 to 2019.³ In **Slovenia**, according to the Social Protection Institute of the Republic of Slovenia, 4,029 homeless people made use of accommodation and day centre services in 2018, an increase of 49% since 2013. The Slovenian Network of Organisations Working with Homeless People counted 6,881 people using their services in 2018, representing a steady rise since 2014 (+168% in four years). In **Lithuania**, the number of people in emergency and temporary accommodation increased by 26% from 2,494 to 3,007 people between 2017 and 2018.⁵ In **England**, 86,130 homeless people were living in temporary accommodation on 30 June 2019, an increase of 72% since 2011,⁶ the number of homeless people sleeping rough also rose by 165% between 2010 and 2019.⁷ In **Scotland**, after a steady decline in the number of homeless people since 2005-2006,

there has been an upward trend over the last two years according to municipal data collected by the government: from April 2018 to March 2019, the number of homeless applications increased by 3% to 36,465, as did the number of people recognised as homeless, bringing the figure to 29,894.⁸ According to Welsh Government data, the number of people at risk of homelessness in **Wales** increased by 18% between April 2018 and March 2019 (10,737 people affected). 2,226 people were living in temporary accommodation on 31 March 2019 (+8%, the highest number since the introduction of the current legislation in 2015).⁹

In a small minority of countries, there has been a downward trend in overall homelessness. In **Poland**, after a 2015 spike of 17%, surveys in 2017 and 2019 showed a 16% decline in the number of homeless people in two years. While the 2015 survey had many methodological biases and seemingly overestimated the figures, annual prevalence data indicate that after a 2013-2014 peak (with more than 45,000 homeless people), the numbers affected have gradually decreased since then.¹⁰

The Home_EU telephone survey¹¹ conducted in 2017 revealed that 12.6% of respondents had experienced a homeless episode at least once in their lives in Spain, 6.2% in Sweden, 5.4% in Italy, 4.6% in Portugal, 4.5% in the Netherlands, 3.1% in Poland, 1.9% in France and 1.7% in Ireland.

The changing profiles of homeless people in Europe: intensified vulnerabilities and specific needs

HOMELESSNESS: FROM 0 TO 99 YEARS OLD, ALL GENDERS COMBINED

In the majority of European countries, the profile of the homeless population has become more diverse, both in terms of age and gender. The proportion of homeless children increased in **Ireland**, the number of children in temporary homeless accommodation increased by 400% between July 2014 and October 2019 (3,826 children affected at that date).¹² In **Brussels**, 14.6% of the people counted as part of a one-night survey in 2018 were minors, i.e. 612 children, of whom 247 were homeless (20 in public spaces and 227 in an emergency shelter). In addition, 22.4% of the homeless population as a whole were women.¹³ In **England**, while the majority of single people making homeless applications with the local authorities were men (62% in 2018), the majority of single people with children (single parent families) making such applications were women (90% in 2018). The situation was similar in **Scotland**, where 80% of single people with children making homeless applications were women (2017-18).¹⁴ In **Finland**, 26% of single homeless people were women¹⁵ according to a one-night survey taken in 2019 compared to 17% in the 2000s. In **Sweden**, 62% of the homeless population were men and 38% were women in 2017, compared to 83% and 17% respectively in 1993,¹⁶ and 48% of homeless women were mothers of one or more children under the age of 18 (compared to 29% of homeless men). In **Poland**, the number of homeless children saw a significant decline of 38% between 2013 and 2019.¹⁷ On the other hand, the proportion of people aged over 60 among the homeless increased from

21.7% to 33% between 2013 and 2019. This trend was also observed in **Sweden** and the **United Kingdom**.

The 18-29 age bracket represented 20 to 30% of the total number of homeless people in the majority of European countries. Increasing numbers of young people are seeking assistance from social services, and yet many young homeless people avoid asking for help until their situation is truly unbearable. They tend to exhaust alternative options by staying with friends, family or other contacts before seeking assistance from the sector. Such cases are mostly hidden and may lead to dangerous or abusive situations. In the **United Kingdom**, a study on poverty and social exclusion showed that, compared to other age groups, young people had been three times more likely to experience homelessness in the five years prior to the survey.¹⁸ Indeed, there was a sharp increase in the number of young homeless people in many countries: up by 78% in **Ireland** between 2015 and 2018,¹⁹ and up by 58% in **Denmark** between 2009 and 2015. In the **Netherlands**, one in three homeless people were aged between 18 and 30 in 2018; a number that has quadrupled since 2009.²⁰

FOREIGN NATIONALS OVER-REPRESENTED AMONG THE HOMELESS

In **Brussels**, out of 276 homeless people who agreed to answer questions about their profile in winter 2018, 81% said they slept rough every night and 25% were seeking asylum. According to a La Strada census, approximately 40% of the homeless people in Brussels are undocumented migrants (2017-2018).²¹ In **Finland**, one quarter of single people and homeless families were immigrants according to a one-night survey conducted in 2019.²² In **London**, approximately half of the homeless population was British,

one third was European (mainly from Romania, Poland and Bulgaria) and just over 10% came from other countries during the period from 2013 to 2018.²³ In **North Rhine-Westphalia**, Germany, 37% of homeless adults were not German nationals (+8.7 percentage points compared to 28.3% in 2016) in a survey taken on 30 June 2017 and 44.5% had a migration background (compared to 35% in 2016).²⁴ In **Spain**, 39.5% of the people using emergency/temporary accommodation on a regular basis were immigrants/asylum seekers in 2018. In **Denmark**, one in five homeless people were immigrants in 2017 (compared to less than 14% for the rest of the population). The number of homeless migrants increased by 250% in two years, from 125 people in 2015 to 438 in 2017.²⁵ 41% of the 1,687 women (with 1,649 children) in Danish homeless shelters or emergency accommodation were immigrants.²⁶ In **Greece**, 1,932 (51%) of the 3,774 unaccompanied minors in March 2019 were reported homeless (either in detention centres, in 'hotspots', in informal settlements or on the street) and 16% were reported to be sleeping rough (figures which do not take into account the many undocumented minors).²⁷ In the **Netherlands**, 57% of the estimated 39,300 homeless people in 2018 had a migration background.²⁸ In **France**, the proportion of people with a migration background among the homeless rose sharply between 2001 and 2012, from 38% to 53%.²⁹ Finally, in **Sweden**, the homeless population in 2017 comprised 43% foreign nationals, compared to 23.3% in 1993.³⁰ Some 25% of the homeless population had been in Sweden for less than two years.³¹

HOMELESS PEOPLE EXPERIENCE POORER HEALTH AND DIE AT A MUCH YOUNGER AGE THAN THE GENERAL POPULATION

The health of homeless people has deteriorated in recent years. In the **UK**, the data suggest that the needs of homeless people have become

more complex in the last few years, in particular with regard to the health (mental and physical) of the individuals concerned, identified as the primary need for support. In **England**, 14% of the support needs of homeless applicants were related to physical health problems and 22% to mental health problems in 2017-18 (20% and 31% respectively in **Scotland**). From 2012-13 to 2017-18, there was a 23% increase in the acceptance of applications for support due to physical health needs and a 34% rise due to mental health needs. **Scotland** saw a 30% increase in applicants with physical health needs and a 58% rise in applicants with mental health needs³² over the same period. In **Vienna**, 57% of the users of homeless services reported having physical health problems and 39% reported having mental health problems in 2012. A 2019 study also showed that homeless people in **Austria** (a survey of men aged 15-64) had a mortality risk four times higher than the rest of the Austrian population.³³ In **Denmark**, 53% of the homeless reported having mental health problems and 22% reported having physical health problems in 2017.³⁴ In **Hungary**, one in four homeless people surveyed had mental health problems and one in two homeless people had a serious physical health problem according to the most recent one-night survey in February 2018.³⁵

THE PROLONGATION OF HOMELESSNESS: LONGER PERIODS OF HOMELESSNESS

The available evidence also highlights the 'prolongation' of long-term homelessness, i.e. the increased length of homeless episodes. In **Poland**, the percentage of people who had been homeless for more than five years increased from 43% in 2013 to 54.6% in 2019. In **Italy**, the percentage of people who had been homeless for less than three months decreased from 28.5% to 17.4% between 2011 and 2014, while the percentage homeless for more than two years increased

from 27.4% to 41.1%, and the percentage for more than four years increased from 16% to 21.4%. This problem mainly concerned non-Italian nationals for whom the average duration of homelessness increased from 1.6 to 2.2 years (while the average duration for Italian nationals remained stable at around 3.5 years). In **Sweden**, 10% of homeless people had been so for more than ten years according to 2017 data. In **Denmark**, 46% of the registered homeless people had been so for more than a year and one in four had been so for more than two years according to 2017 data. In **Bratislava**, 40% of the homeless people counted in 2016 had become so at least ten years before

the census was taken. Conversely, in **Lithuania**, the number of people residing in night shelters for more than six months decreased slightly from 1,015 people in 2017 to 986 in 2018, but for those residing in night shelters for one to three months, the number rose from 438 people in 2017 to 1,353 in 2018. In **Romania**, of the 1,113 children and young people under the age of 35 registered as homeless on the streets of Bucharest in 2014,³⁶ 42% had been living like that for over ten years. In **France**, 70% of those who call the 115-emergency accommodation hotline are already known to social services.³⁷

- 1** Instituto Nacional de Estadística (2019), *Encuesta de centros y servicios de atención a las personas sin hogar - Año 2018*, disponible sur : https://www.ine.es/prensa/ecapsh_2018.pdf. The survey reflects the reality of people who have been in contact with service providers and social services but does not reflect that of people who are homeless and have no contact with support services.
- 2** The homeless in the broadest sense (ETHOS), excluding undocumented people. CBS (2019), <https://www.cbs.nl/en-gb>.
- 3** Irish Department of Housing, Planning and Local Government (2020), Homelessness Data, available at: <https://www.housing.gov.ie/housing/homelessness/other/homelessness-data>
- 4** Institut RS Za Socialno Varstvo (Social Protection Institute of the Republic of Slovenia) (2019), available at: https://www.irssv.si/upload2/SVP_koncno_V2_30.5.2019.pdf
- 5** Oficiolosios Statistikos Portalas (2019), available at: <https://osp.stat.gov.lt/statistiniu-rodikliu-analize?theme=all#/>
- 6** Ministry of Housing, Communities & Local Government (2019), 'Statutory Homelessness in England: April to June 2019', available at: <https://www.gov.uk/government/statistics/statutory-homelessness-in-england-april-to-june-2019> & Office for National Statistics (2019), 'UK homelessness: 2005 to 2018', available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/ukhomelessness/2005to2018>
- 7** https://www.crisis.org.uk/media/240419/the_homelessness_monitor_england_2019.pdf
- 8** Scottish Government (2019), 'Homelessness in Scotland: 2018 to 2019', available at: <https://www.gov.scot/publications/homelessness-scotland-2018-2019/>
- 9** Statistics for Wales (2019), 'Homelessness in Wales - 2018-2019', available at: <https://gov.wales/sites/default/files/statistics-and-research/2019-07/homelessness-april-2018-march-2019-993.pdf>. The Housing (Wales) Act 2014 enacted a number of changes to the homelessness legislation: including new homelessness prevention obligations imposed on local authorities for anyone applying for assistance; the involvement of people in designing their own solutions by jointly developing a personal housing plan that takes account not only of immediate housing challenges, but also any underlying problems; early intervention, i.e. within 56 days of being found homeless; and the introduction of new obligations for housing associations to ensure their co-operation in the prevention of homelessness. Shelter Cymru (2015), 'A brand new start: homelessness and the Housing (Wales) Act', available at: <https://sheltercymru.org.uk/wp-content/uploads/2015/12/A-brand-new-start-homelessness-and-the-Housing-Wales-Act.pdf>
- 10** FEANTSA (2020), country profile - Poland, available at: <https://www.feantsa.org/en/country-profile/2019/12/03/country-profile-poland?bcParent=27>
- 11** 5,631 telephone interviews conducted between March and December 2017 in France, Ireland, Italy, the Netherlands, Poland, Portugal, Spain and Sweden. http://www.home-eu.org/wp-content/uploads/2019/04/Abstracts_book_03.pdf
- 12** In Ireland, the number of children in temporary homeless accommodation increased by 400% between July 2014 and October 2019 (3,826 children affected at that date) Irish Department of Housing, Planning and Local Government (2020), *op. cit.*
- 13** La Strada (2019), 'Dénombrement des personnes sans-abri et mal-logées en Région de Bruxelles Capitale' [Census of people experiencing homelessness and housing exclusion], available at: <https://www.lastrada.brussels/portal/fr/etudes-et-analyses/denombrement/393-denombrement-des-personnes-sans-abri-et-mal-logees-en-rbc>
- 14** UK Office for National Statistics (2019), *op. cit.*
- 15** ARA (2020), Homelessness in Finland 2019, available at: [https://www.ara.fi/en-US/Materials/Homelessness-reports/Homelessness_in_Finland_2019\(55546\)](https://www.ara.fi/en-US/Materials/Homelessness-reports/Homelessness_in_Finland_2019(55546))
- 16** European Social Policy Network (2019), 'ESPN Thematic Report on National strategies to fight homelessness and housing exclusion - Sweden', available at: <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8243&furtherPubs=yes>
- 17** There is no national strategy to combat homelessness in Poland; according to the country's FEANTSA members, with these reductions being explained by a combination of positive macroeconomic measures, European aid and above all a new family-income supporting benefit, the 'Family 500 Plus' programme, which was launched at the beginning of 2016 and through which each Polish family, regardless of their financial situation, receives a monthly allowance of PLN 500 (around EUR 115) per child. The programme has already proved its worth in the fight against child poverty in Poland.
- 18** Watts, B., Johnsen, S., & Sosenko, F. (2015), Youth homelessness in the UK: A review for The OVO Foundation, available at: <https://pureapps2.hw.ac.uk/ws/portalfiles/portal/9258335>
- 19** Irish Department of Housing, Planning and Local Government (2020), *op. cit.*
- 20** CBS (2019), <https://www.cbs.nl/en-gb>
- 21** La Strada (2019), *op. cit.*
- 22** ARA (2020), *op. cit.*
- 23** <https://data.london.gov.uk>
- 24** National Report Germany ESPN 2019
- 25** National Report Denmark ESPN 2019/Benjaminsen, 2017.
- 26** ESPN Denmark 2019/ Danmarks Statistik, 2018.
- 27** National Centre for Social Solidarity (EKKA), 2019: http://www.ekka.org.gr/images/EKKA_Dashboard_31-3-2019.pdf
- 28** CBS (2019), <https://www.cbs.nl/en-gb>
- 29** INSEE (2012), *op. cit.*
- 30** ESPN Sweden 2019.
- 31** <https://www.socialstyrelsen.se/globalassets/sharepoint-dokument/artikelkatalog/ovrigt/2017-11-15.pdf>, p. 20.
- 32** UK Office for National Statistics (2019), *op. cit.*
- 33** National report Austria ESPN 2019.
- 34** National Report Denmark ESPN 2019/Benjaminsen, 2017.
- 35** Összefoglaló: 'Február Harmadika Munkacsoport Gyorsjelentés a 2018. évi hajléktalan-adatfelvételről' [Summary: Report on the survey 3 February 2018], <http://menhely.hu/download.php?f=downloads/feb3/2018/F3-Gyorsjelentés-2018-handout.pdf>, Győri, P.
- 36** Save the Children Romania/ FEANTSA, country profile Romania, available at: <https://www.feantsa.org/en/country-profile/2016/10/19/country-profile-romania?bcParent=27>
- 37** Baromètre 115 [Barometer 115], available [In French] at: <http://www.federationsolidarite.org/publications-fnars/barometre-115/barometre-encours/6028-rapport-annuel-115-pour-l-annee-2014>



Photo : David Boureau | *Emergency accommodation centre for Migrants, Paris-Ivry d'Emmaüs Solidarité – Paris, France*

APPENDIX 2

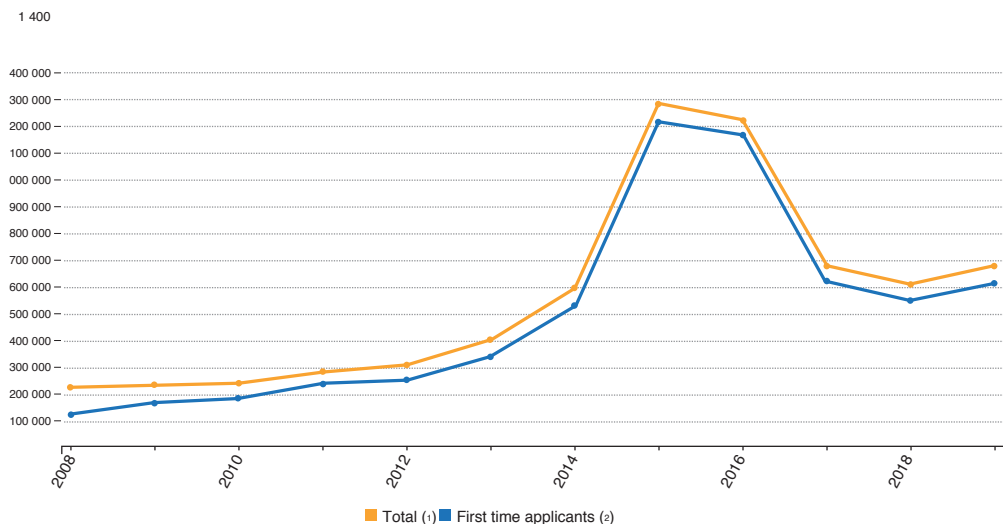
GOING FURTHER - ANNEXES AND TABLES

Introduction

GRAPH 1.1

NUMBERS OF ASYLUM APPLICANTS (NON-EU-27 CITIZENS), EU-27, 2008-2019 (IN THOUSANDS)

Numbers of asylum applicants (non-EU-27 citizens), EU-27, 2008-2019 (in thousands)



(1) 2008 - 2014: Croatie non disponible.

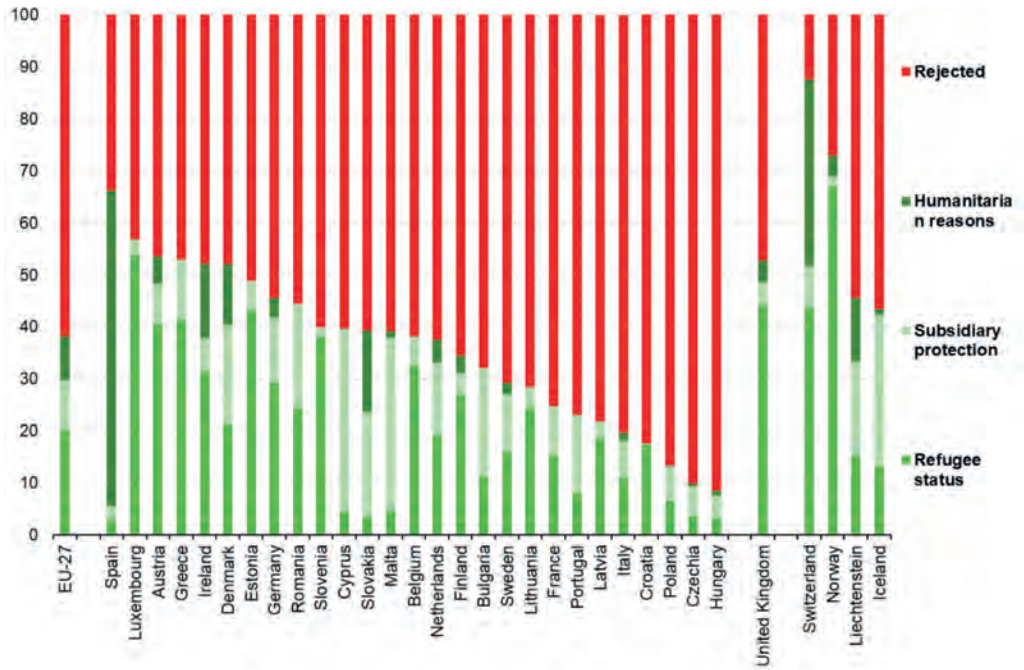
(2) 2008: Bulgarie, Grèce, Espagne, France, Croatie, Lituanie, Luxembourg, Hongrie, Autriche, Roumanie, Slovaquie et Finlande non disponibles. 2009: Bulgarie, Grèce, Espagne, Croatie, Luxembourg, Hongrie, Autriche, Roumanie, Slovaquie et Finlande non disponibles. 2010: Bulgarie, Grèce, Croatie, Luxembourg, Hongrie, Autriche, Roumanie et Finlande non disponibles. 2011: Croatie, Hongrie, Autriche et Finlande non disponibles. 2012: Croatie, Hongrie et Autriche non disponibles. 2013: Autriche non disponible.

Source : Eurostat (code des données en ligne : migr_asyappctza)

GRAPH 1.2

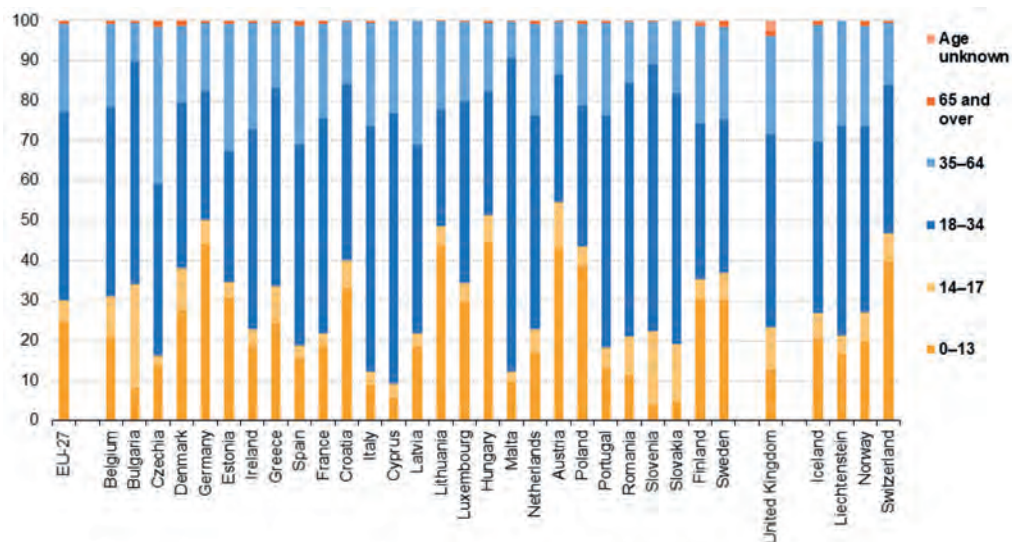
DISTRIBUTION OF FIRST INSTANCE DECISIONS ON ASYLUM APPLICATIONS (FROM NON-EU-27 CITIZENS) BY OUTCOME, 2019

(%)



Note: calculation is based on exact figures (not rounded).

GRAPH 1.3
DISTRIBUTION OF FIRST-TIME ASYLUM APPLICANTS
(NON-EU-27 CITIZENS) BY AGE GROUP, 2019
 (%)



Note: calculation is based on exact figures (not rounded).
 Source: Eurostat (online data code: migr-asyappctza)

Seeking refuge: the material conditions of reception and accommodation of asylum seekers

Where Member States provide financial assistance to asylum seekers instead of material reception in the form of accommodation, the treatment of asylum seekers is very often less favourable compared to the minimum social welfare that nationals of the relevant country are entitled to. The question arises as to how the criterion established by the Reception Conditions Directive of an 'adequate standard

of living' is in fact defined. In concrete terms, such financial support is often paltry, e.g. fixed amounts intended to cover the costs of food, accommodation, heating, clothing, hygiene and consumer goods. In addition, some countries like the UK and France use non-cash financial assistance such as debit cards which makes it difficult to pay for inexpensive items and essentials e.g. food.

Monthly financial support (cash or vouchers) as of 1 January 2019 – for a single adult (these aids are increased according to the size of the household and the presence of children)

28

The Land and Conveyancing Law Reform (Amendment) Act 2019: <https://www.oireachtas.ie/en/bills/bill/2019/19/>

29

Grant c. County Laois Registrar: http://abusivelending.org/sites/default/files/Grant_Explainer.pdf

TABLE 2.1
FINANCIAL ASSISTANCE FOR ASYLUM SEEKERS

Country	For a single adult accommodated in a dedicated residence	For a single adult not accommodated in a dedicated residence	Ratio to 'standard' social welfare
Germany	EUR 135	EUR 354	90% of 'standard' social welfare (after 15 months of specific benefits, eligibility for standard social welfare)
Belgium	EUR 180-212 (when food provided)	EUR 910,52	Amount equivalent to the 'standard' social welfare provided in the event of congestion in the specialised facilities and if FEDASIL (Federal agency for the reception of asylum seekers) does not allocate a space; in practice, most asylum-seekers refused due to a lack of space after 2009 were unable to obtain these benefits.
France	EUR 204 = EUR 6.80 per day	EUR 426	Asylum seekers are not eligible for family allowances or the RSA (Revenu de Solidarité Active) (EUR 550.93 per month for a single person).
United Kingdom	Section 95 (asylum seekers considered 'destitute'): EUR 185.12 Section 4 (failed asylum seekers meeting certain vulnerability criteria): EUR 173.56 (non-cash/debit card aid)		The financial assistance allocated to asylum seekers under Section 95 is equivalent to 52% of the basic social welfare entitlements granted to British nationals.
Spain	1 st reception phase (in dedicated accommodation) = EUR 51.60 (pocket money + costs of public transport, clothing, health, education/training, costs of an interpreter, etc. paid upon proof of receipts) 2 nd reception phase = rental assistance 3 rd reception phase = one-off assistance (health, education/training, birth of a child)		
Italy	EUR 75 = EUR 2.50 per day		No information available
Greece	EUR 90		No information available
Netherlands	EUR 255.10 (covers food, clothing and personal expenses, but not public transport and medical expenses)		An asylum seeker receives less than 30% of the social welfare allowances granted to Dutch nationals, which amounts to EUR 1,025.55 per month for a single person.
Sweden	EUR 2.30 per day (when food is provided)	EUR 6.82 per day	The monthly allowance for asylum seekers is on average EUR 204.46, which is much lower than that for Swedish nationals receiving social welfare (covering the same resources/needs), on average EUR 391.64 per month.

Source: FEANTSA from data published in the AIDA – ECRE reports of each country referred to.

Living conditions of rejected asylum seekers

TABLEAU 3.1
FIRST INSTANCE DECISIONS ON ASYLUM APPLICATIONS, 2018

(IN NUMBER OF PEOPLE, NON-EU APPLICANTS ONLY)

Country	Total decisions at first instance	Applications rejected at first instance	Positive decisions at first instance	Percentage of rejection decisions at first instance	Percentage of positive decisions at first instance
Czech Republic	1,385	1,230	155	88.8%	11.2%
Poland	2,500	2,125	375	85.0%	15.0%
Latvia	125	95	30	76.0%	24.0%
Spain	11,875	8,980	2,895	75.6%	24.4%
Estonia	75	55	20	73.3%	26.7%
France	115,045	82,325	32,725	71.6%	28.4%
Croatia	435	300	135	69.0%	31.0%
Italy	95,210	64,540	30,670	67.8%	32.2%
Sweden	31,335	20,690	10,645	66.0%	34.0%
United Kingdom	29,005	18,895	10,110	65.1%	34.9%
Bulgaria	2,110	1,370	740	64.9%	35.1%
The Netherlands	10,285	6,665	3,620	64.8%	35.2%
EU 28	581,895	364,465	217,430	62.6%	37.4%
Hungary	960	590	365	61.5%	38.0%
Germany	179,110	103,175	75,940	57.6%	42.4%
Slovenia	235	135	100	57.4%	42.6%
Malta	1,500	855	645	57.0%	43.0%
Austria	34,525	19,500	15,020	56.5%	43.5%
Romania	1,295	700	595	54.1%	45.9%
Greece	32,340	17,130	15,210	53.0%	47.0%
Cyprus	2,475	1,265	1,215	51.1%	49.1%
Denmark	2,625	1,315	1,315	50.1%	50.1%
Lithuania	270	135	135	50.0%	50.0%
Slovakia	80	40	45	50.0%	56.3%
Belgium	19,020	9,340	9,675	49.1%	50.9%
Finland	4,440	2,035	2,405	45.8%	54.2%
Portugal	1,045	415	625	39.7%	59.8%
Luxembourg	1,410	400	1,010	28.4%	71.6%
Ireland	1,175	170	1,005	14.5%	85.5%

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APPENDIX

BIBLIOGRAPHY AND METHODOLOGY

The data used to write this report were collected from the sources referred to below, and in particular from:

- Questionnaires sent to FEANTSA national and local members and partner organisations ;
- Interviews and field visits conducted between August 2019 and March 2020 in Brussels, Paris, Metz, Athens, Milan and Barcelona;
- Official publications by FEANTSA, the Foundation Abbé Pierre and the European Observatory on Homelessness;
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HOUSING EXCLU THE KEY STATIS

222,823,200

100%

HOUSEHOLDS IN THE EUROPEAN UNION

THE POPULATION OF THE EU STOOD AT 512.4 MILLION PEOPLE ON 1 JANUARY 2018.

23,173,592

HOUSEHOLDS OVERBURDENED BY HOUSING COSTS

MORE THAN 40% OF INCOME SPENT ON HOUSING COSTS

10.4%

34,537,565

15.5%

HOUSEHOLDS LIVING

IN OVERCROWDED CONDITIONS

8,912,920

**HOUSEHOLDS FACING SEVERE
HOUSING DEPRIVATION**

4%

!

**NUMBER UNKNOWN
HOMELESS**

MISSION IN EUROPE: STATISTICS

7,353,159

3.3%

HOUSEHOLDS IN ARREARS
ON THEIR RENT
OR MORTGAGE REPAYMENTS

16,266,079

HOUSEHOLDS EXPERIENCING DIFFICULTY
IN MAINTAINING ADEQUATE
TEMPERATURES IN HOUSING

7.3%

30,972,079

13.9%

HOUSEHOLDS LIVING
IN DAMP CONDITIONS

33,200,627

HOUSEHOLDS LIVING IN HOUSING SITUATED
IN A PARTICULARLY POLLUTED AREA

SMOKE, DUST, UNPLEASANT ODOURS
OR WATER POLLUTION ON A REGULAR BASIS.

14.9%

%

PERCENTAGE
OF THE EUROPEAN
POPULATION

A HOUSEHOLD
CONSTITUTES ALL
THE INHABITANTS
OF THE SAME
DWELLING.
THE FIGURES
CANNOT BE SIMPLY
ADDED TOGETHER
BECAUSE A SINGLE
HOUSEHOLD MAY
BE AFFECTED
BY SEVERAL
HOUSING
DIFFICULTIES.

SOURCE: EUROSTAT,
2018 DATA

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The fifth edition of the Overview of Housing Exclusion in Europe by FEANTSA and the Foundation Abbé Pierre is published against the backdrop of a Europe devastated by the COVID-19 pandemic, shedding fresh light on growing social inequalities in the Member States; inequalities which are nonetheless not new. At the forefront of this health crisis are the homeless, for whom 'staying home' is not an option, and people experiencing housing exclusion, for whom confinement measures embody suffering and sometimes even danger.

Social exclusion, inadequate housing and homelessness have gained momentum, with available data showing dramatic increases in extreme deprivation. Even more telling, prolonged episodes of homelessness and the diversification of the profiles of those concerned reflect the dysfunctions inherent in our protection systems. Homelessness today affects all ages (including a growing proportion of the young), all genders (including an increasing number of women) and all nationalities (including a rising number of asylum seekers and refugees). We will explore the reception and accommodation conditions of asylum seekers and refugees in this report. Despite coming to Europe to seek protection, asylum seekers and refugees all too often face ignominy, with the living conditions of these people exemplifying the erosion of policies of solidarity, protection and reception. The emergence from this health crisis could unexpectedly mark an end to the Europe-wide housing crisis, by steering people who are currently sheltering towards real housing. Responses to the crisis must put access to dignified and adequate affordable housing at the top of the European, national and local agendas.



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