

## FEANTSA reply to EU Public Consultation on Legal Migration

Homelessness among migrants is significant in many European cities. A recurring theme that arises in the stories of those migrants who have experienced homelessness is the lack of regular and secure employment, often caused by discrimination in access to the labour market and to fair and equal working conditions. Migrant workers have higher unemployment rates, experience considerable job insecurity and the sectors and occupations where they are employed are characterised by less advantageous working conditions than those where nationals are employed. Although it is difficult to assess the extent of undeclared work amongst migrants, it is considered to be widespread in the EU, particularly amongst irregularly residing migrants. The sectors most affected by this phenomenon are agriculture, construction, catering, tourism, household services and cleaning.

Seasonal workers have often been reported at risk of severe housing exclusion and homelessness. It is still early to evaluate the impact of the seasonal workers directive, whose translation into national law was due in September 2016 and which includes an important provision on accommodation – article 20. In any case, reports about living conditions of seasonal workers draw a picture of migrants living in inadequate housing, without sanitation or access to drinking water, and earning wages that are less than half the legal minimum wage. Last June, for instance, the Italian police discovered in Sicily an agricultural enterprise that was exploiting in their greenhouses 26 migrants. They were working without a contract for a wage of 3 Euros per hour, 7 days a week and with no holidays<sup>1</sup>. Many of them were asylum seekers – unfortunately not covered by the directive since they are already residing in the EU – who were lodged in a reception centre while the others were sleeping in the enterprise building in awful hygienic conditions.

A category that has seen a significant increase among homeless people in some EU cities is that of migrant women victims of violence whose residence status is reliant on sustaining a relationship with the abusive partner. The provision provided in art. 15 of the family reunification directive, whereby the partner is entitled to an autonomous residence permit not later than after five years of residence is the main obstacle for this category of women, who often do not even have access to specific homeless services for victims of violence because of their administrative status.

The EU needs to make sure that the existing legislation is properly implemented at national level but also, it needs to be improved at EU level to prevent economic migrant from being in a precarious situation that leads to exploitation, destitution and to an irregular residence status. Moreover, new legislation needs to be developed in order to protect categories of workers particularly at risk, such as for instance domestic workers. It is not rare that domestic workers, especially those who care for the elderly, live in the same apartment where they work, often with no access to a private space, and become homeless when the elderly person they take care of die.

Despite the existence of anti-discrimination tools at EU level, the level of discrimination is systematic and persistent in the EU. Monitoring and the development of tools that prevent discrimination, especially in the labour and housing markets and in access to social assistance, are necessary. A lack of employment, precarious working conditions and undeclared work are all obstacles to accessing social benefits and, in some Member States, even to emergency social support such as night shelters. Without sufficient financial resources and access to social security, migrants are forced to rely on their social networks, on very limited voluntary support structures, or to develop autonomous survival strategies on the streets and in very poor-quality housing.

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<sup>1</sup>[http://palermo.repubblica.it/cronaca/2017/06/23/news/richiedenti\\_asilo\\_sfruttati\\_nelle\\_serre\\_di\\_vittoria\\_arrestati\\_i\\_titolari\\_di\\_un\\_azienda-168870416/](http://palermo.repubblica.it/cronaca/2017/06/23/news/richiedenti_asilo_sfruttati_nelle_serre_di_vittoria_arrestati_i_titolari_di_un_azienda-168870416/)