

**KIRKENES  
KORSHÆR**



**UNREGISTERED HOMELESS MIGRANTS IN COPENHAGEN**  
- EXPERIENCES FROM DANChurchSOCIAL 2017



Kompasset

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# INTRODUCTION

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There is a group of people in Copenhagen who are both highly visible and extremely invisible. Their presence in Copenhagen is notable and everyone who lives in the city can see that they are here. Yet very few have any contact with this group other than the evasive glances which accompany an empty bottle as it changes hands. In reality, we do not want to see them; perhaps because their presence and way of life does not fit with our picture of life and equality here in Denmark?

We are talking here about people who live both *on* the street and *off* the street, and who can be described with many different terms: bottle collectors, mobile poverty, failed migrant workers, poor visitors, the precariat or homeless migrants. First and foremost for DanChurchSocial and our daily work, these are people who we meet every day in our day shelters, night shelters and counselling services: people whose lives we have gained an insight into.

The presence of migrants who live as homeless in our city and our country brings forth many dilemmas, because they are an expression of a more multifaceted poverty and need than that we are used to seeing and dealing with. Because how can we understand how a person can sleep in the park and ask for free food but still own a smartphone? How do we deal with a situation where people are trying to support a family in another country with the money they earn collecting bottles in Copenhagen? How can we comprehend an existence where what ought to be a temporary state becomes a permanent reality?

It is DanChurchSocial's task to ease the burden of the people who come to us for help. It is also our duty to attempt to alleviate this burden and to protest when we witness degrading treatment. This is our obligation after having gained an insight into a world and a reality that is hidden to most people. And this is why we are sharing this testimony of what we have experienced and know about the conditions under which homeless migrants live in Copenhagen.

We describe a very varied group of people, all of whom have in common that they are trying to survive on the streets of Copenhagen, and therefore reach out to DanChurchSocial's services. Many are constantly on the move in their search for a place where they can unfold their lives. Some suffer from severe and untreated mental illness or addiction and find it hard to cope. Others have relatively more resources to handle the highly stressful conditions. Some are here for a short time, others for years.

We here document our experiences meeting these people – homeless migrants without Danish registration. The staff at our day and night shelters and counselling services in Copenhagen have allowed us to interview them and talk about what they have experienced. The report also builds on data collected in our workplaces, as well as the other available literature. In this connection, we owe a special debt of gratitude to our Norwegian sister organisation, Kirkens Bymisjon, for the inspiration we have gained from their publication "*Utsatte migranter og prekære arbeids- og levekår i Oslo*" (Vulnerable migrants and precarious working and living conditions in Oslo), 2016.

# MIGRATION AND POLITICAL CONTEXT

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## THE PRECARIAT AND A NEW MIGRATION

The presence of unregistered homeless migrants on the streets of Copenhagen is the raw expression of a reshaping of Europe. The expansion of the EU and its open borders have created the legal framework for increased migration, but the lack of opportunities and general economic crisis do not only drive the workforce, but also poverty around Europe.

This is not migration in the traditional sense. These are not people who are moving from one place to another, settling down and starting a new life from scratch. This may be what they hope to do. But what we are seeing, however, are people who move around in a kind of circular migration for years, for whom movement and uncertainty are no longer temporary states, but permanent conditions for their lives.

The homeless migrants we meet make up the poorest and most marginalised group of a movement of people who travel around Europe searching for their own future. The British economist Guy Standing has dubbed them ‘the precariat’ (Standing, 2014:192.) to describe a new class, born out of globalisation, whose affiliation to both the labour market, the housing market and social security is insecure (ibid: 5). Members of the precariat experience a loss of their economic, social and political rights. Migrants, and in this case homeless migrants, can be seen as the frontrunners in the involuntary mobile section of the precariat. They exist in a grey zone between labour market policy and social policy, whereby the former is regulated by the EU and the latter a matter of national legislation.

## FROM A RIGHT OF RESIDENCE PERSPECTIVE

This new migration has been made legally possible by the EU’s open borders. The majority of the homeless migrants we meet are actually EU citizens, who are exercising their right to free movement within the EU. This means that they are freely able to enter and reside unconditionally in EU countries for 3 months, 6 months, provided they are looking for work and thereafter as long as they can provide evidence that they are continuing to seek employment and have a genuine chance of being engaged (*EU-opholdsbekendtgørelsen* (Executive Order on EU Residence) §3 (4)).

The rules are relatively clear, but we experience that the administration of these is hazy and depends a great deal on the individual involved. For example, what constitutes valid evidence for being a jobseeker? How and who determines whether a person has genuine changes of being engaged? Can a person, in practice, simply leave and then return to a host country again and thereby acquire another 3-6 months’ legal residency?

Then there is the matter of getting registered. As an EU citizen you are required to register if you expect to reside for more than 3 months in a country, unless, like so many homeless migrants, you are looking for work. In order to register, you must have a ‘basis of residence’ (employment contract, evidence of being a student, a self-supporting person with your own business, etc.), and, in our experience, it is not possible to register anywhere as a jobseeker, despite both ourselves and the homeless being regularly advised of this by the authorities. This means that homeless EU citizens who have, by and large, come here with the intention of finding work, do not have the opportunity to

register as jobseekers and to receive advice and guidance regarding how to enter the job market. In reality, it is only once they have found work with a contract of a certain duration that they can register their residency. In addition, even after this has been achieved, it can be a very difficult and time-consuming process (see page 15).

Mihai came to Denmark from Poland to seek employment. He wanted to register and receive help to look for work. They could not register him at the State Administration or issue a residence document before he had a specific base of residence, and therefore referred him to register at the job centre. The job centre could not register him as a jobseeker, as he did not have a social security number, so they referred Mihai to a citizens' service centre so that he could apply for one. Unfortunately, they could not issue a social security number at the centre without a residence document from the State Administration. In practical terms, it was therefore impossible for Mihai to register. He instead opted to return home, after having been in Denmark for six months, and then return to Denmark to ensure his continued right of residence for the next 6 months.

Some of the homeless migrants are so-called third-country nationals (from countries outside of the EU) with a temporary or permanent right of residence, typically in one of the southern European EU countries, which enables them to temporarily reside legally in Denmark as tourists. This means that, due to Denmark's opt outs, they are not on an equal footing with EU citizens in terms of residency or work permit. For third-country nationals with a right of residence in another EU country, the right of residence in Denmark is limited to 90 days within a period of 180 days (*Udlændingeloven* (Danish Aliens Act) § 2b. and *Lov om Danmarks tiltrædelse af Schengenkonventionen*

(the Schengen acquis) chap. 4, art. 20.), and they are not allowed to work during this period. It is not clear how these time restrictions are managed, as entries are not always registered. During their residency, the person must be self-supporting and have sufficient funds to travel home. Exactly how a person is self-supporting is a specific assessment that includes whether the person lives with family members or similar or has access to legally acquiring the necessary means (Danish Ministry of Justice 2014).

A small number of the homeless migrants we meet are third-country nationals without residence permits in another EU country, but with different status in terms of their residence. Some have stayed here after their visas have expired, some are asylum seekers whose applications are being processed, while we do not know the basis of residence for others.

Common to all of the groups is that none of them are registered in Denmark and therefore have no formal affiliation to a Danish municipality, but most of them are residing here legally.

## ACCESS TO SOCIAL ASSISTANCE

The social rights of unregistered homeless migrants is a topic that continues to be discussed and lacks legal clarification. At the moment, however, and purely practically speaking, most of them only have access to temporary night shelters, some private low threshold services (partially financed by the City of Copenhagen and the EU), acute healthcare and assistance from the Red Cross health clinic, plus, in some cases, assistance in returning home, depending on their individual situation. This means that they are cut off from all forms of individual financial support from the public system, or from

any other social assistance in the form of non-monetary benefits, e.g. access to a permanent homeless shelter and continuing housing assistance, etc.<sup>1</sup>

The rights of mobile EU citizens in the public system have, in particular, been a social-political battlefield in recent years. There is a lack of clarity in the interpretation of the rules. The first political announcements seemed to be suggesting that no unregistered homeless migrants had the right to any form of social assistance in the public system, including access to overnight accommodation at homeless shelters and emergency night shelters. This led to anyone who did not speak Danish or was unable to produce a Danish health insurance card being rejected when seeking public-sector-financed services for the homeless. In 2013, DanChurchSocial complained about this practice, first directly to the Ministry of Social Affairs and subsequently to the municipal authorities. Our reasoning was, and continues to be, that EU citizens' residence in Denmark is generally lawful, and that it is specified in Section 2 of the Social Service Law (*Serviceoven*) (§ 110 temporary accommodation facilities and homeless shelters) that anyone who resides lawfully in the country has a right to assistance according to this law. Our complaint was upheld, and the guidelines for the municipalities were amended so that homeless EU citizens must not be rejected solely because they cannot produce a Danish health insurance card. It is up to the State Administration to determine the extent to which an EU citizen's residence is lawful or not, and it should now solely be up to the staff at temporary night shelters to undertake a social assessment of whether a person matches the offer's target group, i.e. has social problems (e.g. addiction or mental illness) besides being homeless.

Despite this, there continues to be very few unregistered homeless EU citizens who gain access to these offers<sup>2</sup>. This is due firstly to the fact that, under the Social Service Law, homeless migrants continue, for the majority of offers, to be sent away at the door or informed in some other way that this is not a place for them. Furthermore, it is very rare that they are referred to an actual and permanent homeless shelter, as there are problems obtaining refunds for citizens without a Danish social security number. Under all circumstances, it is hard for people without work or public benefits to finance a room in a permanent shelter themselves. Finally, it must be added that there is also a potential risk that long-term use of the social system could lead to deportation, as the EU citizen might be legally considered to be an 'unreasonable burden on the social system' (Directive 2004/38/EC, sec. 7(1b), sometimes called the 'Free Movement Directive'). In this manner, homeless migrants are caught in a form of trap where their right of residence is made dependent on the condition that they are not recipients of social assistance.

You could say that homeless migrants find themselves in a sort of 'tolerated residence' in a sociological sense: their presence is grudgingly accepted, because the legal opportunities for deportation have so far been limited. At the same time, they are not recognised

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<sup>1</sup> Access to financial assistance is regulated by *Lov om aktiv socialpolitik* (Active social policy Act), including access to cash benefits (*kontanthjælp*), which clearly indicates that only first-time job-seeking EU citizens (unregistered EU citizens) have the right to support according to the law only in connection with returning home (*Lov om aktiv socialpolitik* (Active Social Policy Act) § 12A). In our experience, it is only the severely ill or addicted homeless migrants who are offered this assistance via the City of Copenhagen's Homeless Unit. Homeless migrants who are not EU citizens do not have the right to any financial assistance.

<sup>2</sup> After a change to the guidelines to municipalities, 15 EU citizens were granted access to a municipally funded temporary night shelter and three were accepted into a permanent homeless shelter for the first 10 months of 2015. (Social Services Administration, City of Copenhagen, 2015)

as legitimate recipients of assistance from the social system that exists to prevent and alleviate marginalisation and homelessness in Denmark. From this they receive only sporadic assistance. They are therefore recognised neither as complete citizens nor deported as illegal immigrants, but find themselves caught in a vacuum, where they can be described as ‘Denizens’, a contraction of the words ‘denied’ and ‘citizens’, (Standing, 2014: 23, 159ff), left to survive with the help of various street-based activities (see page 19) and private humanitarian organisations, including DanChurchSocial. This is compounded by the fact that the implementation of the rules regarding both their residence and access to help is, in our experience, inconsistent and dependent on the individual. In some cases, this helps to support the circular and periodical migration, which maintains them in a constant renewal of the 3-6 month ‘trial phase’.

## NATIONAL-POLITICAL CONTEXT

As a reflection of the law and its administration, the national political line is equally unclear. Changing governments have more or less elegantly balanced a wish to offer humanitarian assistance to homeless migrants with a demand not to offer conditions that could attract more of them to the country or encourage those who already are here to stay.

This has resulted in a number of opposing initiatives, which testify to an inconsistent and wavering political position: on the one hand, various humanitarian initiatives have been established, e.g. an ‘emergency fund’ from the Ministry of Social Affairs to fund temporary shelters during the coldest months, which can be applied for annually by both municipal and private organisations to house everyone, regardless of nationality, for a limited period. With its ‘Transit programme’, the City of Copenhagen also offers financial support to some of the private NGOs that work with homeless migrants. On the other hand, measures have been initiated that make life so difficult for homeless migrants that you can reasonably conclude that the intention is to motivate them to find somewhere else to live. For example, it is not permitted to run an emergency night shelter with funds from the ‘emergency fund’ after April 1 each year, which makes it very difficult to offer permanent accommodation to homeless migrants. It should also be noted that the Minister for Social Affairs at the time, Karen Jespersen, as early as the end of 2007 specified that municipally run homeless shelters should not accept Eastern Europeans in for the night (*Politiken* newspaper, 2007). Most recently, there has been a tightening of the public decree that criminalises ‘intimidating camps’ in the public space (*Ordensbekendtgørelsen* of 31.3.2017), and the police have intensified their anti-begging efforts. One proposal from the Lord Mayor of Copenhagen was to amend the bottle deposit system so that it would no longer be possible to receive cash payouts for deposits collected on bottles and cans (*Politiken* 2016).

It is characteristic of both the humanitarian and the restrictive initiatives that they have been achieved after a certain amount of media pressure, caused either by individual cases or a seasonal show of charity. They are thus not the result of a coordinated and knowledge-based strategy. The fear that Denmark will become Europe’s ‘homeless shelter’ is particularly prevalent behind the restrictive initiatives. In our opinion, this contributes towards a sort of ‘race to the bottom’, where the Scandinavian countries seem to be competing to offer the worst conditions possible in the hope that the travelling representatives of the precariat will go elsewhere. The argument is marked by a certain degree of narcissism and a fundamental lack of recognition of the fact that



what drives homeless migrants more than anything else towards Denmark is not what we have to offer, but the lack of opportunities in the places they come from. The 'Europe's homeless shelter' argument may possibly be workable from a purely political standpoint, but research has found no evidence that this deters the group it targets, as they are relatively immune to poor treatment (Fafo 2015:132). The primary motivation for travelling from a previous country of residence to the Scandinavian capitals is a lack of opportunities for financial income, and the tightening of the rules primarily results in a brutalisation of the individual, which, among other elements, can be expressed in an increase in crime (Fafo 2015:131, 144). This was made apparent in a major Norwegian study from 2014, when 1,269 Romanians who lived and worked on the streets in Oslo, Stockholm and Copenhagen were interviewed. The study was conducted by Fafo, a large Norwegian social research institute, and is currently the largest quantitative study of homeless migrants on the streets in Denmark.

It is our impression that the wavering political stance has helped to create the vacuum in which the local authorities, which have contact with homeless migrants, operate: the hazy policies ultimately have to be put into practice in the streets when homeless migrants encounter the police, in municipal offices where they meet case workers, and at the doors of publicly funded services for homeless where they encounter social workers. It is our experience that significant problems arise at these meetings in fulfilling homeless migrants' basic rights.

# WHO ARE THE HOMELESS MIGRANTS?

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## HOMELESS MIGRANTS IN DANChurchSOCIAL COPENHAGEN

Homeless migrants have reached out to DanChurchSocials services in greater numbers since about 2007. First it was people from Poland and the Baltic countries, shortly followed by people from Romania and Bulgaria and, since then, by people of West African descent and with southern European papers. The migration was obviously a result of the EU's open borders, its expansion towards the east, along with a deep-rooted poverty and a lack of opportunities in their home countries.

With homeless migrants, we at DanChurchSocial were confronted by a level of need and poverty which we in Denmark had not witnessed for many years, and to an extent we had also not seen before. The need for food, a shower, clothing and an overnight shelter was, and still is, massive compared to Copenhagen normal standards.

We have accommodated these needs as best we could over the years. This has, however, been difficult for many reasons: many of our offers were not physically or organisationally organised to house so many people, and there was a shortage of resources, which led to an increased conflict level between the service users. There have also been conflicts with racist undertones between foreign and Danish users, as well as between different national groups. We have also encountered problems communicating on a purely spoken level with the people who have come to us. Over the years, these obstacles have become fewer as we have become better organised. However, there continues to be too few overnight shelter places in Copenhagen, especially in the summer and autumn, and we have to put our users through a draw of straws for the spaces that we have.

In 2016, DanChurchSocial opted, as a result of the pressing need from homeless migrants, to reorganise our services in Copenhagen for the purpose of more specialisation. Three workplaces (two day shelters and one counselling unit) were combined into a multihouse inspired by the Swedish model (*Stockholms Stadsmission, Crossroads*) targeted towards homeless migrants – *Kompasset* ('the Compass'). In addition, we continue to receive homeless migrants together with Danish users in our day shelters: *Fedtekælderen, Fundamentet, Mariatjenesten* and *DanChurchSocial's social assistance on Drejervej*, as well as to offer overnight accommodation in *DanChurchSocial's shelter on Hillerødsgade*, on *Stengade 40*, in our women's temporary night shelter, and temporary night shelter in a church, *Hellig Kors Kirke*. These Copenhagen workplaces have different opening hours and all together offer food and drink, toilet and shower facilities, laundry facilities, telephone charging and Internet access, a place to rest in daytime or stay for the night, a safe place to store personal belongings, clothing distribution, care, companionship and support, help in contacting the authorities, mentor schemes, individual advice about finding a job and registration, as well as about rights and obligations in terms of residence. All the workplaces cooperate with the relevant stakeholders in the city, including, in particular, the Red Cross health clinic for undocumented migrants and the City of Copenhagen's Homeless Unit (in regard to repatriation). *Kompasset* is also a part of the City of Copenhagen's 'Transit programme', which, among other things, works to strengthen the cooperation between the various stakeholders that work with homeless migrants in the capital.

## THE NUMBER OF HOMELESS MIGRANTS IN COPENHAGEN

How many homeless migrants without Danish registration are there in Copenhagen – or in Denmark? We simply do not know. The official homeless figures include only a very limited number of homeless migrants, partly because the figures are based on reports from social welfare services, and many homeless migrants have no contact with these (Fafo 2015: 94). We will not attempt to estimate any actual figures here, but we will mention how many, at a minimum, we know live on the streets in Copenhagen.

At some of our workplaces we have registered basic data on our users, and, on the basis of this, we can say how many people have used our service, where they come from, how old they are, and what problems they have wanted our help in dealing with. The data does not give a complete picture of all homeless migrants in Copenhagen, but it does provide an insight into relevant topics, which, to a certain degree, are representative for the group.

Around 100 new homeless migrants find their way to *Kompasset* every month, and, on average, the place is visited by approx. 75 users a day<sup>3</sup>. That is to say, each month a minimum of 100 new homeless migrants arrive in Copenhagen, and, of these, many move quickly onwards. Figures from our clothing distribution on Drejervej show that the vast majority of those who visit to obtain new clothes have been in Denmark for less than 6 months, which corresponds well with our general experience; that there is a particularly high turnover within the group.

During the winter of 2016-2017, there were 126 open emergency overnight beds available in Copenhagen for all homeless migrants regardless of nationality, and it is our experience that virtually all of these beds have been taken by migrants without registration. Furthermore, a night count in February 2017 counted 41 different migrants who were sleeping rough. In total, this makes 167 homeless migrants, which must be considered as a snapshot and an absolute minimum figure, and of which approximately one-fourth are sleeping rough. The figures for rough sleepers correspond with *Kompasset's* calculations, where, in the winter months, 24% stated that they slept rough. In our experience, there are far more homeless migrants in Copenhagen in the summer months, when there are also greater earning opportunities to be had, collecting bottles during the various festivals, for example.

In the Fafo study, 385 Romanians who were living on the streets in Copenhagen and the surrounding area were interviewed (Fafo 2015:14). The fact that over the course of 6 weeks the researchers found 385 homeless Romanians, gives some indication of just how many, in any case from that country, do not seek out the social offers available but survive in the city in another way.

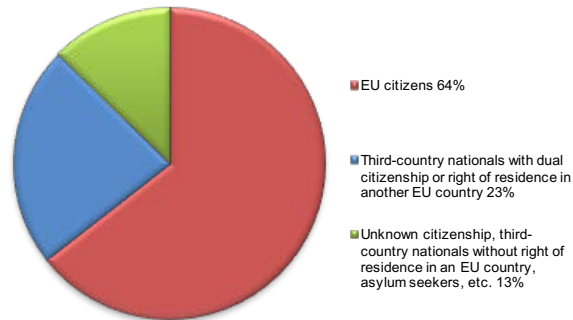
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<sup>3</sup> Consequently, around 700 different new users were registered during the 7 months that *Kompasset* has been open (November 2016 – May 2017). In comparison, at the now closed counselling unit for homeless migrants (which was also called *Kompasset*), DanChurchSocial registered 1,669 different users from 2013-2016. Added to this were anonymous users, which can be estimated at around a couple of hundred.

## NATIONALITIES

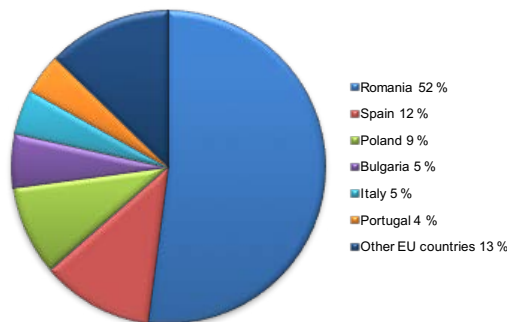
Based on our data from the now combined counselling unit *Kompaset*, we can see that, during the period of 2013-2016, we were primarily contacted by EU citizens or by citizens with a right of residence in another EU country. In our experience, the breakdown of *Kompaset* users reflects the breakdown of nationalities among homeless migrants at our other services in Copenhagen:

### CITIZENSHIP AND RIGHT OF RESIDENCE, KOMPASSET 2013-2016



Of the 64% EU citizens, the nationalities can be broken down as follows:

### NATIONALITIES AMONG EU CITIZENS (64 % OF ALL USERS IN KOMPASSET 2013-2016)

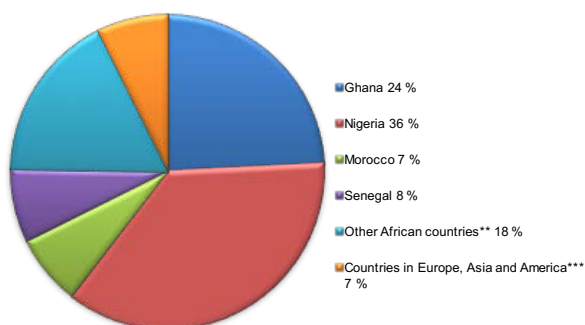


\* Germany, Hungary, Lithuania, Croatia, Latvia, United Kingdom, France, Denmark, Slovakia, Czech Republic, Sweden, Greece, Belgium, Estonia, the Netherlands, Ireland, Norway, Finland, Iceland and Slovenia.

As can be seen in the diagram, there is a predominance of people from the southern, eastern and central European EU countries.

Third-country nationals can be broken down into the following nationalities:

### NATIONALITIES AMONG THIRD COUNTRY NATIONALS WITH A RIGHT OF RESIDENCE IN ANOTHER EU COUNTRY (23 % OF ALL USERS IN KOMPASSET 2013-2016)



\*\* Algeria, Burkina Faso, Cameroun, Ivory Coast, Gambia, Guinea-Bissau, Liberia, Libya, Mali, Niger, Sierra Leone and Togo  
 \*\*\* Albania, Bangladesh, Bosnia-Herzegovina, Brazil, Cuba, Georgia, Pakistan, Russia, Syria and United States.

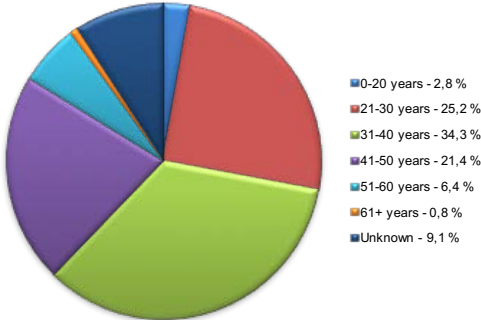
The third-country nationals who have right of residence in an EU country have overwhelmingly obtained the right in Italy and Spain, as well as some from Greece, Portugal and France.

### AGE AND GENDER

Men constituted 91% of the users of *Kompaset* from 2013-2016, which is more than among the Danish homeless, where 78% are men and 22% are women (SFI 2015, 43). In our experience, this can be related to men being the frontrunners in the migration process. We often meet men who are trying to establish themselves and who tell us that once they are settled they would then like to bring their wife and any children over. Another reason could be that we are simply not visited by very many homeless women, possibly because they are more vulnerable to the risk of ending up in prostitution.

As can be seen below, the homeless migrants who seek out DanChurchSocial are of working age, which corresponds with our experience of the search for work being the primary driver behind the migration.

BREAKDOWN ACCORDING TO AGE, KOMPASSET 2013-2016



### FAMILIES

Since 2015, we have observed an extremely disturbing trend, which is that we are seeing more families with small children coming to Denmark in an attempt to establish themselves with work and housing. Those families we have met are both EU citizens and third-country nationals, who, with their children, move around in the homeless environment because there is no welfare offer to take care of them. It is our experience that the families' cases are not considered in their entirety when we enquire within the public welfare system, but that the focus is rather on encouraging the family to leave the country or to remove the children from the

A family with a Spanish father, a Colombian mother, and two children aged two and eight enquired at DanChurchSocial in January for assistance. They had just arrived in Copenhagen and had just EUR 500 left. The woman spoke good English while the man, who is an EU citizen and therefore has the right to work in Denmark, only spoke Spanish. They were confused and desperate. They stated that they had been unable to receive any help in Spain, and that the social system had fallen apart. We had to tell them that they could not receive any help here either, and that it would take some time to find a job, become registered and secure wages, housing, etc. We found them somewhere to stay for a few days with the help of a cooperative partner while we looked into the possibilities. They chose to spend the EUR 500 on a plane ticket to the UK, where the man had a few contacts who could potentially help them find a job. We do not know what has happened to them since then.

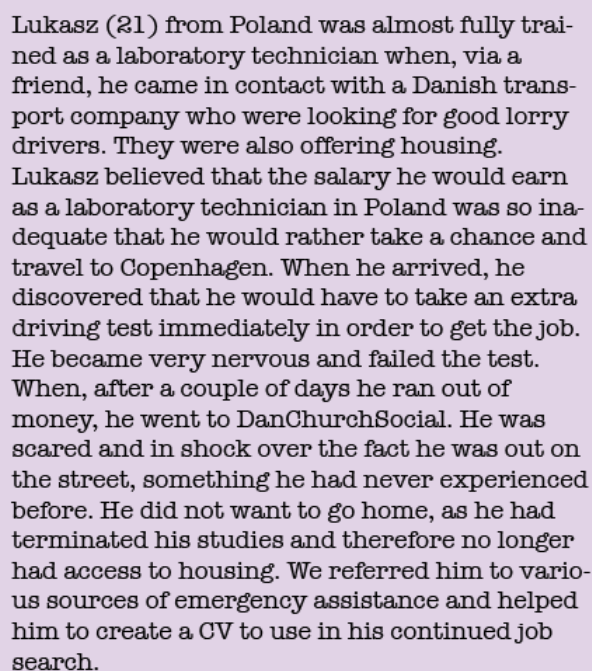
homeless environment and thereby from their parents, if they cannot find housing themselves quickly. These families find themselves in an extremely precarious situation, where the children's needs and development are put at risk.

## MIGRATION PATTERNS

We experience that homeless migrants typically come to Denmark because they have difficulty forging a life for themselves in the country they are travelling from, and that they have expectations of employment opportunities here. The financial aspect is thus a strong driving force, and we receive a great number of enquiries about help in finding a job. This applies to both EU citizens and third-country nationals with a right of residence in another EU country. In the case of the latter, we inform them that a residence permit in another EU country does not give third-country nationals the right to work in Denmark.

Some of the most predominant 'push factors' (that push people from the place where they live) are a lack of jobs in their native country, inadequate salaries and that the Financial Crisis has led to a considerable loss in jobs in the agricultural and construction industries across Europe (see e.g. Fafo 2015: 52; Hoff 2016: 16, 30ff; Jakobsen 2012: 17, 22).

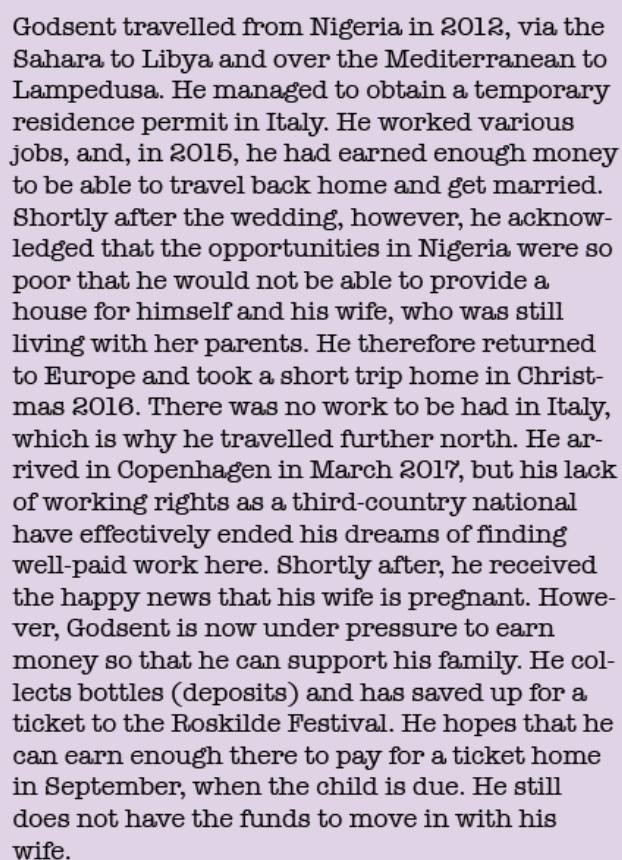
The economic opportunities in Denmark are thus a 'pull factor' (something that pushes people here), but should be understood in a wider context: the route through Denmark is more part of a continuous migration pattern, which covers many countries, opportunities and destinations. Conditions in Denmark, including the relatively low unemployment rates, become attractive seen in the light of former migration experiences, but are not sufficiently critical on their own to force people away from their homes (Fafo 2015: 51). It is therefore more the push factors than the pull factors that lead homeless migrants towards Denmark.



Lukasz (21) from Poland was almost fully trained as a laboratory technician when, via a friend, he came in contact with a Danish transport company who were looking for good lorry drivers. They were also offering housing. Lukasz believed that the salary he would earn as a laboratory technician in Poland was so inadequate that he would rather take a chance and travel to Copenhagen. When he arrived, he discovered that he would have to take an extra driving test immediately in order to get the job. He became very nervous and failed the test. When, after a couple of days he ran out of money, he went to DanChurchSocial. He was scared and in shock over the fact he was out on the street, something he had never experienced before. He did not want to go home, as he had terminated his studies and therefore no longer had access to housing. We referred him to various sources of emergency assistance and helped him to create a CV to use in his continued job search.

In our experience, hardly any homeless migrants come here with the intention of getting their share of free welfare services. They are simply not aware that these services exist, and, in general, they would like to support themselves. To be a recipient of charity or to allow oneself to be supported by others is perceived by many as something shameful and demeaning.

The economic aspect of migration explains a great deal, but not everything. For the group of homeless migrants who come originally from West African countries in particular, we have seen that the opportunities of migration can also be a link in the process of becoming an adult. The young men have obligations to their families, and, in order to be considered a grown man, there are expectations about being able to contribute economically to the family and overcoming the obstacles that they meet, for example when they migrate. If you cannot make a position for yourself with sufficient means to marry, acquire land, etc., then you remain in a limbo between childhood and adulthood. Young men experience that poverty, corruption and a lack of opportunities in their local area prevent this movement from child to adulthood. Therefore migration, sometimes with whole or partial support from the local area, becomes the only opportunity to step into the adult world (Jakobsen 2012: 17ff, Hoff 2016: 39f). To fail in migration and return home empty-handed is thus not considered an option, as it would lead to a kind of social death (Lucht 2012: 78, 83).



Godsent travelled from Nigeria in 2012, via the Sahara to Libya and over the Mediterranean to Lampedusa. He managed to obtain a temporary residence permit in Italy. He worked various jobs, and, in 2015, he had earned enough money to be able to travel back home and get married. Shortly after the wedding, however, he acknowledged that the opportunities in Nigeria were so poor that he would not be able to provide a house for himself and his wife, who was still living with her parents. He therefore returned to Europe and took a short trip home in Christmas 2016. There was no work to be had in Italy, which is why he travelled further north. He arrived in Copenhagen in March 2017, but his lack of working rights as a third-country national have effectively ended his dreams of finding well-paid work here. Shortly after, he received the happy news that his wife is pregnant. However, Godsent is now under pressure to earn money so that he can support his family. He collects bottles (deposits) and has saved up for a ticket to the Roskilde Festival. He hopes that he can earn enough there to pay for a ticket home in September, when the child is due. He still does not have the funds to move in with his wife.

Some of the people we meet have left their homes because they are responsible for supporting their family, but have found it extremely difficult to accommodate this obligation. The pressure from home leads to great desperation, and not everyone tells their family how challenging their life in Copenhagen actually is. Many collect clothes and other effects, which they occasionally send home along with the money they earn from collected bottle deposits and other street activities (see page 19). This helps to maintain a picture of things going well to a certain degree, and their breakthrough onto the labour market being just around the corner. Not everyone succeeds in hiding the reality and sending money home. Sometimes, the families' disappointment at the lack of remittances is so great that the ties to the family are severed completely. In our experience this has a serious negative influence on the individual and leads to self-condemnation, social isolation and, in some cases, addiction, and the shame it causes makes repatriation very difficult.

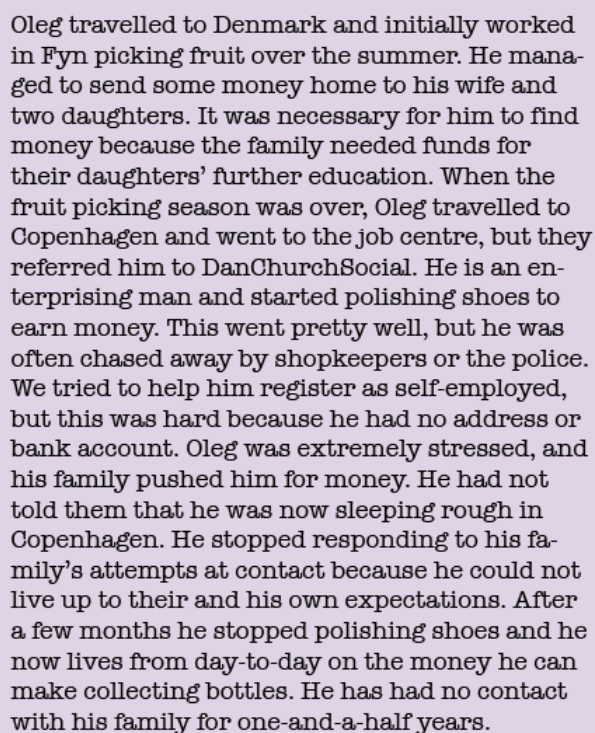
The homeless migrants we have contact with have most often arrived in Copenhagen

alone. Some of them know a friend, an acquaintance or a family member who already is or has been in Copenhagen, and who has recommended that they come to Denmark. Despite the majority of homeless migrants coming alone, in some groups there is communication between Copenhagen and the local community in their home country, which contributes towards, for example, many people from the same local community in Romania coming to Copenhagen. We are aware that Romani people in particular arrive in family groups, and that some families plan a 'rotation system', where they alternate between who will stay in Denmark and collect bottles and who will stay at home with the family and take care of the children.

Some remain in Denmark for many years and some die here, most often as a result of major alcohol or drug addiction and a lack of access to treatment. Some debut with psychoses and other mental illnesses, which, left untreated, only helps keep them in a state of homelessness. We experience that, in these cases, there are often very difficult conditions in the home country, both in terms of familial relations and access to treatment and housing, etc. These factors are the basis for some individuals opting to remain on the streets in Denmark. There is a clear correlation between the length of time on the streets in Denmark and the severity of the social and health problems.

In our experience, the majority of homeless migrants are extremely mobile and live in a literal circular or permanent migration. Some travel between Copenhagen and the country where they have their families, while others move on to a new country after having been in Denmark for some time. There is then little point in talking about them having ended up on the streets here, as they are in a more or less constant state of movement. The individual's decision to move on from wherever they are currently situated is a constant balancing of new opportunities on the one hand and a lack of future opportunities on the other. Global economic patterns, as well as conditions in the local area, factor in and are continuously micro-handled in the individual's strategic considerations of where, when and how life can be lived (Vigh 2009: 422f).

The trends and patterns outlined here are general. We would like to emphasise that every single person has their own hopes and dreams that motivate them in their search for a place to live. A life on the streets in Copenhagen, where days are spent collecting the deposits on bottles and fulfilling the absolute most basic needs, can appear hopeless. However, for many, this is a life 'on hold', which can make sense seen in the light of the lack of opportunities in their native country and previous migration experiences.



Oleg travelled to Denmark and initially worked in Fyn picking fruit over the summer. He managed to send some money home to his wife and two daughters. It was necessary for him to find money because the family needed funds for their daughters' further education. When the fruit picking season was over, Oleg travelled to Copenhagen and went to the job centre, but they referred him to DanChurchSocial. He is an enterprising man and started polishing shoes to earn money. This went pretty well, but he was often chased away by shopkeepers or the police. We tried to help him register as self-employed, but this was hard because he had no address or bank account. Oleg was extremely stressed, and his family pushed him for money. He had not told them that he was now sleeping rough in Copenhagen. He stopped responding to his family's attempts at contact because he could not live up to their and his own expectations. After a few months he stopped polishing shoes and he now lives from day-to-day on the money he can make collecting bottles. He has had no contact with his family for one-and-a-half years.



# HOMELESS MIGRANTS AND THE LABOUR MARKET

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## BARRIERS FOR ACCESS TO THE DANISH LABOUR MARKET

As already described, it is our experience that many homeless migrants come to Copenhagen in the hope of working in the regulated labour market. Some of them have a little money in their pocket when they arrive for the first time, and are thus able to finance the first few weeks or months of their residence. During this period they attempt, in various ways, to find a means of subsistence and seek out various institutions, including DanChurchSocial's counselling service for homeless migrants, *Kompasset*. Here, they can obtain information about their rights and help in looking for work, writing a CV, etc.

In our experience, it is extremely hard for these people to enter into the Danish labour market. They are confronted with a number of barriers, both of a structural and personal nature, which prevent them from achieving their dream of getting a job and putting down roots:

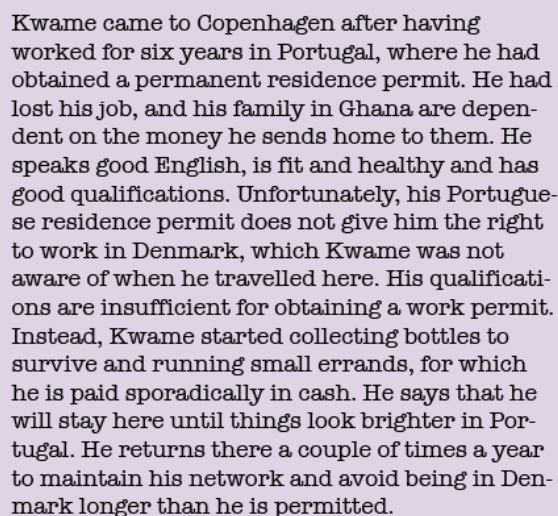
*A lack of rights to work:* within the homeless migrants group it is only EU citizens or others with an actual work permit who have a right to look for work and work in Denmark. Third-country nationals with a right of residence in another EU country, as mentioned, do not immediately have the right to work during their residence in Denmark, unless they apply for an actual work permit. This is extremely difficult and expensive to achieve and unrealistic to expect from the homeless third-country nationals who we meet.

*Lack of language skills:* besides their own language, many speak elementary English, but far from all of them can. A few can speak a little Danish, and many of them are highly motivated to learn it.

In job postings it is often a requirement that the applicants speak Danish, or, at a minimum, a high standard of English.

*Low or irrelevant education:* most homeless migrants do not have any lengthy education to back them up. In general, their experience on the labour market is longer than their education. Many of them also have a very broad-based experience, in that they have worked in many countries as well as in many different industries (the construction industry, factory work, agriculture and the service industry).

*A high degree of formalisation in the Danish labour market:* in order to apply for work in Denmark it is often a requirement that the job application and other documents are



Kwame came to Copenhagen after having worked for six years in Portugal, where he had obtained a permanent residence permit. He had lost his job, and his family in Ghana are dependent on the money he sends home to them. He speaks good English, is fit and healthy and has good qualifications. Unfortunately, his Portuguese residence permit does not give him the right to work in Denmark, which Kwame was not aware of when he travelled here. His qualifications are insufficient for obtaining a work permit. Instead, Kwame started collecting bottles to survive and running small errands, for which he is paid sporadically in cash. He says that he will stay here until things look brighter in Portugal. He returns there a couple of times a year to maintain his network and avoid being in Denmark longer than he is permitted.

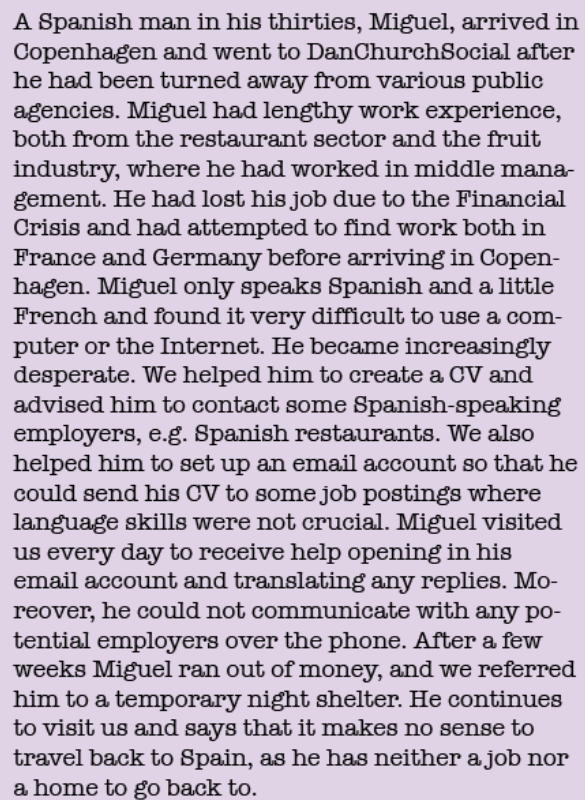
submitted electronically. In addition, requirements are made for the documentation of education in the form of certificates, training papers and skills. A system for converting these kind of documents to meet Danish standards is lacking.

*Employers' lack of knowledge of EU rules:* many employers are sceptical about hiring EU citizens who are not yet registered in Denmark with a social security number and health insurance card, even if this is completely legal and one of the prerequisites for EU citizens being able to register. This means that many homeless migrants end up in a vicious circle; in order to register and obtain a social security number/health insurance card they must have a job (or another basis of residence, see page 2), but many employees will not hire them before they can present a social security number.

*Lack of assistance from job centres:*

homeless EU citizens who look for work in Denmark have the right to the same level of assistance from local authorities as self-supporting Danish jobseekers. This includes advice and support to improve skills and qualifications, job training and wage subsidy schemes in accordance with relevant jobs, which can increase their chances of employment, as well as getting set up on the job portal jobnet.dk, so that Danish employers will be able to access their CV (*Styrelsen for arbejdsmarked og rekruttering* (Danish Agency for Labour Market and Recruitment) 2014). In our experience, homeless EU citizens are sent away from job centres and citizens' service centres when they reach out for help. We have repeatedly made it clear that their rights are not being observed on this point, but have witnessed that nothing changes. They are sometimes referred to Work in Denmark, but turned away here too with the message that this service is for highly educated jobseekers. Once again, EU citizens seeking work end up in a vicious circle where their access to assistance from the local authorities is dependent on a social security number that is, in turn, equally dependent on them having already found a job and registered themselves.

*Circular reasoning in the registration process:* should a homeless EU citizen actually manage to secure a job with a contract, he or she is then obligated to register as a worker. This registration process is, however, characterised by bureaucracy, arbitrary assessments and unpredictable regulation. Firstly, on the basis of the employment contract and the employer's CVR (VAT) number, a personal tax number must be obtained. The waiting period for this can be up to 6 weeks, and it is rare during this period to be able to have one's wages paid out, which, in turn, makes it impossible to rent a home or cover



A Spanish man in his thirties, Miguel, arrived in Copenhagen and went to DanChurchSocial after he had been turned away from various public agencies. Miguel had lengthy work experience, both from the restaurant sector and the fruit industry, where he had worked in middle management. He had lost his job due to the Financial Crisis and had attempted to find work both in France and Germany before arriving in Copenhagen. Miguel only speaks Spanish and a little French and found it very difficult to use a computer or the Internet. He became increasingly desperate. We helped him to create a CV and advised him to contact some Spanish-speaking employers, e.g. Spanish restaurants. We also helped him to set up an email account so that he could send his CV to some job postings where language skills were not crucial. Miguel visited us every day to receive help opening in his email account and translating any replies. Moreover, he could not communicate with any potential employers over the phone. After a few weeks Miguel ran out of money, and we referred him to a temporary night shelter. He continues to visit us and says that it makes no sense to travel back to Spain, as he has neither a job nor a home to go back to.

other living costs. SKAT also needs to send the tax card to the applicant's registered address on the Danish National Register (*'folkeregister'*), if he or she has one, which is why they often end up sending it to the previous registered address in the person's home country. It is not possible to get SKAT to change the address before the person has obtained a registered Danish address, which again requires the money to rent a house, money which the person cannot be paid because he or she does not have a personal tax number.

Then there is the problem of opening a bank account. This requires the individual being able to produce two different official documents with the same Danish address. This is deeply problematic for homeless people. A *c/o* address with DanChurchSocial on, for example, the preliminary tax return and employment contract, is not considered adequate documentation.

Furthermore, an EU residence document (*'EU-opholdsbevis'*) must also be obtained from the State Administration. This is not a residence permit but a document that confirms the EU citizen's right to reside in Denmark for more than 3 months based upon residence, and it is a requirement for then being able to apply for a social security (CPR) number. In order to be registered as a worker and obtain this documentation, an employment contract of at least 10-12 hours a week for at least 3 months is required. If the contract falls within an industry which is under suspicion of fraud and unofficial 'black' work or if it deals with piecework or similar, then the EU residence document will not be issued before the person produces 3 months of payslips, thus proving that this is an actual job. This is an individual assessment which, in our experience, is highly dependent on the individual and seems to be made arbitrarily.

This waiting period for the tax card and problems in opening a bank account mean that homeless EU citizens must generally continue to live in a state of homelessness for the first 2-4 months at minimum after they have found work. This is an extremely hard period, where the individuals in question must both go to work without being paid and also survive in the homeless environment, where there is tough competition for resources. Many crumble under the pressure and give up, while others have an almost incomprehensible level of endurance and succeed in establishing themselves.

In our experience, the barriers described above effectively prevent homeless migrants from gaining a foothold in the Danish labour market in a regulated manner. Those who are EU citizens do, in principle, have some rights, but these can be considered as 'empty' as they are not fulfilled in practice (Kirkens Bymisjon 2013: 25). This helps to lead them into unofficial 'black' work and exploitation.

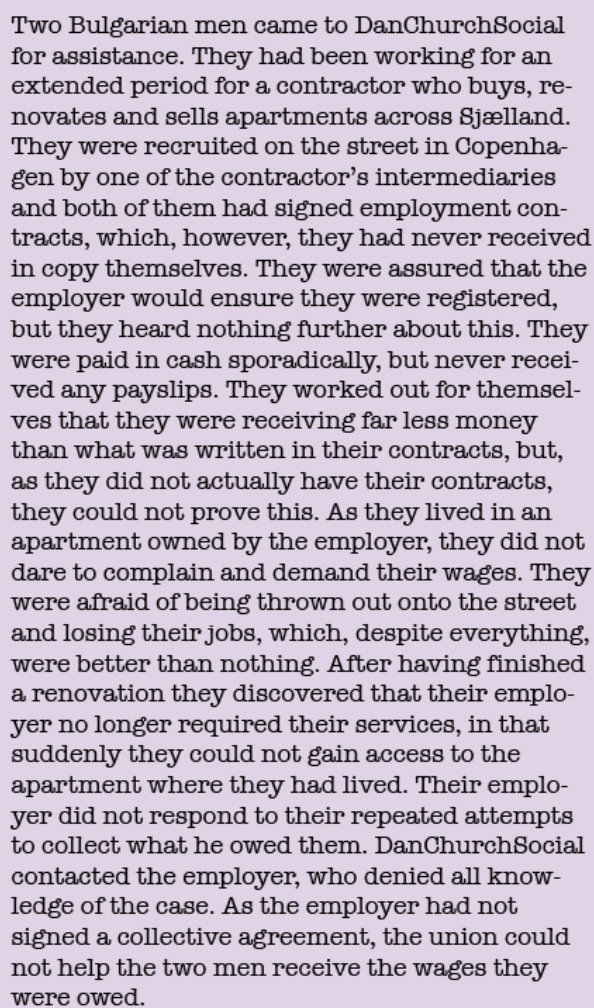
## EXPLOITATION

The many barriers mean that those people who arrive here full of energy and with a relatively high degree of resources are isolated from the regulated labour market and end up in an extremely vulnerable position where they become easy targets for exploitation. We hear stories of underpayment, extreme cases of overtime and employers who hire homeless migrants as unpaid apprentices for a 'trial' period, but who then do not wish to hire them after all. Typically, homeless migrants end up in situations where they have done the job they were asked to do and been promised pay which they never receive, or are paid far less than initially agreed. Without a contract, it is almost impossible for them to complain.

In our experience, exploitation is especially prevalent within the restaurant industry, the construction industry, including work on the Metro in Copenhagen, and in the cleaning sector. A number of circumstances contribute towards the employers' opportunities to exploit homeless migrants:

- Workers' extremely limited knowledge of their rights in the Danish labour market, as well as their lack of trust in the authorities to help if they go to them and say they are being exploited.
- Workers are given board by their employers, and all their salary goes on paying their rent. Stopping working will thus also mean losing their home.
- The hope that if you show willing, work hard and do not complain, then this will lead to more work with a contract that will make it possible to register and work formally.
- A lack of better alternatives - unofficial, 'black' and underpaid work is better than no work at all.

Homeless migrants are thus poorly positioned to negotiate and are often conscious of being exploited, but opt to continue working due to a lack of alternatives. We have no knowledge of organised exploitation with the systematic recruitment of a large number of people among homeless migrants, nor have we seen this in connection with bottle collecting or begging. It is, moreover, pretty rare for the people we meet to be victims of trafficking, which is backed up by research (Fafo 2015: 79). If you are to talk about any degree of organisation, then this is more as a survival strategy, where people organise themselves into a network where they are mutually dependent on each other (Fafo 2015: 73-76). We typically encounter this in some of the Romani families. They use each other, for example, as an insurance against attacks from the public, in that they do not feel protected by the police.

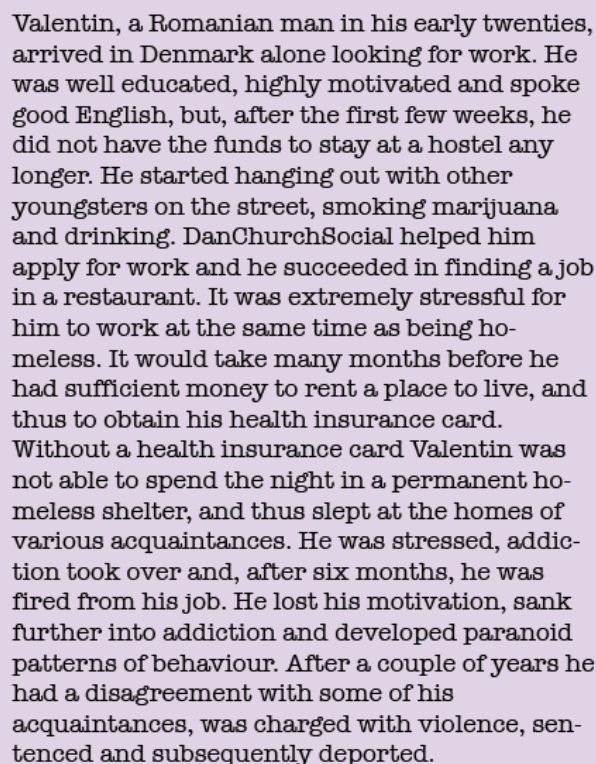


Two Bulgarian men came to DanChurchSocial for assistance. They had been working for an extended period for a contractor who buys, renovates and sells apartments across Sjælland. They were recruited on the street in Copenhagen by one of the contractor's intermediaries and both of them had signed employment contracts, which, however, they had never received in copy themselves. They were assured that the employer would ensure they were registered, but they heard nothing further about this. They were paid in cash sporadically, but never received any payslips. They worked out for themselves that they were receiving far less money than what was written in their contracts, but, as they did not actually have their contracts, they could not prove this. As they lived in an apartment owned by the employer, they did not dare to complain and demand their wages. They were afraid of being thrown out onto the street and losing their jobs, which, despite everything, were better than nothing. After having finished a renovation they discovered that their employer no longer required their services, in that suddenly they could not gain access to the apartment where they had lived. Their employer did not respond to their repeated attempts to collect what he owed them. DanChurchSocial contacted the employer, who denied all knowledge of the case. As the employer had not signed a collective agreement, the union could not help the two men receive the wages they were owed.

## SOCIAL DECLINE AND LIFE ON THE STREET

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We witness how people who come here with a great deal of energy and enthusiasm and relatively many resources become, after a few weeks and months as their means diminish, mentally broken down (Kirkens Bymisjon 2016: 11) and instead of looking for work must use all their energy on fulfilling their most basic needs. They fall into a social decline, which, in our experience, spirals even more rapidly downwards because they do not have the opportunity to receive help from the public welfare system. Many have never been homeless before and are shocked and anxious about how they will manage. We guide them to places where they can keep warm and find something to eat. We tell them about the lack of overnight accommodation opportunities, and we hand out sleeping bags and warm socks. For them, a new chapter of the migration story is now starting – the homeless chapter. Some deaden their nerves with alcohol, while others attempt to maintain a sense of purpose and fight to keep themselves presentable for potential employers. The self-perpetuating element shines starkly through: the more time and energy that is used simply to survive, the less is used to move forward. Stress and a lack of rest make the search for work harder. Some give up on the possibility of working completely other than simply getting through the day and finding food and somewhere to sleep. We meet people who have been stuck in a state of homelessness for years, and who end their lives on the streets of Copenhagen.



Valentin, a Romanian man in his early twenties, arrived in Denmark alone looking for work. He was well educated, highly motivated and spoke good English, but, after the first few weeks, he did not have the funds to stay at a hostel any longer. He started hanging out with other youngsters on the street, smoking marijuana and drinking. DanChurchSocial helped him apply for work and he succeeded in finding a job in a restaurant. It was extremely stressful for him to work at the same time as being homeless. It would take many months before he had sufficient money to rent a place to live, and thus to obtain his health insurance card. Without a health insurance card Valentin was not able to spend the night in a permanent homeless shelter, and thus slept at the homes of various acquaintances. He was stressed, addiction took over and, after six months, he was fired from his job. He lost his motivation, sank further into addiction and developed paranoid patterns of behaviour. After a couple of years he had a disagreement with some of his acquaintances, was charged with violence, sentenced and subsequently deported.

At the same time, we experience that, when help and treatment are offered, then the way out of homeless is not necessarily as tough and difficult for a great many homeless migrants. The reason for their current homeless situation can be found more in the misguided labour migration and the lack of help offered in Copenhagen than in individual psychosocial issues, tough childhoods or addiction. Many have an exceptionally strong work ethic, and, in our experience, a job and some stability is sufficient for them to overcome their addiction.

However, we also see a group of homeless migrants in Copenhagen who are heavily affected by individual problems such as severe mental illness, huge addiction to alcohol or euphoric drugs and who were already battling with these

problems when they arrived here. From them, we hear stories of extremely difficult family relationships and tough conditions growing up, fleeing from authorities or from serving prison sentences.

## ECONOMIC SURVIVAL STRATEGIES

At DanChurchSocial we see a variety of economic survival strategies unfold:

- *Bottle collecting* around Copenhagen, goes on all year round, but especially in parks during the summer and at outdoor events. Glass, cans and plastic bottles can be handed in for deposits in the supermarkets. For many, collecting bottles is the dominant source of income and a universal survival strategy. How much they earn collecting bottles varies from person to person, and also depends on the season and any special events. The study from Fafo shows that Romanians who live off street activities in Denmark can earn, on average, around DKK 100 a day collecting bottles. There is a great deal of competition regarding bottles in Copenhagen and those who are ill or less quick on their feet earn much less. Some of them also go to Roskilde Festival, where they can earn several thousand Danish kroner during the festival by collecting various receptacles with deposits (plastic cups, aluminium cans, plastic and glass bottles, etc.).
- *Selling the homeless newspapers Illegal, Strada and Minoritet*, which are distributed at a number of places including DanChurchSocial and sold on at a fixed higher amount on the street. In a very few cases homeless migrants can be approved as sellers of the Danish homeless magazine *Hus Forbi*, as you must be able to speak Danish to sell it, and because sales of *Hus Forbi* are considered to be a supplement to social benefits rather than as a means to support oneself (Hus Forbi 2017).
- *Begging* is not legal in Denmark, cf. Section 197 of the Danish Criminal Code (*Straffeloven*), and can be first punished with a warning, subsequently with a suspended sentence and, finally, with deportation and entry ban<sup>4</sup>. Nevertheless, it is a relatively widespread practice among homeless migrants in Copenhagen, albeit far fewer than in other Scandinavian capitals, where begging is legal (Fafo 2015: 57). It is not typical to see instances of organised begging, where a kingpin receives a share of the money, but rather families and groups who organise themselves to take care of each other when they beg and who also live as cheaply as possible in order to send more money home (Kirkens Bymisjon 2016: 15).
- *Collecting and reselling of reusable materials* such as copper pipes, electronics and other waste and scrap. This could also be clothing received by DanChurchSocial or other aid organisations that are resold.
- *Petty crime*, including pickpocketing or shoplifting in supermarkets for one's own use. It is not our impression that those we meet are involved in organised crime. If they were, they would most likely not be living as homeless (Fafo 2015: 65f).
- *Small, short-term jobs* without a contract, e.g. helping small businesses with renovation, cleaning, loading goods, removals, etc.

We do not know how much homeless migrants can earn from the economic activities mentioned above, which are by and large considered as 'work'. In some cases, particularly among those who, due to social decline, have developed an addiction, energy is only expended to earn enough to maintain their habit. In other cases, we experience that the

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<sup>4</sup>Since the first publication of this report, the punishment for begging has been increased (June 2017). Begging that takes place in pedestrian streets, at stations or on public transport is now punishable by 14 days' imprisonment for first offenders.

money does not only go towards surviving in Copenhagen but is also sent home family and network in their home country. By using DanChurchSocial's services of shelter and food, etc., funds are freed up to send home for their children's schooling or medicine, for example. The economic activities and the use of our services is therefore not always an expression of their day-to-day survival, but rather a link in a coherent and more long-term strategy for how one can best use the available means and opportunities.

What we encounter in many homeless migrants is therefore a different type of poverty than we have previously witnessed. It brings up new dilemmas for us when we share out food or other necessities to a person who has several hundred kroner in their pocket or one of the latest smartphones. For these people, however, the mobile telephone is just as basic a need as a dry place to sleep, as it keeps alive their contact with their home country, and is essential if they are to be contacted by potential employers. It thus also helps in maintaining a fragile identity as father, breadwinner and working man.

In recent years, we have increasingly hired homeless EU citizens who make use of our services as a link in initiatives intended to help them out of their homelessness. We hire them to perform tasks based on their individual resources. It does not always go well, but it often does. We see how these jobs, participation in a working community and the trust we show in them can help to lift even severely psychologically traumatised or addicted individuals up towards a better life. Unfortunately, however, we rarely have the opportunity to be able to offer an adequate number of hours for the person to register for an EU residence certificate at the State Administration.

## PROBLEMS ON THE STREET

The people who we meet thus live both on the street and off the street. It is a lifestyle that is filled with hardships and strategies in order to avoid problems.

One central problem is a place to sleep for the night, both in summer and winter. In our experience, those who do not sleep in the emergency shelters typically sleep rough in the city's parks (*Voldene, Østre Anlæg, Ørstedsparken, Assistens Kirkegård, Amager Fælled*, etc.), outside the city in the woods, or simply find small secluded nooks in the inner city, in playground playhouses, on heating vents, under shaded shelters, or wherever else they can find shelter<sup>5</sup>. Those suffering from mental illness in particular cannot handle having to draw straws for a place at an emergency shelter or, generally, even to sleep next to other people.

Some have brought old, worn-out cars with them from their homeland which they use to sleep in, and we have also heard that you can rent a mattress on a short-term basis, which can increase the risk of sexual exploitation. The study from Fafo found that the average payment for somewhere to sleep was DKK 52 per night, for those who did not sleep outdoors or at a free emergency shelter (Fafo 2015: 93).

Those who sleep outdoors often experience problems with the police. Signs have been erected in many of the city's parks prohibiting overnight stays. Some receive fines from the police for violating the prohibition, even though there are no places they can be referred to where they could sleep indoors. Some of them also have their sleeping bags confiscated. *Gadejuristen* ('Street Lawyers') have challenged some of these cases, which have then been dropped, possibly because the sign prohibiting overnight stays has not

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<sup>5</sup>The Fafo study found that 60% slept rough outdoors and more than half of these slept without a tent or other form of cover. Moreover, 28% spent the night in emergency shelters. The study was undertaken during the summer. (Fafo 2015: 89).

In a specific case, a group of homeless migrants were charged with trespassing on private property after having taken shelter from a heavy rainstorm under a shelter in open school grounds outside of the school's opening hours. They each received a fine of DKK 750. They chose to appeal but, when the case went to court, it emerged that the place was officially accessible and could not be considered private property. The prosecutor thus urged the judge, most unusually, to acquit the accused, which the judge did (Gadejuristen, 'Street Lawyers' 2015).

been sufficiently clear.

A recurring problem in the police handling of homeless migrants' violations of the law has been that officers have confiscated money for the payment of the fines without the homeless person having understood or acknowledged the fine. If the fine is paid then you cannot subsequently complain, in that by paying the fine you have acknowledged your violation of the law. This practice was also used in connection with the abovementioned case, where it was strongly criticised. Copenhagen Police say that, as a consequence, they have tightened up their procedures, and that arrested persons must

now expressly provide consent to allow a case to be resolved with a fine (TV2 Lorry 2015).

The police practice of handing out fines for sleeping rough seems to be part of a more general trend: an increasing criminalisation of homeless people's survival strategies and of homelessness itself. As previously mentioned, in March 2017, and despite protests from DanChurchSocial, the Danish Institute for Human Rights and Gadejuristen among other actors, an administrative amendment to the statutory decree was made so that it became "*forbidden to establish and stay in camps that are likely to be found intimidating by people in the local area*" in places where there is normal public access. The amendment was directly targeted at homeless people who sleep rough in the city's parks (Ministry of Justice 2016) and was implemented despite Denmark being among those countries that stood behind a UN resolution adopted in 2016 urging states to take all necessary measures to repeal legislation that criminalises homelessness (IMR 2016, 42).

It is also our clear impression that police have stepped up their efforts against begging, and that these efforts are especially targeted at homeless migrants, who, to an increasing degree, are coming to us with reports to this effect. At the time of writing, a draft bill is being negotiated that would increase the punishment for 'intimidating begging', which would

DanChurchSocial came into contact with a man who had been charged with begging according to Section 197 of the Danish Criminal Code. Back in summer 2013, the man had been given a warning for begging. According to the charge sheet, the civilian police had now, in 2017, observed him sitting on a milk crate with a paper cup and attempting to make eye contact with passers-by and address them. He was now facing a prison sentence. We helped assign him a lawyer whom we knew and attended the court hearing, which ended with the man receiving a suspended sentence. If he is arrested for begging again, he could be deported from Denmark with an entry ban of up to six years, which was the case for a Slovakian woman at the start of 2017.

trigger a 14-day prison sentence without advance warning (*Folketinget* (the Danish Parliament) 2017). Parliament's summer holiday has actually been postponed so that the bill can be dealt with before the summer, and it is expected to be passed.



Even more seriously, we hear of detention orders based on groundless accusations, where homeless migrants being arrested and detained, without understating why, as no interpreters are called in to assist. They are subsequently released without any information being given on their opportunities for appeal. In a number of cases, we have helped appeal the unlawful detention and secured compensation for the homeless person. We are also familiar with cases where police have confiscated ID papers (identification documents, passports or national ID cards/residence permits) upon arrest and have not returned them upon release. Our experience of problems between homeless migrants and Copenhagen Police is confirmed by research (Fafø 2015: 97). We must also note that many individuals are afraid to report harassment or complaints about the police as they fear the consequences, especially if the complaint deals with one or more local officers.

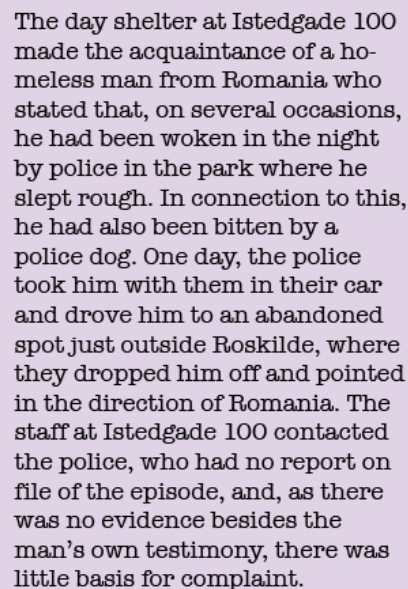
There have also been a number of attempts to deport large groups of homeless migrants who have been living in Copenhagen. In 2010, a group of 69 homeless migrants were picked up by the police in the night at a temporary night shelter and detained until their identity could be confirmed. A number of them were deported, primarily third-country nationals with a right of residence in another EU country, because they did not have sufficient funds to support themselves (*Politiken* 2010a and 2010b).

In 2010, a group of homeless EU citizens who slept rough in *Amager Fælled Park* were arrested and administratively deported. They appealed with help from the European Roma Rights Centre in Budapest, and the then Integration Ministry reversed the decision as, according to a number of recent rulings in the Supreme Court, it did not believe that the deportations were in accordance with the Directive 2004/38/EC on the right to free movement in Europe (see IMR 2016: 18f). The deported EU citizens subsequently received compensation.

Since then, at least two homeless EU citizens have been deported with an entry ban of 2 years because they had resided in Denmark for longer than 3 months without having been real jobseekers (*Udlændingenævnet* (Immigration Appeals Board) 2014 and 2016). In addition, we already have reports of several EU citizens who have been deported because they had violated the ban on 'intimidating camps'.

In our experience, sentences for minor misdemeanours such as theft of individual effects are followed up by deportation and entry bans of several years. During the summer months in particular there is an intensive effort from the police against homeless migrants.

Homeless migrants also experience problems and discrimination from the general public. We hear about supermarkets sometimes denying them access to the bottle deposit



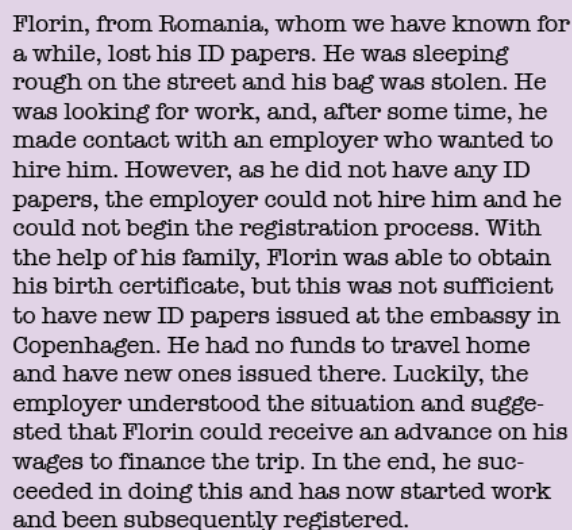
The day shelter at Istedgade 100 made the acquaintance of a homeless man from Romania who stated that, on several occasions, he had been woken in the night by police in the park where he slept rough. In connection to this, he had also been bitten by a police dog. One day, the police took him with them in their car and drove him to an abandoned spot just outside Roskilde, where they dropped him off and pointed in the direction of Romania. The staff at Istedgade 100 contacted the police, who had no report on file of the episode, and, as there was no evidence besides the man's own testimony, there was little basis for complaint.

machines or to use the bathroom. There is also a strong negative attitude at times from some sections of the general public when they go around collecting bottles. In general, access to public places cannot be taken for granted for homeless migrants, even though they have the right to reside here (Fafø 2015: 99).

The Fafø study showed that discrimination in the form of derogatory comments and being spat on is, unfortunately, widespread, and that many are asked to leave a store or other place without any valid reason (Fafø 2015: 99ff).

Fortunately, there are also positive meetings between homeless migrants and the public. On a micro level, compassionate meetings occur and a form of inclusion develops when private individuals hand out free food or clothing in the parks which many homeless migrants frequent. It is our impression that these meetings are especially valuable for both parties and contribute towards a mutual understanding. A further example of positive interactions are projects such as one in Copenhagen where bottle holders were added on the side of the city's rubbish bins so that bottle collectors did not have to stick their hands into the trash to find them. Roskilde Festival has also made considerable efforts to improve the relationship between bottle collectors and the general public, as well as a better organisation of the bottle collection.

A widespread risk when living on the streets is of having one's personal property stolen or lost in some other way. Many lose their ID papers. In the now merged *Kompasset* there were enquiries from 127 homeless migrants between 2013 and 2016 who had lost their ID papers.



Florin, from Romania, whom we have known for a while, lost his ID papers. He was sleeping rough on the street and his bag was stolen. He was looking for work, and, after some time, he made contact with an employer who wanted to hire him. However, as he did not have any ID papers, the employer could not hire him and he could not begin the registration process. With the help of his family, Florin was able to obtain his birth certificate, but this was not sufficient to have new ID papers issued at the embassy in Copenhagen. He had no funds to travel home and have new ones issued there. Luckily, the employer understood the situation and suggested that Florin could receive an advance on his wages to finance the trip. In the end, he succeeded in doing this and has now started work and been subsequently registered.

It can have serious consequences if you lose your ID papers, and it can be extremely difficult to obtain new ones. The search for work has to be put completely on hold, as no one will hire a person who cannot identify themselves, and registration as an employee will also be impossible. *Kompasset* offers to store original ID papers for homeless migrants who are not obliged to carry them on their person (primarily EU citizens). We can also offer them a copy that can be shown, as well as a letter stating where the original can be found. Copenhagen Police have been dissatisfied with this practice from DanChurchSocial, as they believe it complicates makes their work; nevertheless, it has been determined that EU citizens are on equal footing with Danes and are thus not obliged to be able to identify themselves at all times with their original ID papers (*Folketinget* (the Danish Parliament) 2015).

## ILLNESS AND HEALTH - MENTAL SURVIVAL STRATEGIES

In our experience, homeless migrants are extremely vulnerable and at particular risk of developing health problems. The problems are varied and relate both to purely somatic problems, psychological hardships and illnesses as well as addiction to alcohol, cannabis and hard drugs. Access to medical help for unregistered homeless migrants is limited, and minor complaints, which ought to have been attended to right away, can develop into much more serious problems.

Access to free medical help is generally defined on the basis of residence, i.e. registration at an address (*Ministeriet for sundhed og forebyggelse s 3, og Sundhedsloven* (Ministry of Health, s 3, and the Danish Health Act) Sec 7(1)(5)). Unregistered homeless migrants obviously have neither an address nor a social security number. Despite the fact that many homeless migrants are residing in Denmark legally, according to the Health Act they only have access to emergency treatment, which ceases when they can cope with being moved to their native country (*Sundhedsloven* (the Danish Health Act) Sec 80(2).

What is defined as requiring emergency treatment is assessed by a doctor and, in practice, there is great uncertainty as to what can and should be included (Danish Red Cross 2017: 5). In our experience, access to help and services is therefore random and highly dependent on the individual doctor. Some of the people who come to us have been discharged although they are severely ill and cannot cope with moving around between the various low-threshold services in the city. In other cases, more long-term treatment is offered. Homeless migrants are also often unsure themselves as to what their rights would be in terms of health care.

It is our impression that access to both emergency and more long-term treatment of both somatic and psychiatric health problems has improved for unregistered homeless migrants over the past 10 years. This is due in part to the clinic for undocumented migrants, which the Danish Red Cross opened in 2011 in collaboration with the Danish Medical Association and the Danish Refugee Council. Here, patients can receive a consultation with a doctor or midwife, have tests taken and, in some cases, paid medicine. The opening of the clinic meant a marked improvement of the health conditions for unregistered homeless migrants in Copenhagen.

Figures from the clinic show that patients arrive with a wide range of symptoms and illnesses, including diabetes, all kinds of pain, respiratory diseases, anxiety, raised blood pressure, pregnancy and the wish for an abortion. Dental problems and musculoskeletal pain top the list (Danish Red Cross 2015: 26). Anyone who does not have access to the public healthcare system can visit the clinic, not just homeless people, but we can recognise many of the health problems of homeless migrants in these figures.

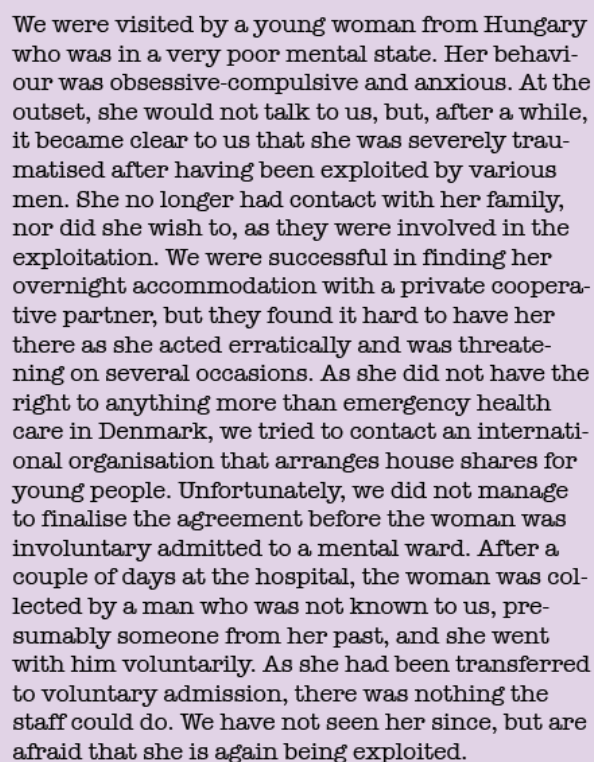
Together with our collaborative partners (including *Blisko, Mændenes Hjem*) it is our experience that homeless migrants generally have their most acute health problems resolved, but that difficulties arise in the treatment of non-acute problems in the public healthcare system, as they are often referred for treatment in their home country. The result of this is that many of them are walking around with untreated, non-acute illnesses that end up being quite serious and which lead to complications.

Separate problems are attached to the treatment of addiction. In some cases, homeless migrants can make contact with the treatment system via particular social welfare of

fers, and can be offered medicine to help alleviate withdrawal symptoms or stabilising methadone, for example, but the offer can be conditional on the possibility of the person being transferred to a similar treatment offer in their native country (Blisko 2017). This is not always possible, due to both the lack of such offers in their native country as well as to financial issues or a lack of desire to travel back there. In our experience, the greatest difficulties relate to the lack of opportunities for a stable place to live during the treatment, as residential facilities are not offered to unregistered homeless migrants in Denmark at the moment. Many are highly motivated towards receiving treatment for alcohol or drug addiction, but cannot break the cycle themselves, and definitely not as long as they are living rough together with other people who are perhaps also addicts.

Those with problems of a mental nature are especially burdened. We meet people who clearly have an untreated mental illness and who find it hard to cope on the streets in Copenhagen. Some are psychotic and tormented, which can give grounds for admitting them involuntarily. This often leads to repatriation and further treatment in their native country, while, in other cases, the patient is discharged back onto the street without further follow-up treatment or medication. In our experience, however, there has been some improvement in the following-up of these patients over the past few years. Many homeless migrants we meet also suffer from a great deal of pain and symptoms that can be an expression of various physical illnesses, but could also be ascribed to a response to the extreme hardship they have experienced both in their past and present. We meet people with insomnia, headaches, irritability, nervousness and stomach pains. These conditions have been termed as the “Ulysses Syndrome” in specialist literature and can arise as a result of extreme hardship, such as exposure to risks during migration, forced separation, social isolation, lack of opportunities, a feeling of failure in terms of the purpose of the migration, extreme struggle for survival, etc. (Diaz-Cuellar et al. 2013: 2). Ulysses Syndrome is not a mental illness, but a response to hardships in the surrounding environment.

Common to all the homeless migrants we meet is that they are attempting to navigate an extreme life situation under highly difficult and changing conditions. Navigation is a very suitable term to describe the conditions under which their life unfolds: to navigate implies that one moves through an environment that is in constant movement, insecure and rolling (Vigh 2009: 420). There is little they can control themselves; social support provisions open and close, legislation and legal practice changes, economic conditions shift. Daily life for homeless migrants is about navigating through these changing waters. In our experience, they are experts at adapting themselves to the circumstances



We were visited by a young woman from Hungary who was in a very poor mental state. Her behaviour was obsessive-compulsive and anxious. At the outset, she would not talk to us, but, after a while, it became clear to us that she was severely traumatised after having been exploited by various men. She no longer had contact with her family, nor did she wish to, as they were involved in the exploitation. We were successful in finding her overnight accommodation with a private cooperative partner, but they found it hard to have her there as she acted erratically and was threatening on several occasions. As she did not have the right to anything more than emergency health care in Denmark, we tried to contact an international organisation that arranges house shares for young people. Unfortunately, we did not manage to finalise the agreement before the woman was involuntary admitted to a mental ward. After a couple of days at the hospital, the woman was collected by a man who was not known to us, presumably someone from her past, and she went with him voluntarily. As she had been transferred to voluntary admission, there was nothing the staff could do. We have not seen her since, but are afraid that she is again being exploited.

and making the best out of nothing. They live in a kind of vacuum, placed on hold, where they must survive both physically and mentally, while constantly attempting to predict how things will develop so that they have the chance to guide their lives in a beneficial direction (Vigh 2009: 423). Unpredictability becomes predictable, so to speak, uncertainty certain (ibid: 422).

We meet some people who are simultaneously extremely tough and highly vulnerable. They retain a sense of motivation and an energy despite extremely difficult circumstances and bleak prospects. They have a decisiveness and a sense of humour, which can also at times be used to suppress the problems. Every day they teach us something about human strength and of how strong hope is. Because it is hope – much more than the reality – that will carry them through this.

## CONCLUSION

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We have talked about our experiences of meetings with homeless migrants in Copenhagen over the past 10 years. This is a group of people with very varied resources and preconditions. Common to all of them is that they find themselves in an extremely precarious situation, where their basic rights do not materialise in practice.

Unregistered homeless migrants are exposed to a long list of excluding mechanisms: legally, they find themselves in a vacuum, where they are neither excluded nor included as citizens in our society. This vacuum is a result of legislation that is not adapted to the realities; namely that it is not only qualified workers, but also poor and marginalised people who move across open borders. Their survival strategies are criminalised by the press, by politicians, and in legislation, and they are ascribed qualities of a dubious moral nature. They are painted as scapegoats, against whom the police must use tougher methods, and they are only partially perceived as worthy of social support. Furthermore, their access to the labour market is complicated by barriers of both a personal and structural nature and a hazy implementation of legislation results in only the most resourceful receiving help from the authorities.

These conditions only help to accelerate the social decline which people who come here with a relatively high number of resources fall into after a fairly short period. Mental problems and addiction occur or worsen. Sleeping rough wears a person down, and the lack of access to preventative treatment in the healthcare system means that relatively simple issues become complicated at an alarming rate. They become vulnerable to exploitation on the labour market, and the lack of alternatives leaves them in an especially poor negotiating position. They keep a low profile, accept harassment from employers, authorities and the public while they wait for better times. The fear of reprisal keeps them from reporting abuse from the police and employers. They live a shadowy existence but in plain sight, in that their survival relies on activities that take place in the public space – activities which, in Denmark, were previously considered as a supplement to a lack of finances at the end of the month, but which now ensure hundreds of people's day-to-day survival in Copenhagen and, in some cases, also supports whole families in their home countries.

Every individual attempts to cope with life as best they can under these demeaning conditions. It shows an impressive strength of will to be able to balance short-term survival for the coming night with a constant struggle to come up with a sustainable strategy for the future. We also see how forced optimism is used to mask the desperation and abdication. There is no room here for resignation and absolutely no chance of giving up.

We can conclude that, in many cases, homeless migrants have ended up in situations where legislation (social and labour) ought to come into force and protect them. However, the opposite becomes the case: because they are not recognised as workers, they have not achieved 'the right to have rights'. This right appears – in the words of philosopher Hannah Arendt – to be more attached to being a citizen than to being a human per se (Arendt 2017, 106ff, 124).

In our opinion, insufficient attention has been placed on the humiliating conditions of homeless migrants. It may be true that their presence is a manifestation of international

and global migration streams, over which we have very little influence locally. This does not mean, however, that we should accept the degradation they are subjected to on a daily basis, and which we believe something can, and should, be done about.

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- I just want to find some place, where I can live.  
Not only survive, like I do now, but live. Do you understand the difference?

User in Kompasset