

WINTER 2024

Homeless in Europe

A Magazine by FEANTSA



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MISSING



**AFFORDABLE
HOUSING**



**cheap
gaffs**

Nutrition Facts

Serving Size 4 Pieces	
Amount Per Serving	
Calories 100	
	% Daily Value*
Total Fat 2.5g	5%
Saturated Fat 1g	2%
Trans Fat 0g	0%
Cholesterol 0mg	0%
Sodium 10mg	20%
Total Carbohydrate 25g	50%
Dietary Fiber 0g	0%
Sugars 0g	0%
Sugary Alcohol 2g	4%



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WHO IS THE CITY FOR?

From the Paris Olympics, summer tourism, and mega-pop star concerts, this edition of the FEANTSA Homeless in Europe Magazine was born from a reflection on the impact of various mega events and tourism on housing and homelessness throughout 2024. In multiple cities throughout Europe, we saw the repeated penalisation and displacement of those experiencing homelessness, evictions, and the augmentation of house prices, in the name of mega-events and tourism.

We see cities as the intersection of our private and political lives. Centres of commerce, culture, and opportunity, as well as life, family, and home. It is logical, therefore, that tensions begin to rise. Tensions of interest and priority. Tensions that lead us to question how we can carve out liveable spaces in the city? How can local governments balance financial and commercial interests with the personal interests of those who exist each and every day within these spaces? Who decides who gets to exist in these spaces? Ultimately, *who is the city for?*

Furthermore, these questions are increasingly important within the context of homelessness. To ignore the significance of public space is to ignore the lived realities of over one million people in Europe. These tensions are most acutely felt by those without secure housing, for whom public spaces are not just shared areas but a necessity. And yet, from legislation to physical barriers, people experiencing homelessness are having their rights to exist in the public increasingly limited.

This issue centres on the questions and debates surrounding cities and public spaces, and the impact on homelessness and housing. From mega-events to hostile architecture, contributions cover a variety of topics around the issue of the public: who has the right to exist in public spaces? What is the value of the public and how can we protect it? How, and to whom, is the public limited?

Following the logic that carried us to this edition, we begin with *The Olympic fight for unhoused and precarious people against Paris 2024' social cleansing*. Paul Alauzy, from *Le Revers de la Médaille* collective, provides a detailed overview of the impact of Paris' 'social cleansing' campaign ahead of Summer 2024. The article lays the foundations for approaching the issue of mega-events, providing concrete evidence for the negative social impact, and proposing systematic changes needed to ensure future events respect social, environmental, and democratic standards.

EDITORIAL



By **Bryony Martin**, communications officer, FEANTSA

Following this, Maria Persdotter offers insight into why events such as the Olympics are breeding grounds for displacement and mistreatment of those experiencing homelessness. The article, *Both spectacular and structural: Reflections on mega events and mass displacements*, looks at the historical precedent of displacement due to the Olympics, and how this relates to wider structural phenomena including neoliberal and financialised urbanism, and colonialism.

Paris is not the only city to have focused on 'social cleansing' this year. Mariana Cantero of Arrels Foundation writes about *Pla Endreça* in *The Pressure on People Living on the Streets in Barcelona Grows*. As the city tries to attract and cater for tourists, it turns against its homeless citizens, through increased policing and fines for 'lack of hygiene'. This article outlines the scheme, its impact, and the response of the Ombudsman of Barcelona to a complaint filed by the organisation.

Unfortunately, the discriminatory nature of cities often goes beyond mega-events. Fondation Abbe Pierre makes the invisible visible again through their satirical *Pics d'or* campaign. The article *The Pics d'Or: Awarding Hostility in Urban Design*, takes a page from their book and (or at least attempts to) provide a humorous overview of this campaign against hostile architecture. Highlighting the value of imagery, the article assesses how campaigns can help increase public engagement and, hopefully, action.

Similarly, *In The 'Exclusionary City'* goes unnoticed by most people, Kirsten Skovlund Asmussen and Pia Justesen outline a recent exhibition on 'design and law that exclude[s] homeless citizens from urban spaces' by Projekt Udenfor and Aalborg University. They highlight how hostile architecture and targeted legislation aim to make homelessness 'invisible' and to bring this problem into the light through the exhibition.

Regarding the criminalisation of homelessness, we turn towards the US *Johnson v. Grants Pass: A Major Setback, But Not the Last Word in Criminalization of Homelessness in the U.S.* (first published by Housing Rights Watch). Here, Eric Tars analyses the *Johnson v. Grants Pass* Supreme Court ruling which allows cities to penalise those experiencing homelessness for sleeping outdoors. The article provides an example of the role of legislation in making cities inhospitable for those experiencing homelessness, and the impact 'beyond the courtroom'.

We finish the edition with an interview conducted by FEANTSA with a member of Free54, a grassroots organisation from Brussels focused on protecting public space. At this point, the relationship between public space and homelessness is well established, and the conversation looks at the topic more broadly – centring on the question of what it means for a space to be truly public. It outlines their experience fighting the reclaim Place St. Catherine in Brussels city centre and all the challenges this involves. Through the honest discussion of a grassroots experience, this interview will hopefully provide inspiration and acknowledgement of the role they may play in the fight for public cities, as well as their limitations.

We hope you enjoy this edition of the FEANTSA Homeless in Europe Magazine. It marks a slight change from our usual work, centring on the thematic question rather than an individual topic. Ultimately, cities are designed – it's time to ask 'For whom?'



THE OLYMPIC FIGHT FOR UNHOUSED AND PRECARIOUS PEOPLE AGAINST PARIS 2024' SOCIAL CLEANSING

In the lead-up to the Paris 2024 Olympics, Le Revers de la Médaille, a coalition of over 100 organisations, denounced the social cleansing targeting unhoused and precarious people. The French government's policies, including inadequate temporary housing and forced evictions, displaced thousands, particularly near Olympic venues. With 260 informal living spaces cleared and police presence intensified, many vulnerable individuals lost access to essential services. Despite some small victories, the report urges systemic changes to ensure future mega-events respect social, environmental, and democratic standards.



By **Paul Alauzy**, project manager at Doctors of the World and spokesperson for Le Revers de la Médaille, France

One year before the Paris 2024 Olympics, we created the collective “Le Revers de la Médaille” (*the other side of the medal*), with more than a hundred associations, NGOs, federations and collectives working in solidarity and in the medico-social area. For a year, we launched an intensive advocacy campaign targeted at the French State and the Games organisers and became a thorn in their side. In order to denounce and fight the social cleansing that unhoused people suffer in the course of sporting mega events, we worked on well-documented propositions to adapt the games and prevent social cleansing, we organised activist actions inspired by methods of civil disobedience, we solicited and had meetings with states representatives and national or local institutions, and we were intensively present in the press and on social media in order to document the street situation and broadcast our message.

We meticulously documented the situation of people living on the streets and in precarious housing in the year leading up to the Paris 2024 festivities through our first report called “[1 year of social cleansing](#)” [FR], which studied and denounced the effects of social cleansing suffered by the latter, between the months of May 2023 and 2024.

[Our final report](#) complements our previous work: it documents the continuation of these phenomena during the period from the beginning of May 2024 to the end of September 2024 – in other words, just before the Games, during the Games, and after the Games.

Paris 2024 was a historic opportunity to give a real social and human colouration to the Olympic and Paralympic Games... But all the data we have gathered from the field shows that the French government has failed to live up to this ambition.”

Paris 2024 was an historic opportunity to give a real social and human colouration to the Olympic and Paralympic Games (JOP), to act with reason and by anticipating the essential needs of the most precarious people. But all the data we have gathered from the field shows that the French government has failed to live up to this ambition. On the contrary, many situations of precariousness were exacerbated. During the Games, we witnessed a Paris that was idyllic for the “Rassemblement National” (the French right-wing political party),¹ but dystopian for those in precarious situations who had not benefited from care.

In this final report, in addition to the 64 medals already won by French athletes, we award France three additional medals:

→ **The gold medal for “social washing”: the schemes described by the State as a social legacy have been largely inadequate and deployed in utilitarian logics.**

The French government has publicised the 256 accommodation places it has created for the most vulnerable homeless people living near Olympic venues, but this scheme is undersized (3,492 people were counted as homeless in Paris in February 2024)² and carried out under conditions that are sometimes restrictive for the people concerned.

As of July 15, 2024, the last informal settlements of exiled people in the vicinity of the Olympic venues were evacuated. Hundreds of people were then temporarily housed in “buffer sites” in the Paris region,

1 Article from Franceinfo, “[Le RN tente de capitaliser sur des JO ultra sécurisés](#)”, 08/08/2024.

2 Count realized by Paris City Hall during the “[Night of solidarity](#)”.

whereas until this date, the people taken into care were systematically relocated to a region outside the Île-de-France (IdF). This sudden turnaround and the release of these places in the Paris region has met with greater approval from the people concerned. It highlights the State's ability to offer this type of solution, but also its willingness to do so only as part of a calculated strategy to free up public space, for the purposes of events and reputation. Despite the evidence of this manoeuvre and the leak of internal documents³ from a ministerial service of the French Government describing this strategy, the prefectural authorities still insist on denying any link between their practices and the Olympic Games.

This placement in buffer sites around Paris represents a clear break with the method used since the SAS centres were set up in March 2023, and will run until July 2024. The SAS centres, promoted by the authorities as a privileged means of accessing accommodation, do not, however, provide unconditional care for the people sent there, as they are only entitled to a three-week assessment of their administrative situation, in ten locations outside the IdF region. It's more a question of dispersing them and moving them away from the Olympic capital, as part of a move to decentralize the IdF region.⁴ On average, 40% of the people who are assessed here are then referred for medium- to long-term care in the SAS host region. The remainder end up on the streets after short-term care, or are deported to their country of origin, with or without their consent.

3 Médiapart investigation, “[L'Etat prépare des sites d'hébergement pour vider les rues avant les jeux](#)”, 19/07/2024.

4 New-York Times investigation, “[France Is Busing Homeless Immigrants Out of Paris Before the Olympics](#)” 07/2024.

“Between April 26, 2023, and September 30, 2024, 260 informal living spaces were evicted in the Paris region... At least 19,526 people were evicted from their living quarters, an increase of 33% compared to the 2021-2022 period.”

→ **The silver medal of social cleansing: to welcome “the whole world”, the streets of Paris have been emptied of people in great precariousness.**

According to the [Observatoire des expulsions de lieux de vie informels](#), **between April 26, 2023 and September 30, 2024, 260 informal living spaces were evicted in the Paris region.** These included shantytowns, tented settlements, squats, caravan sites, but also simple cardboard boxes on the ground. **During this period, at least 19,526 people were evicted from their living quarters, an increase of 33% compared to the 2021-2022 period.** The number of minors evicted rose particularly sharply in the final pre-JOP year. **At least 4,550 minors were evicted from their informal living quarters between April 26, 2023, and September 30, 2024.** Three times more than in the 2021-2022 period (1,527 minors evicted), and almost twice more than in the 2022-2023 period (2,637 minors evicted).

Several of these evictions were justified by orders directly citing Olympic reasons. In the vicinity of the Games venues, a large number of dissuasive measures were taken to prevent the re-establishment of street encampments. An unprecedented police presence was also deployed throughout Paris and its inner suburbs, to occupy any possible resettlement areas.

The saturation of public space linked to the Olympic Games (passage of the flame, events, fan-zones, tourists, etc.) and the omnipresence of the forces of law and order had deleterious consequences for people on the streets: essential facilities were closed and/or relocated during the JOP, the mobility of the most excluded was restricted – the latter sometimes adopting confinement behaviours, limiting their movements to access services meeting their primary needs, such as food aid or access to healthcare.

→ **The bronze medal for democratic denial: despite the event being widely publicised, there was a lack of transparency on the part of public authorities, and little room was given to critical voices and mobilisations, which suffered targeted repression.**

While the Olympic Games have gradually become the world's premier sporting "mega-event", and it has been documented for several years that they have profoundly disrupted the lives of the host cities, no vote or debate has been held in France and/or Paris about holding them.

Despite the large number of political players met by our collective, most of our proposals have met with too little support, with positions oscillating between a game of ping pong of responsibilities between institutions and interlocutors, an admission of powerlessness or invocation of "lack of means", and, particularly for the prefectures, a denial of a policy, however proven, of social cleansing.

Lawyers mobilised during the Olympic Games are also denouncing the repression of activists belonging to collectives denouncing the damage caused by the organisation of the Olympic Games, reflecting the misuse of police custody and placement in the administrative retention centre for foreigners, as a tool for social cleansing, intimidation and political pressure.

They have also witnessed the implementation of exceptional justice. The instructions converged around the idea of a "clean sweep" in the streets and Gérald Darmanin, the ministry of interior at that time, welcomed the introduction, between June and July 2024, of more than 500 Individual Administrative Control and Surveillance Measures.⁵

⁵ [Le Monde article, "Sécurité et Jeux olympiques : une réussite grâce à d'énormes moyens et beaucoup de pression", 11/09/2024.](#)

“The saturation of public space linked to the Olympic Games... and the omnipresence of the forces of law and order had deleterious consequences for people on the streets.”

Never before have so many measures restricting freedoms been taken since the introduction of the state of emergency following the 2015 terrorist attacks in Paris.

- Despite these negative findings, and while social cleansing will indeed remain an indelible stain on the Paris 2024 Games' shop window, the few efforts made by the authorities and the small victories conceded to our collective must serve as a precedent: never again must Games be staged without thought for the care of those who depend on public space.

To ensure that future editions of the Games take place in a climate that is more respectful of social, environmental and democratic requirements, numerous solutions exist: systematic consultation of the host populations, access to balanced, free and high-quality information, and the organisation, much earlier than the Games, of open consultations with civil society players. Simply staging the Games in the same place every year, and broadcasting them online, rather than inviting the whole world to come for such a short time, could address a number of issues, including social cleansing, gentrification and ecological factors.



BOTH SPECTACULAR AND STRUCTURAL: REFLECTIONS ON MEGA EVENTS AND MASS DISPLACEMENTS

Maria Persdotter examines urban displacement as a structural, ongoing process rather than an isolated event, using the Paris 2024 Olympics games as a case study. The Games displaced nearly 20,000 precariously housed residents, echoing patterns from other Olympics like Vancouver 2010, where mega-events exacerbated housing crises and gentrification. The article looks at the structural motivations and causes behind such effects.



By **Maria Persdotter**, senior lecturer in Social Work, Linköping University, Sweden

“The Olympics and other mega events often serve as an impetus for increased surveillance, repression and expulsions of their most marginalised residents.”

Urban displacement takes many forms, unfolding at varying tempos. While the notion of displacement may evoke images of an exceptional event – a sudden uprooting – it is more often a slow and largely normalised process. Here, I will offer some thoughts on why it is useful to understand displacement as a pervasive, structural phenomena rather than as a singular act or event.

The impetus for this issue of *Homelessness in Europe* came from the mass displacement of precariously housed city-dwellers in the lead-up to the Paris Olympics. According to a recent report, nearly 20,000 people were displaced between April 2023 and September 2024.¹ *Le Revers de la Médaille (Other Side of the Medal)*, a network of organizations working to support marginalized and housing-insecure communities in Île-de-France, has been monitoring these actions and describes them as part of an effort of “social cleansing”, targeting squats and tent encampments near the Olympic venues. Poignantly, many of the displaced are street-homeless migrants who had already been uprooted once, if not many times, before the Games.

1 *Le Revers de la Médaille (2024) Rapport final*. Available at https://lereversdelamedaille.fr/wp-content/uploads/2024/11/Rapport-final-Le-revers-de-la-medaille-4_11_24_compressed-1.pdf (accessed 27 December, 2024).

What happened in Paris is reflective of a global pattern. While the specific features and politics of urban poverty are unique to each host city, the Olympics and other mega events often serve as an impetus for increased surveillance, repression and expulsions of their most marginalised residents, such as drug users, sex workers and street-homeless people. Just as the French authorities engaged in a strategy of mass displacement to clear space for the spectacle of the Olympics, so too did the authorities in Tokyo 2020,² in Rio de Janeiro 2016,³ and in London 2012,⁴ to name just a few examples.

2 Boykoff, J. and Gaffney, C., 2020. The Tokyo 2020 games and the end of Olympic history. *Capitalism Nature Socialism*, 31(2), pp.1-19.

3 Mickelena, L. (2017) A year later, Olympic displaced are left to rebuild lives. *AP News*, 4 August. Available at <https://apnews.com/article/298bd6f3e4434aea93c132b97ed6b339> (Accessed 27 December, 2024).

4 Watt, P., 2013. 'It's not for us' Regeneration, the 2012 Olympics and the gentrification of East London. *City*, 17(1), pp.99-118.

I personally received my most formative education on the realities of urban displacement in the context of the popular mobilisation against the 2010 Winter Olympics, which took place on the surrendered lands of the Lil'wat, Musqueam, Squamish, and Tsleil-Waututh peoples in that what many know as Vancouver, Canada. For one thing, I learned that displacement is less a singular event than an ongoing process, unfolding through a series of smaller aggressions. Just as in Paris this past summer, many of those who experienced displacement because of the 2010 Olympics were used to being moved along and pushed around by the authorities, having endured the same treatment for years while living and working on the streets.

“Displacement is less a singular event than an ongoing process, unfolding through a series of smaller aggressions.”

Singular acts of displacement must also always be understood within locally and historically specific formations of class exploitation and (post)colonial dispossession. This was, in fact, the core message of the 2010 campaign calling for “No Olympics on stolen native land”. The campaign sought to highlight that the Vancouver Winter Olympics were being held on lands never legally ceded to the colonial state, and to challenge what was seen as the shallow and strategic appropriation of Indigenous culture by the local Olympic organizing committee. Central to the campaign and the popular mobilization against the Games was a focus on their devastating effects on the local urban Indigenous community.

At the time, fifteen years ago, Vancouver was experiencing a severe housing crisis, disproportionately affecting its Indigenous population. In fact, it still is. According to recent estimates, over a third (33%) of the city’s street-homeless population identifies as Indigenous, despite Indigenous people comprising less than three percent of the overall population.⁵ This pattern can be traced to a long-standing history of colonial dispossession, including the shameful legacy of the residential school system.

Notably, the Olympics exacerbated the homelessness crisis, driving an extraordinary, speculation-driven surge in property values and rents, which, in turn, contributed to a marked increase in homelessness.

⁵ Crompton, N., Yang, T., & Withers, AJ (2024) Homelessness in Vancouver: Numbers, Trends, Analysis for 2024. The Mainlander, August 23. Available at <https://themainlander.com/2024/08/23/homelessness-in-vancouver-numbers-trends-analysis-for-2024/> (accessed 27 December, 2024)

“Olympics exacerbated the homelessness crisis, driving an extraordinary, speculation-driven surge in property values and rents, which, in turn, contributed to a marked increase in homelessness.”

Simultaneously, the Games ushered in new forms of urban surveillance and police technologies, all while diverting public resources that could have been used to meet the service needs of residents. Local Indigenous communities were not the only ones affected by these developments – broad swaths of the city’s impoverished and precariously housed residents also felt their impact. Still, an awareness of the ongoing effects of colonialism is essential to understanding the specific dynamics and effects of displacement in connection with the 2010 Games.

In line with this, the Olympics and other mega events are most usefully characterised, not as a discrete cause of displacement, but as a catalyst that accelerates pre-existing processes of displacement and dispossession. The Vancouver homelessness crisis did not start or end with the Olympics. The same can be said for Paris.

For *Le Revers de la Médaille (Other Side of the Medal)* the Olympic-induced mass displacements are just one aspect of an ongoing crisis affecting the capital’s most marginalised residents. According to the collective, the last year has witnessed a “spectacular increase” in

extreme poverty and street-homelessness – and a similarly dramatic increase in state-led evictions of informally-housed persons.

The current situation is indicative of a global urban crisis, often attributed to the rise of neoliberal and financialized urbanism, and the expanding gentrification and touristification of inner-city areas. In the French case, this is compounded by persistent housing welfare retrenchment and the punitive turn in social and urban policy.⁶ Furthermore, the Paris homelessness crisis has an undeniable racialized dimension and is linked to the cruelties of the European internal and external border regime.⁷

6 Dikeç, M. (2011). *Badlands of the republic: Space, politics and urban policy*. John Wiley & Sons; Guibard, L., & Le Goix, R. (2024). Those who leave: Out-migration and decentralisation of welfare beneficiaries in gentrified Paris. *Urban Studies*, 61(10), 1990-2010.

7 FEANTSA (2022) European Migration and Asylum Policies and their Impact on Homelessness: An analysis of ‘The New Pact on Migration and Asylum’. Available at <https://www.feantsa.org/en/report/2022/12/21/european-migration-and-asylum-policies-and-their-impact-on-homelessness-an-analysis-of-the-new-pact-on-migration-and-asylum?bcParent=27>

Scholars of colonialism – specifically settler colonialism – have urged us to think of colonialism, not as an event with a definitive beginning and end, but as an enduring structure. Mindful of the risk of flattening the particularities of settler colonialism, I would suggest that we might think of contemporary urban displacements in Europe and elsewhere in a similar way.

The phrase “settler colonialism is a structure, not an event” is often attributed to the late historian Patrick Wolfe. Along with others in the fields of settler colonial and Indigenous studies, Wolfe argued that settler colonialism – particularly in its historical and contemporary Australian, Canadian, and U.S. American variants – is distinct from other forms of colonialism in that it seeks not only to exploit but also to replace the Indigenous population. To say that settler colonialism is not an event is to insist that it cannot be treated as a thing of the past; rather, it must be understood as ongoing, demanding the continuous dispossession of Indigenous communities – even in the present. As a structure, settler colonialism is woven into the very fabric of settler societies, sustained by the workings of colonial ideologies, laws, and government institutions.

As in Vancouver 2010, contemporary urban displacements are often continuous with a longer history of settler colonial dispossession and violence. However, even in cities that do not share this historical trajectory, it can be useful to conceptualize displacement as a pervasive, structural phenomenon – rooted in what Marx once referred to as the “silent compulsion” of capitalist economic relations and the persistent crisis of housing unaffordability.

The Olympics are the quintessential example of a spectacle: an unusual event that attracts attention, interest – or disapproval. Mass displacements that occur in connection with such spectacles tend to provoke moral outrage. As they should. In fact, it is a problem that not more people know and care about the negative impacts of the Olympics. That said, while it is important to draw attention to the ways in which the spectacle is used to justify displacement, it is also important to acknowledge that the problem is not confined to the event as such.

Urban displacements are sometimes spectacular, capturing the attention of the broader public. More often, however, they are slow and normalized processes that unfold over an extended period. Displacement does not necessarily begin or end with a specific event, such as an eviction. Instead, displacement pressures often build incrementally, causing residents to feel profoundly “out of place” long before – and even if they are never – physically dislocated.

Spectacular events can serve as a flash point for popular opposition to displacement – the real challenge is how to organise and sustain effective resistance to the more everyday, normalised forms of displacement.

*Author biography: Maria Persdotter is an urban researcher, currently working as Senior Lecturer in Social Work at Linköping University, Sweden. Her PhD thesis, entitled *Free to Move Along: On The Urbanisation of. Cross-border Mobility Controls – A Case of Roma 'EU migrants' in. Malmö, Sweden* analyses the spectacular eviction of the largest Roma – EU migrant’ encampment in recent Swedish history and its politics.*



THE PRESSURE ON PEOPLE LIVING ON THE STREETS IN BARCELONA GROWS

Barcelona's Pla Endreça initiative has intensified pressure on homeless individuals, forcing displacement and increasing police interventions. Reports from Arrels Foundation reveal belongings being confiscated, routines disrupted, and fines imposed for survival-related actions, such as "lack of cleanliness." While residents express concern for the mistreatment of homeless people, the Ombudsman warns that prioritising "excellence in public space" negatively impacts those who live on the streets. The need for social workers in municipal operations has been highlighted as a potential solution.



By **Mariana Cantero**, Communication and Political Incidence Department, Arrels Foundation, Spain

Residents notice daily the increasing transformation of Barcelona into a city geared towards tourism. The battle over the use of public spaces and the fight of various groups to prevent private capital from taking over them is everlasting. So far this year, the “Ajuntament de Barcelona” (Barcelona City Council) closed Parc Güell for locals to host a private Louis Vuitton fashion show, shut down one of the city’s main streets for a Formula 1 race, and is now hosting America’s Cup, which has led to relocation, cancellation of local activities, and even the need for accreditation to access the neighbourhood.

This **conception of the city as a place to visit rather than live directly impacts residents, including those who live on the streets.** The host of big events in public spaces has come with the implementation of the so-called “Pla Endreça” (Clean-up Plan), which has made life even more difficult for those living on the streets, resulting in more fines and violations of their rights. Announced as a flagship initiative at the beginning of the current mayor’s term, it’s a municipal package that has led to the enforcement of ordinances affecting street life: civic, environmental, animal ownership, and public space regulations.

In July 2023, **the Ajuntament de Barcelona announced the beginning of the first phase of the “Pla Endreça,” aimed at cleaning up public spaces and increasing municipal police presence, linking cleanliness with security.** For the homeless people that Arrels Foundation assists, this phase has translated into actions where police and municipal cleaning services forcibly remove them from where they sleep or usually stay.

Threatening to throw away their belongings or doing so without warning, soaking people resting on the street, and throwing their blankets, cardboard, documentation, mobile phones, or medication in the trash are just some of the actions described by people we know who live outdoors. They also report that municipal police appear more frequently than before, often daily, and at the same time. In some cases, they have even been threatened with having their pets taken away or fined because of it.

The host of big events in public spaces has come with the implementation of the so-called ‘Pla Endreça,’ which has made life even more difficult for those living on the streets.”

'We've noticed increased police presence, especially in areas where people gather to sleep,' explains the Arrels street team, 'This disrupts the routines of those living on the street, many of which are tied to their survival: people have to stay on guard and wait for the Guàrdia Urbana (Urban Police) to arrive, for the cleaning to happen, wait for the ground to dry, and then put their things back in place. This can lead to missing turns at soup kitchens or losing access to basic services.'

FINED FOR A "LACK OF PERSONAL HYGIENE"

'I think some officials have me on the list. A police officer is supposed to serve the people, not harm them. I feel like it's an abuse of power. I've been fined for drinking in public, for shouting, for spitting...'

These are the words of Juan Antonio, someone we know through Arrels, who has accumulated about fourteen fines since the "Pla Endreça" started. Some are for things like *dropping cigarette butts on the street or for lack of cleanliness and personal hygiene*, 'they give me fines like they're just scraps of paper. How am I supposed to pay what they're asking?', he wonders.

“Threatening to throw away their belongings or doing so without warning, soaking people resting on the street, and throwing their blankets, cardboard, documentation, mobile phones, or medication in the trash are just some of the actions described by people we know who live outdoors.”

According to [the latest Arrels report on the situation of people living on the street in Barcelona](#), seven out of ten people living out in the open have no income. Since the "Pla Endreça" came into effect, the people we assist have received a total of around thirty fines. While the number has not increased compared to previous years, the amount to pay has been significantly higher. At Arrels, we know of individuals living on the streets who have accumulated thousands of euros in fines.

'In the streets, you're not supposed to stay; you should leave Barcelona.' This is the phrase that Víctor (pseudonym) recalls being told by the municipal police officer who fined him while he was asking for money. 'I don't have any money; I try to manage on my own to eat. Those of us who are on the streets, they move us, so we go somewhere else. What sense does it make to kick you off the street when that's where you live?', he reflects. Víctor has also been fined for publicly displaying his dog, something that hurt him deeply, as he has a strong bond with the animal and loves it dearly – 'They threatened to take him away from me. I explained that the dog lives with me and that if I leave the house for eight hours, he comes with me,' he says.

Ombudsperson: 'the pursuit of "excellence in public space" sought by the Pla Endreça... could have a negative impact on homeless people, for whom public space is not only a shared space but also the space where they live and where they lack basic necessities.'

CONCERNED NEIGHBOURS

Last year, Arrels conducted a survey aimed at the general public. Notably, 78% of Barcelona residents surveyed agreed with the idea that municipal ordinances should protect, rather than penalise, those actions that homeless people must do to survive on the streets.

One example of this perspective is given by Josep, a volunteer at Arrels who is concerned about the situation of a person he sees every day near his workplace. 'I work right next to the spot where a young girl stays. She sleeps there, takes some cardboard, and builds her little shelter. My wife and I help her whenever we can. But for the past few months, the police and cleaning services come every day at 8:30 a.m. and go straight to clean the spot where she stays. Recently, they threw away all her belongings: her backpack, her phone, the clothes I had brought her. They keep doing it; they only clean the spot where she stays. They're not even trying to hide it anymore,' he explains.

To highlight this situation, in November 2023, Arrels submitted a complaint to the "Síndic de greuges de Barcelona" (Ombudsman of Barcelona), listing some of the actions made under the "Pla Endreça". The Ombudsman expressed concern that 'the pursuit of "excellence in public space" sought by the Pla Endreça, with a focus on cleanliness and order, could have a negative impact on homeless people, for whom public space is not only a shared space but also the space where they live and where they lack basic necessities.'

Regarding police activity, the Ombudsman notes that 'police actions targeting homeless individuals have intensified,' specifically those who 'sleep or remain in public spaces,' coinciding with 'the beginning of the Pla Endreça.'

Additionally, the Ombudsman's resolution recommends that police actions be recorded to ensure documentation and traceability: 'The Ombudsman's Office has not been able to confirm any changes or improvements that the 'Pla Endreça' might bring concerning the municipal social teams operating in public spaces,' it says, adding that it is necessary to 'consider the inclusion of social workers in joint operations between the Guàrdia Urbana and cleaning services.'

THE PICS D'OR: AWARDING HOSTILITY IN URBAN DESIGN

On November 18, 2024, FEANTSA attended the Pics d'Or awards, an initiative by Fondation Abbé Pierre spotlighting hostile architecture. The satirical event exposes anti-homeless measures, from spikes and segmented benches to anti-loitering laws, highlighting their cruelty and societal impact. While humour captures public attention, the campaign's goal is systemic change. By raising awareness, Fondation Abbé Pierre challenges cities to choose compassion over profit, emphasising the need to address poverty and homelessness with dignity.



By **Bryony Martin**, communications officer, FEANTSA

On the 18th of November 2024, FEANTSA attended the awards ceremony of the Pics d'Or. The initiative, founded by Fondation Abbé Pierre, shines a spotlight on the subtle art of excluding society's most vulnerable from public spaces. After all, who needs a social conscience when you can have spikes, uncomfortable benches, and discriminatory laws?

Since 2019, Fondation Abbé Pierre has been combining humour with horror for the Pics d'Or, an extension of their 2013 "Poverty is Not a Crime" campaign (ran alongside Emmaüs France and Emmaüs Solidarité), and 2017 soyonshumains.fr platform. The campaign is defined by its satirical approach to the issue; every year, submissions pour in from across France – and occasionally beyond – showcasing the very best in anti-homeless ingenuity. Spikes covering any inch of flat surface? A classic. Benches with unnecessary armrests? Fan favourites. Flowerpots? A subtle, but effective approach.

The campaign is composed of three parts, a call for submissions, a multidisciplinary jury deliberation, and the awards ceremony (however, submissions can always be made to contribute to the census). This year the ceremony consisted of a pedagogical session featuring Camille Gardesse, sociologist and urban planner; Sandrine Ruch, volunteer; Marion Ogier, a lawyer with la Ligue des droits de l'homme; and Christian Pagé, Author with experience of homelessness, discussing hostile architecture, its impact, and what can be done. This was followed by a satirical awards ceremony, with various comedians presenting the awards.

There are six categories within the competition:

1. "The Nail" (Le Clou): the public's choice award.
2. "No Shame" (Sang-scrupules): for the most brazen measure.
3. "The Impostor" (L'Imposteur): for the most contradictory measure.
4. "Out of Sight" (Ni vu ni connu): for the most insidious measure
5. "Move Along" (Bouge de là): for anti-precarity ordinances.
6. "Not Better Elsewhere" (C'est pas mieux ailleurs): the international prize.

From anti-loitering laws to strategically placed obstacles, these measures are a masterclass in saying: "We see you... and we really wish we couldn't."

The jury evaluated submissions based on the clarity of their intent, their concrete impact, creativity severity, and sometimes sheer cruelty.

Hostile architecture, or as some city planners might call it, “effective space management”, is no new concept. Cities are designed, meaning there is always intent behind their construction - and not always the best ones. The phenomenon of social engineering aims to direct collective behaviours and dissuade ‘undesirable’ outcomes – like bridges designed just low enough to prevent public buses, and the predominantly lower-income families and BIPOC citizens they carried, from accessing a public beach (Kessler, 2021). The Pics d’Or prize winners are standing on the shoulders of giants of discrimination.

Through the Pics d’Or, Fondation Abbé Pierre highlights the violent nature of these measures, which strip individuals of basic rights such as rest and dignity. Rather than addressing homelessness, cities choose to sweep it under the rug in the name of public aesthetics – and often profit. When asked about the event, Noria Derdek, Fondation Abbé’s head of legal studies, emphasised that:

‘People experiencing homelessness are not to blame for the lack of quality shelter spaces or for not always being able to access them in a manner that respects their needs – especially when accompanied by pets. Nor are they responsible for the discrimination they face in accessing housing, even social housing.’

And yet, anti-homelessness and anti-poverty mechanisms would have you believe otherwise. People are punished for having nowhere else to go, by the very people and organisations who have the responsibility, and power, to help. From anti-loitering laws to strategically placed obstacles, these measures are a masterclass in saying: “We see you... and we really wish we couldn’t.”

The Pics d’Or presents an opportunity to denounce this mentality. While the ceremony is entertaining, its ultimate aim is real change – both in public opinion and in the physical makeup of our cities. It has a history of success; after the first edition, a bank in Paris removed the spikes outside its building. However, we should not be overly optimistic – hostile urban measures are nothing if not persistent.

“The jury evaluated submissions based on the clarity of their intent, their concrete impact, creativity severity, and sometimes sheer cruelty.”

Awareness raising can be the first step to combatting hostile architecture. The Pics d'Or challenges cities to choose community or commerce, compassion or cruelty. Turning the spotlight on anti-homeless measures forces us to ask uncomfortable questions about the kind of cities we want to build. Visual storytelling and satire play a pivotal role in the campaign's success. Humour captures public interest, hopefully turning outrage into action. Having a photographic archive of hostile architecture can help train us to recognise even the most inconspicuous instantiations.

As Christophe Robert, Director General of Fondation Abbé Pierre stated at the event:

'By organising the Pics d'Or awards, the foundation seeks to raise awareness about this phenomenon, which pushes people ever further away from city centres while rendering them invisible. It challenges this denial of the right to the city and the right to a hospitable urban environment. Through this initiative, we want to remind everyone not to mistake the real fight, which is to end poverty and homelessness.'

You can access the maps of anti-homelessness architecture [here](#).

Have you witnessed some ingenuity lately?

You can report them to picsdor@fap.fr to contribute to the census.

“Rather than addressing homelessness, cities choose to sweep it under the rug in the name of public aesthetics – and often profit.”

THE 'EXCLUSIONARY CITY' GOES UNNOTICED BY MOST PEOPLE

The exhibition “The Exclusionary City”, organised by Projekt Udenfor and Aalborg University, highlights how exclusionary design and laws push homeless people out of urban spaces. Exclusionary architecture combined with criminalising legislation, such as bans on begging and sleeping in public, creates an ‘atmosphere of rejection’ that complicates survival for people experiencing homelessness. These measures render homelessness invisible, making social issues harder for the public to confront. The authors argue for sustainable solutions like affordable housing, improved mental health care, and adopting initiatives such as the Homeless Bill of Rights to ensure inclusive urban spaces.



By **Kirsten Skovlund Asmussen**, communications and disseminations officer, Projekt Udenfor and **Pia Justesen**, PhD and human rights lawyer, CREATE Aalborg University, Denmark

'I've never thought about just how unpleasant these cement benches are. They are so cold!'

'I didn't know that it's illegal to beg and that the punishment is so hard. Just asking for a few coins, you can get a prison sentence for 14 days. That seems extreme.'

'I've noticed the music they play in some train stations and thought it a bit annoying. I can't imagine what it must be like to listen to it all day if you have nowhere else to go. Or having to leave a place that brings you warmth when it's cold outside'

'Even though we spoke about hostile designs at university, there are many examples that I haven't noticed. They are so hard to spot.'

Such were the reactions when we invited people inside our exhibition, "The Exclusionary City".¹ With the exhibition on design and law that exclude homeless citizens from urban spaces, we, Projekt Udenfor and the research project *Exclusionary Design – Social Exclusion in Urban Spaces* at Aalborg University, aimed to highlight the city's excluding elements and encourage visitors to reflect on the broader societal impacts of increasing social exclusion in large cities.²

1 Catalogue: The Exclusionary City – An exhibition on design and law that exclude homeless citizens from urban spaces (2024). See: https://udenfor.dk/wp-content/uploads/2024/11/ProjektUdenfor_Katalog_Forsogsmuseet.pdf

2 See: <https://udenfor.dk/den-udstodende-by/>

The various design interventions and judicial regulations pushing people experiencing homelessness out of city centres or into prison have harsh consequences for people who are already in a socially vulnerable position. However, the development also affects other city residents, as they are confronted less with social issues.

Still, most people do not notice these changes.

“Exclusionary design... prevents people experiencing homelessness from using public spaces in ways they find meaningful or necessary.”

EXCLUSIONARY DESIGN AND LAW – AN ‘ATMOSPHERE OF REJECTION’

‘Exclusionary design’, also known as hostile architecture, is various design interventions preventing people experiencing homelessness from using public spaces in ways they find meaningful or necessary. It includes designs that create barriers to lying down, staying in certain places for extended periods, and barriers to gathering or finding warmth. It can also be benches made of material that cools the body, or benches that are short, have arm rails in the centre, or are completely removed. Loud music in parking basements or train stations, surveillance cameras, automatic lighting, raised heating vents, or steel grids are other examples of exclusionary design.³

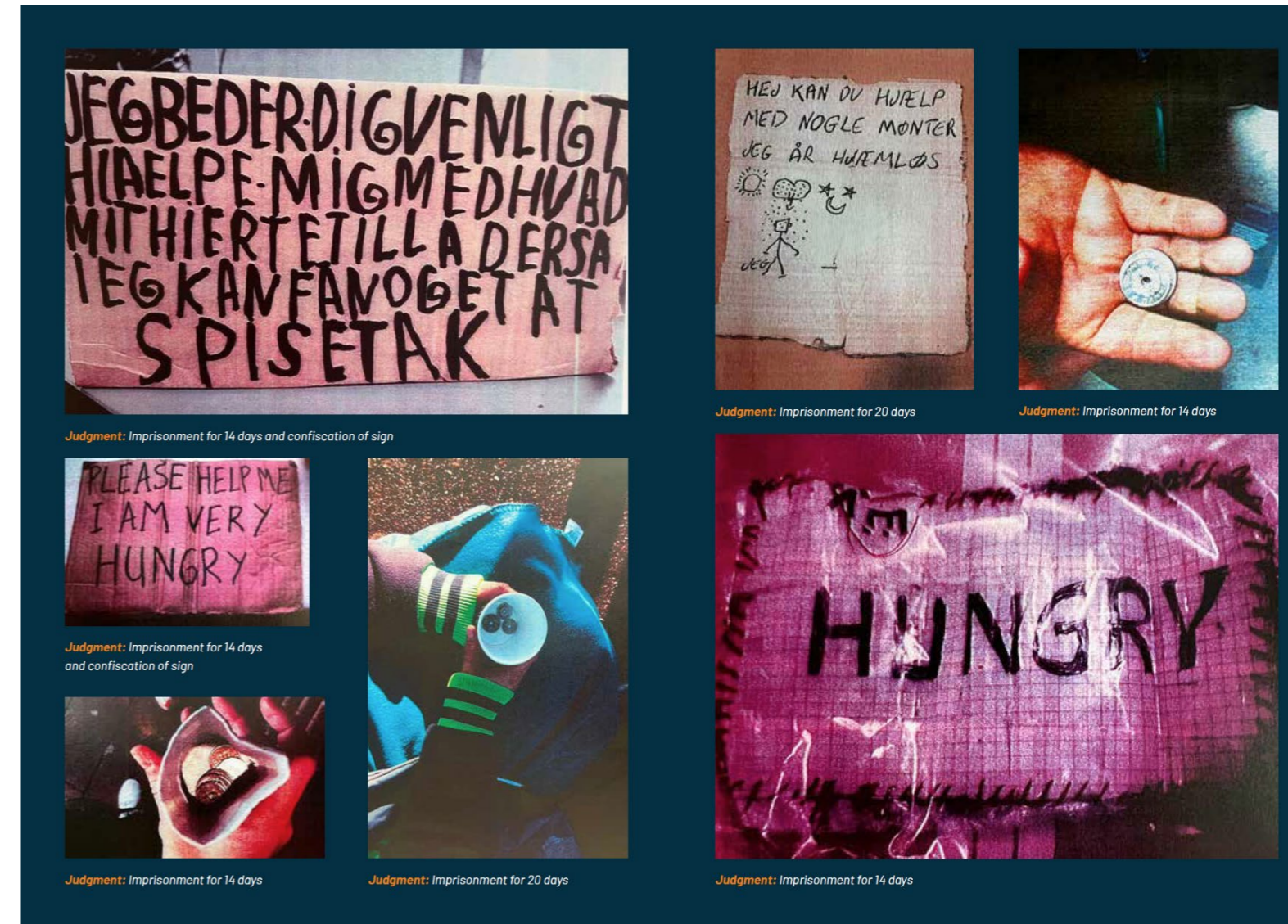
‘Exclusionary law’ is legislation criminalising certain behaviours that people experiencing homelessness and poverty may have due to their socially vulnerable position. In Denmark in 2017, criminalisation of certain ways of sleeping in public spaces was put in place, as well as stricter punishments for begging. The rules prohibit so-called “intimidating camps”⁴ and “intimidating begging”⁵ and were at the time dubbed “Roma Laws” by the Danish media. They were a political response to a moral panic ignited by the then mayor of Copenhagen and certain media stories about foreign rough sleepers begging and living in encampments in public spaces, allegedly creating discomfort for other city residents.⁶

3 Nielsen, C. H. (2024). *Ekskluderende design – Når design skaber eksklusion*. Aalborg Universitet, page 127 f.f.

4 Danish Public Order Regulation, article 3(4) and 6(3).

5 As of 2017, the penalty for “intimidating begging”, cases where begging is committed in pedestrian streets, near train stations, at supermarkets and on public transportation, has been increased to 14 days of unconditional imprisonment for first-time offenders. Danish Criminal Law, article 197.

6 Justesen, Pia. (2023). *A Crime to Sleep in Camps – Denmark and International Human Rights*. *European Journal of Homelessness*, 17(1), 113-129.



The police often take photographs when they arrest people for »intimidating begging«. The images are examples from individual police files. They show coins, cups, and begging signs that have been used as evidence in court cases about begging. All images are from cases where people were found guilty of begging. They often received a prison sentence of 14 or 20 days. In comparison, they would typically have only received a fine if they had been guilty of shoplifting.

Furthermore, in Copenhagen, there are local ‘No Sleeping’ signs in 150 parks and green areas. Here, people experiencing homelessness could otherwise seek shelter from bad weather and would typically find benches and access to clean drinking water and toilets. The signs are put up by the City of Copenhagen and enforced by the police. Violations may result in a fine or expulsion.⁷

These designs, laws, and local sleeping bans not only complicate survival strategies that people experiencing homelessness might use, such as finding a warm place to sleep that is elevated from the ground or having shared sleeping spots for people to look out for each other and each other’s belongings, but they also create ‘an atmosphere of rejection’ by conveying a joint message to people living on the street: “you are not welcome here, go away!”.⁸ Simultaneously with the exhibition, we published the book “[No Access – Social Exclusion in Urban Spaces](#)”. Luna, who has been in and out of homelessness since the age of 19, describes in the book:

‘... I get frustrated with the rejection because it’s getting harder and harder to find a place to sleep. (...) They say that we make the city unsafe. But it makes us feel incredible unsafe to be rejected all the time. We are just trying to find a place to sleep where we can get a few hours without being disturbed. But we don’t dare to lie down. We’re constantly afraid that someone will come and scold us: ‘You can’t be here.’

7 Justesen, Pia (ed.). (2024). *No Access – Social Exclusion in Urban Spaces*. Danish Architectural Press.

8 Jensen, O. B. (2020). *Atmospheres of Rejection. How Dark Design Rejects homeless in the city*. Proceedings of the 4th International Congress on Ambiances, *Alloaesthesia: Senses, Inventions, Worlds*, (s. 326-331). Réseau International Ambiances.

»It feels really insecure to live on the street because you never know what will happen.«
Marlene, February 2022

»Homeless Problem Weighs Heavily on Copenhagen«
Headline, Jydskevestkysten.dk 2014

»V about Homeless Unrest: Relocate the Shelter from Klosterport«
Headline, tv2estjylland.dk 2018

»People on the Street Cause Noise and Create a Sense of Insecurity Near Schools and Supermarkets«
Headline, sjællandskenyheder.dk 2020

»It’s also about what matters to us as human beings, being able to be in a place where you feel safe and where you can hang out with the people you relate to.«
Daniel, January 2022

»It’s incredibly stressful not knowing where you will sleep tonight, and you can’t feel safe anywhere, neither on the street nor in shelters. There is nowhere to go where you can say that you feel safe, there just isn’t.«
Sussi, January 2022

»Several Areas in Nørrebro are Tormented by Homeless Individuals Causing Conflicts and Insecurity: Efforts Underway to Find a Solution for All Parties«
Headline, Københavnliv.dk 2023

»We just end up being thrown from place to place all the time, and they call it urban development. Yeah, right, it’s actually the dismantling of us.«
Jacob, July 2022

»The capital requests help from the government to address Roma people living on the street and causing insecurity«
Subheadline, dr.dk 2017

»It’s so stressful being homeless, and we all experience anxiety. The fear of being attacked, the fear of never getting out of this mess, and the fear of falling into addiction. It’s so hard and you just get overwhelmed.«
Lykke, January 2022

»When you’re alone at night, you’re really vulnerable, and it feels damn unsafe. That’s why we gather in groups, so we can look out for each other a bit.«
Brian, June 2022

»The regulations on intimidating camps are intended to combat the insecurity that may follow when homeless individuals settle in camps...«
Quote from Press Release, Justitsministeriet.dk 2020

»In the city, it is becoming increasingly difficult to find a decent place to sleep«
Kasper, July 2022

»Group of Homeless Individuals Created Discomfort for Residents – Now They Are Returning«
Headline, tv2kasmopol.dk 2023

»We design and arrange our spaces with the aim of ensuring satisfied and comfortable customers. Our stations are for travelers, not for people sleeping«
Quote from article, Avisen.dk 2014

»I know some people complain about the homeless, but I think it’s also because they don’t understand how hard it actually is for us. It’s tough and really stressful.«
Heidi, May 2022

The quotes have all been translated and edited for readability. The original quotes from individuals who are or have been homeless are in Danish and can be found in the PhD thesis ‘Ekskluderende design - når design skaber eksklusion’ (2024) by Carsten Hvid Nielsen.

Find the PhD and the Danish articles that have been quoted at www.udenfor.dk/den-udstodende-by

Undignified, unsafe, and stressful are some of the words used to describe life in homelessness. These statements come from people who are or have been homeless, and who have shared their experiences with exclusionary design and legislation. Intimidating, noisy, and conflict escalating are on the other hand some of the words used to describe homeless citizens. The safety and security of people experiencing homelessness are rarely considered in legislation and design that shape our cities.

Homelessness is a significant attack on people's right to live in dignity. International human rights outlines obligations to prevent homelessness and ensure the right to a dignified life, an adequate standard of living and housing, a dignified emergency shelter, health, basic sanitation, privacy and the right to move freely in public spaces.

There is a double victimisation of people experiencing homelessness. In addition to living a life without a home, homeless citizens are ostracised from urban spaces on which they depend to stay, eat, sleep and earn money. Not only are homeless citizens pushed around the city or even out of the city, but they are also penalised for engaging in these vital everyday actions. Furthermore, the majority of those in Denmark penalised for begging and for violating various sleeping bans are migrants from Eastern Europe, which points toward discriminatory practices. The existence of exclusionary design and law and the discriminatory enforcement of the rules indicate that the Danish state is not living up to its human rights obligations.

WHEN SOCIAL ISSUES ARE MADE INVISIBLE, IT'S HARDER TO ACT

Many people are unaware of the rise in exclusionary design and law. Hence, the outraged reactions from the visitors to our exhibition. Three concerns can be raised about the current development:

1. The criminalisation of begging and encampments was justified by reference to foreign rough sleepers being a nuisance and someone creating insecurity and intimidation. The discourse shifts the public's focus away from the social issues that were really in play.
2. Politically sanctioned discriminatory rhetoric and enforcement of laws risk making other city residents less empathetic towards not only foreign people sleeping rough but potentially all people experiencing homelessness, as the laws target behaviour used by many people in extreme poverty.
3. Design and law 'collaborate' on excluding people in homelessness from urban spaces. This development makes street homelessness more invisible, thereby distorting other city residents' views on society making it more difficult for the public to act and hold decision-makers responsible.

Accessible public spaces have the democratic advantage of forcing city residents to encounter and share space with people who are different from themselves. But when homeless and socially marginalised individuals are rendered invisible by exclusionary measures, public spaces no longer enhance the collective awareness of fellow citizens.⁹ This lack of confrontation with social marginalisation may result in stronger societal divisions.

⁹ Roberts, Joseph T F (2023): The Value of Public Space: What is Hostile Architecture? The Collector, published September 17th (2023): <https://www.thecollector.com/public-space-hostile-architecture/>

“They say that we make the city unsafe. But it makes us feel incredibly unsafe to be rejected all the time. - Luna.”

OTHER PATHS TO TAKE

It is an international trend that exclusionary law and design pushes some of the most vulnerable citizens away from city centres. Part of the reason is urbanisation and increased competition between cities, contributing to gentrification, higher property prices, and a growing commercial exploitation of urban spaces, which creates less room for people experiencing homelessness.

Growing poverty and lack of life opportunities, mental health crises, and a financially unavailable housing market across Europe lead to homelessness, rough sleeping, and migration. The challenges are not solved by exclusion and punishment, thereby making it possible for other city residents to turn a blind eye. It is necessary to see the exclusion and the social challenges to come up with sustainable solutions.

Better and well-funded mental health care and access to social assistance and affordable housing for all people experiencing homelessness is a more sustainable solution that has a real positive effect on

our society. Instead of social exclusion in urban spaces, initiatives such as the Homeless Bill of Rights pose other paths to take.¹⁰ The Bill states that ‘People who are homeless should be granted the right to use public space, and to move freely within it, with no greater restrictions than apply to others’.

The European Commission has a goal to reduce the number of people living in poverty by at least 15 million (including at least five million children) by 2030.¹¹ The European Commissioner Dan Jørgensen stated in his confirmation hearing in November 2024 that:

‘It’s not just about providing the actual roof over the head of the people. That’s the first thing. It is also about coupling it with social measures, with job opportunities, with creating a life for people.’

Now, goals and fine words need to be followed by concrete political action.

¹⁰ Feantsa and Housing Rights Watch: [Homeless Bill of Rights](#)

¹¹ See: [European Pillar of Social Rights action plan](#) of March 2021.

“When homeless and socially marginalised individuals are rendered invisible by exclusionary measures, public spaces no longer enhance the collective awareness of fellow citizens.”

JOHNSON V. GRANTS PASS PASS: A MAJOR SETBACK, BUT NOT THE LAST WORD IN CRIMINALIZATION OF HOMELESSNESS IN THE U.S.

The Johnson v. Grants Pass Supreme Court ruling allows cities to penalise homeless individuals for sleeping outdoors, overturning protections from Martin v. Boise. Despite this setback, advocates are pushing for systemic solutions like housing-first policies, which have successfully reduced homelessness in cities like Houston and Milwaukee. Globally, homelessness is recognised as a human rights issue, highlighting the need for housing justice and solidarity. This article was first published on the Housing Rights Watch Website on October 31, 2024, and we are grateful for their permission to share it here, with full attribution.

[This is the link to the original publication.](#)



By **Eric Tars**, senior policy director, National Homelessness Law Centre

The fight against the criminalization of homelessness in the U.S. has experienced a significant setback with the Supreme Court ruling in [Johnson v. Grants Pass](#). However, the struggle for justice is far from over. More than 600,000 people in America experience homelessness on any given night, with nearly half – 250,000 – sleeping outside. To understand the current state of homelessness policy in the U.S., it's essential to look at both the legal and political landscapes that have shaped this issue, especially how past rulings, like [Martin v. Boise](#), and the strategies adopted by advocates, have influenced the present and future.

THE LEGAL HISTORY: FROM MARTIN V. BOISE TO GRANTS PASS

The legal battle against criminalizing homelessness gained traction in 2018 with the landmark decision in [Martin v. Boise](#). In that case, the Ninth Circuit Court of Appeals ruled that it is unconstitutional to punish homeless people for sleeping or sheltering outdoors if no alternative indoor accommodations are available. This ruling cited the Eighth Amendment's prohibition on cruel and unusual punishment, marking a significant win for advocates fighting for the rights of unhoused individuals.

The *Martin* decision immediately led to the [suspension of anti-camping ordinances](#) in many cities under the Ninth Circuit's jurisdiction, which covers much of the western U.S. This ruling was not just about preventing fines or arrests. It led to broader changes, including millions of dollars of increased investments in housing, shelter services, and homelessness prevention programs. Policymakers began recognizing that punitive approaches do not solve homelessness but worsen it.

In 2019, the [U.S. Supreme Court refused to review the Martin decision](#), leaving it intact. The ruling became a powerful legal precedent even outside the Ninth Circuit, though it was not binding elsewhere. The decision even helped stop efforts by the Trump administration to push for national anti-camping policies, which would have sought to force unhoused individuals into makeshift camps.

In the years following *Martin*, similar cases cropped up, building on its precedent. One such case is *Grants Pass v. Johnson*, which emerged from the city of Grants Pass, Oregon. Here, the city enforced harsh penalties, including fines of \$295 for those sleeping outdoors without access to shelter – despite the city having no year-round emergency shelter, and the rental vacancy rate is one percent – basically zero. There simply isn't enough housing that people can afford. This mirrors a nationwide issue, as many US cities face a significant shortage of affordable and safe housing units.

“The city enforced harsh penalties, including fines of \$295 for those sleeping outdoors without access to shelter.”

In 2022, a district court ruled in favor of Johnson and other unhoused plaintiffs, reinforcing the *Martin* precedent and adding an excessive fines claim under the Eighth Amendment. The 9th Circuit affirmed that ruling and many of the principles established in *Martin*. However, the Supreme Court accepted the case for review in January 2024, signaling a potential reversal. The Court's willingness to reconsider the matter reflects a broader legal shift in how the judiciary views the balance between local government powers and individual rights in the context of homelessness.

LEGAL STRATEGY IN GRANTS PASS: ADVOCACY BEYOND THE COURTROOM

Homeless rights advocates knew the stakes in *Grants Pass* were high. The *Martin* decision had given them a powerful tool to reduce harm, but it didn't address the root problem: the lack of affordable housing. Knowing the unlikelihood of winning in the current conservative-dominated Supreme Court, the [National Homelessness Law Center](#) adopted a two-part strategy in organizing support for the case. The goal was to fight the legal battle while using the spotlight to galvanize public support and drive long-term change to solve homelessness.

The legal strategy in court involved a wide coalition of voices. The plaintiffs were supported by [amicus briefs](#) from various legal, religious, social science, human rights, and historical experts. These briefs argued that criminalizing homelessness, in places where shelter was unavailable, was not only unconstitutional but also cruel and counterproductive. Advocacy groups emphasized the severe personal and societal costs of punitive measures, focusing on the intersectional harm faced by marginalized groups, including racial minorities, women, and people with disabilities.

[Outside the courtroom](#), the strategy shifted to movement-building. Advocates worked to raise awareness about the broader issues tied to homelessness, including racial and gender inequities, the high costs of housing, and the failure of existing systems to support people in crisis. By emphasizing the intersectional nature of the problem, advocates aimed to mobilize a wide range of groups and individuals in the fight for affordable housing justice.

 Housing-first policies – like those successfully implemented in Finland, where homelessness has significantly declined – are gaining traction in the U.S.”

This approach recognizes that even a court victory in *Grants Pass* would have limited impact. A ruling might preserve the status quo, but it wouldn't address the systemic issues that lead to homelessness in the first place. By building a broader coalition, the movement seeks to push for real, structural changes that will solve homelessness at its roots.

THE PATH FORWARD: FIGHTING THE IMMEDIATE CRISIS AND BUILDING LONG-TERM SOLUTIONS

Unfortunately, the Supreme Court, as feared, overturned the lower court ruling, thereby enabling communities to enforce anti-homeless ordinances regardless of *whether or not individuals have access to any indoor shelter alternatives*. In the wake of the decision to hear more than 100 communities have already introduced or passed [new anti-camping laws](#) across the U.S., rolling back many of the protections gained in the wake of *Martin*. These measures often criminalize people for being unable to afford housing, effectively punishing them for their poverty.

However, there is a growing movement to counteract these policies. Advocates are pushing for federal, state, and local [legislation](#) that restores the protections lost in court, ensuring that cities cannot criminalize people simply for existing in public spaces when they have no other options. Legal advocates continue to file lawsuits using other constitutional or statutory theories.

Beyond the legal battles, advocates are also pushing for broader systemic [reforms](#). The long-term solution to homelessness lies in addressing the root causes. The lack of affordable housing, insufficient mental health services, and inadequate support systems for those in crisis will continue to drive homelessness in the U.S. unless these issues are addressed. Housing-first policies – like those successfully implemented in [Finland](#), where homelessness has significantly declined – are gaining traction in the U.S. These policies focus on providing stable, permanent housing as a first step, without preconditions, along with supportive services.

Efforts are also being made to expand [crisis response teams](#) that can address homelessness in a more compassionate and effective way. These teams focus on providing medical, mental health, and housing support rather than relying on law enforcement. Programs like these not only reduce the immediate harm caused by homelessness but also pave the way for longer-term housing solutions.

Many U.S. cities have proved that these models work to end homelessness. Florida's [Miami – Dade County](#) established the nation's first dedicated funding source for homeless services in 1992, resulting in a reduction of homeless individuals from over 8,000 to fewer than 1,000. [Milwaukee](#) saw a 92 percent decrease in its unsheltered population following the start of a housing – first program in 2015. [Houston](#), the nation's fourth most populous city, provided more than 25,000 homeless people with apartments and houses that helped to reduce homelessness by 63 percent.



THE GLOBAL PERSPECTIVE: HOUSING AS A HUMAN RIGHT

While the fight against the criminalization of homelessness faces major setbacks in the U.S., it remains a critical issue globally. Advocacy groups have long worked to frame homelessness as a violation of human rights, pushing for international [recognition](#) of criminalization as cruel, inhuman, and degrading treatment.

This argument has been accepted in many parts of the world, with international human rights bodies [condemning](#) the criminalization of homelessness. In Europe, for example, countries have implemented housing – first policies that have reduced homelessness significantly, demonstrating that punitive measures are not the solution. We all face huge challenges due to the commodification of housing, which has turned homes into investments rather than essential human rights. [International capital](#) is playing an increasing role in shaping housing markets, deepening an affordability crisis worldwide. To fight this global trend, advocates are calling for solidarity across borders, urging all nations to prioritize housing justice and push back against the forces that commodify housing and displace vulnerable populations.

CONCLUSION: A LONG ROAD AHEAD, BUT NOT THE END

The *Johnson v. Grants Pass* case marks a critical moment in the fight against the criminalization of homelessness in the U.S. While the legal outcome may be a setback, it is not the end of the road. Advocates are mobilizing for long-term solutions that focus on housing, services, and justice. The path forward requires sustained effort, both in the courts and in the streets, to ensure that homelessness is not treated as a crime but as a societal failure that can and must be addressed.

By building a broad, intersectional movement and learning from successful models abroad, the fight for housing justice can continue. While the immediate future may be uncertain, the movement is committed to ensuring that every person has the right to a safe and secure home.

“The path forward requires sustained effort, both in the courts and in the streets, to ensure that homelessness is not treated as a crime but as a societal failure.”

FREE54: GRASSROOTS ORGANISING FOR PUBLIC SPACE IN BRUSSELS

Free54, a collective based in Brussels, emerged in 2015 in response to changes to the public square Place St. Catherine. As a grassroots initiative, Free54 aim to reclaim the square as a truly public space, accessible and functional for all. The group advocate for inclusivity, resisting commercial encroachments, and highlight the social needs public spaces fulfil. While their efforts have sparked discussions and awareness, tangible changes have been limited, underscoring systemic barriers and the complexity of urban development.



FEANTSA: Can you start by introducing Free54, its origins and aims?

Free54: So So Free54 was created in 2015. I was still in high school, near Place St. Catherine. Place St. Catherine is a very popular city centre located square. It was a daily use square. It always had a commercial side, with shops and restaurants, but locally managed and an important part of the daily lives of citizens.

Then when we were around 16 or 17 years old, in the last years of high school, we started feeling little interventions. First, benches that were taken away, and the possibility for trucks to ride on the square to install event equipment. The public toilet was removed at one point. Then with more active repression banning drinking or playing football because it was bothering the [restaurant and bar] terraces, which were taking up more and more space on the square.

There was a chainification of shops and restaurants, and the contact with these businesses changed. You can talk in a very easy way with somebody who has an emotional link to the square and who's been living there too. It's a different conversation you have than with somebody who doesn't. [For chains] there isn't a relationship to the locality except for it being economically interesting.

Our frustration over losing public space inspired us to form Free54 to reclaim the square. We saw how this was a local representation of the general development and mindset of the city. The story of St. Catherine is like the story of so many other squares in Brussels.

We started asking for concrete things back and thinking about what kind of public spaces we wanted, and what kind of public space is there now. It was about reappropriating the square, reusing it, and finding ways to show what public space is and what it could be. Going back to the core definition of public space, where everybody can define it in terms of their needs.

“Our frustration over losing public space inspired us to form Free54 to reclaim the square. We saw the consequences and how this was a local representation of the general development and mindset of the city.”

We must acknowledge that for some people public space is an extension of their home, and for others it even is their home. Public spaces are the only space where some people can live. Like us [Free54 collective] – we were a more privileged group, it was about being able to exist and experience the city, without being in a relationship of consumption with it.

“It's not that difficult; if a little citizen collective can do this and install new benches, then why can you not do it? After nine years of negotiation, you being the public service of the city.”

We held a lot of actions on the square, lobbied, and campaigns trying to talk about the issue. Unfortunately, we haven't seen much concrete effect yet. Our latest action was to build a lot of benches on the square and host a debate with politicians on the topic, but we didn't receive any solid promise at the event or after.

Bringing the benches was a symbol to say 'It's not that difficult, if a little citizen collective can do this and install new benches, then why can you not do it? After nine years of negotiation, you being the public service of the city.'

FEANTSA: *So, you haven't seen any positive effects? Why do you think that is?*

Free54: I think it's a system. We are a little organisation, in a very powerful economic system where you don't have enough leverage to fight it. I think we put things on the card, have a conversation, and give things a little bit of attention. But globally, I don't believe that it's through a conversation with politicians that you're going to get anything done. I think like you said, some rules are being made for very privileged people, and that exclude a lot of people within the use of public space, and you need to decide for yourself if you want to follow them or not.

FEANTSA: *Have you seen any changes since the development of Free54?*

Free54: I think COVID gave the possibility for broadening terraces because we couldn't sit inside. Terraces could get very easy permits, and you see that a lot were not retracted after COVID-19. I think this was a very decisive very important time within the evolution of privatisation in public space in general. I don't think there are any steps that we made in the opposite direction.

FEANTSA: Not even in how people are thinking about public spaces?

Free54: Probably. Of course, we had the opportunity to talk about this and a lot of people agree with our view on this. But you have also people who have normalised the commercialisation of big space and the gentrification of the city centre, including the “cleaning” of people and behaviours perceived as problematic. They are not aware of alternative ways of using and reclaiming public space, partly because the current solution aligns with their individual interests. A major part of the problem is the lack of examples and a collective imagination for shared spaces.

I feel like a lot of local citizens have always been behind Free54, it's been a very popular movement with a lot of support, but I don't know if the balance is high enough in comparison to people who are thinking about their own interests.

FEANTSA: So you as an organisation have any ideas for the future? What could, result in change and what is it that we need as a city?

Free54: It's about vision. It's about the definitions and the limits you put into the use of a certain space, and I think you need very clear politics for this to change. If you have very clear politics, then you can think of a friendly design and you can consider what different categories of people need from public space.

But if it's not public, you cannot even think of how you can implement all those needs.

“If the funding behind every policeman that does a round in that public space to control that people are not using the space, not sleeping where they shouldn't be sleeping, would instead be invested in a social worker.. it would make a big difference.”

FEANTSA: *Do you have any examples of spaces either in Brussels or beyond, where there's been a positive use or change of public space?*

Free54: No. I do think some squares and projects are being protected a bit, or where there is a vision a bit more interesting like where we are now [Parc Ovest, Brussels], or the development of Maire Moskow in St. Gilles. I think it's also important to think about what makes a good quality public space. And I think it's a lot about human contact. We realise it's not always about design, but design helps with ownership. Think about how can you make sure a space, a given space, creates a feeling by the people using it that it's also for them and that they can make something out of it and take care of it and nurture it.

If the funding behind every policeman that does a round in that public space to control that people are not using the space, not sleeping where they shouldn't be sleeping, would instead be invested in a social worker being present and offering a welcoming possibility to the space it would make a big difference.

FEANTSA: *When people talk about cities the issue of security comes up quite often. We often see how this is used as an excuse to criminalise and target people experiencing homelessness. I'm wondering how you think narrative plays into the issue of public space?*

Free54: I think that a safe space for someone is not a safe space for somebody else. I think you can have safer spaces, but safe spaces can only exist in a very specific time frame with conditions for a very specific group that enables this group to be in a safe position, but the space will never be totally safe. I don't think at any point it's cameras or police presence that will make a space more safe. It's more underlying respect and social checks of collectiveness that will make a space safe.

FEANTSA: *Do you have any recommendations for people who want to create a collective like Free54?*

Free54: Free54 started with an Instagram page and a Facebook page. We said, 'Okay, every Friday after work or school, we will meet on the square, and everybody brings what they want to do in public places.' And people came – with their families, to eat cookies, for kids to play. People came to jam and make music and meet in the public space. Like we always used to do, but on a bigger scale. Maybe in the beginning there will be nobody that's there, but it works. For example, in Marseille they do it at La Plaine, they take a big picnic blanket and invite people to bring food, and they eat all together on the square.

I think you do little things that bring people together in public spaces. The important thing is that it is regular. You need to do it a lot. You need to be every week at the square. And it's more of a daily fight, I think, than a very massive one-shot thing.

FEANTSA: *I'm wondering if there are any points you'd like to finish with?*

Free54: I don't want to sound pessimistic. I think it's very important to keep on going. Having local actions concerning those spaces and I think the best people that can talk about it are people that know the space and that really want to defend it, you know. I think if everybody would do the same as Free54 for their local square it could be very impactful and change policy at some point, but it needs to be on a bigger scale.



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