

Mapping Paper: Accommodation as ATD Prerequisite

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Introduction



Migrants with irregular status are generally excluded from official integration initiatives at EU and national level. Under EU law immigration is an area of shared competence between the Union and Member States (Art. 4 TFEU).

The legal basis of the EU's competence to develop a common immigration policy, however, is framed as the fair treatment of **legally residing third-country nationals**, alongside the prevention and combat of **illegal immigration** (Art. 79 TFEU).

There is thus a clear disjunction between inclusive policies aimed at migrants who reside legally and the approach to irregular migrants, which privileges exclusion, prevention and enforcement². The distinction underpins key EU policy instruments in the field, such as the European Agenda on Migration³.

The **exclusionary approach** rests on the principle that irregular stay should not be tolerated and that Member States have an obligation to expel and return irregular migrants to a third country. The cornerstone of EU legislation on irregular migration, the Return Directive⁴, illustrates that principle. Policies tackling irregular migration, therefore, seek to incentivize return while discouraging prolonged stay, including through the use of coercion and detention⁵. As part of the strategy, Member States try to limit to a minimum access to public services for migrants in irregular situation. While some exceptions are made, notably for children, adult irregular migrants across the EU can only access emergency health care. Ultimately, there is no conclusive evidence that the exclusionary approach leads to more effective migration management.

The exclusionary approach further assumes that the majority of irregular migrants in the EU (irregular entrants, visa over-stayers or rejected asylum-seekers) can be detected and swiftly returned to their country of origin. In both 2014 and 2015, when the EU saw an unprecedented number of first-time applicants for international protection, Member States were able to return only 36% of irregular migrants, largely due to reasons unrelated to migrants'

¹ This paper is produced as part of project “Applying Engagement-based Alternatives to Detention and Decreasing Irregularity in the Migration System”, implemented by Center for legal aid Voice in Bulgaria (CLA), supported by the European Programme for Integration and Migration (EPIM), a collaborative initiative of the Network of European Foundations. The sole responsibility for the content lies with the author(s) and the content may not necessarily reflect the positions of NEF, EPIM, or the Partner Foundations.

² Delvino, N. (Nov, 2017). European Cities and Migrants with Irregular Status: Municipal initiatives for the inclusion of irregular migrants in the provision of services, p. 3. Available at <https://www.compas.ox.ac.uk/wp-content/uploads/City-Initiative-on-Migrants-with-Irregular-Status-in-Europe-CMISE-report-November-2017-FINAL.pdf>

³ European Commission (2015). A European Agenda on Migration. Available at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf

⁴ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (Art. 6 para. 1).

⁵ 2, Delvino, p. 3.

resistance.⁶ The EU has expressed concern that an increase in the number of applicants without improvement in the **rate of effective returns** implies that Member States may face a growing population of migrants in irregular situation.⁷ Available data thus indicates that while EU law and policy assumes that irregularity is an exceptional and temporary state, for many people it is an enduring or even chronic condition.⁸

Alternatives to Detention (ATD)

Immigration detention is an administrative measure, which a state applies to limit individual freedom of movement in order to facilitate another measure, such as expulsion or return. Immigration detention is not a punitive act and in most Member States an administrative authority, rather than a court, issues the detention order.⁹ In most cases immigration detention is justified if a third country national presents a risk of absconding, obstructs the execution of the removal order or does not comply with the conditions of alternative measures. In Bulgaria, however, practically all rejected asylum-seekers and other foreigners with return orders are routinely detained.

The concept of **alternatives to detention** rests on the obligation under international treaties to defend fundamental human rights, such as the right to liberty, security and freedom from arbitrary arrest and detention¹⁰. International law posits a presumption of personal liberty, which can be limited only in exceptional cases and as a measure of last resort when all less restrictive alternatives have been exhausted. States, however, have the sovereign right to control migration, including through the detention of irregular migrants. Such deprivation of liberty cannot be arbitrary, but needs to comply with existing legal norms, as well as with the principles of necessity and proportionality. The application of alternatives to detention is based on these principles, as the necessity and proportionality of detention should be assessed in any individual case.

Alternatives to detention can also be **compulsory administrative measures** when they apply outside detention facilities and restrict movement under predetermined conditions. European law requires and encourages Member States to apply detention as a measure of last resort and provide for alternatives.

⁶ European Commission. (2017). Communication from the Commission to the European Parliament and the Council on a more effective return policy in the European Union - a renewed Action Plan, COM(2017) 200 final. Available at <http://data.consilium.europa.eu/doc/document/ST-6943-2017-INIT/en/pdf>

⁷ Ibid.

⁸ 2, Delvino, p. 4.

⁹ European Commission. (2014). Synthesis Report for the EMN Focused Study - The use of detention and alternatives to detention in the context of immigration policies. Available at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/emn_study_detention_alternatives_to_detention_synthesis_report_en.pdf

¹⁰ UDHR, Art. 3 & Art. 9; ICCPR, Art. 9; CRC, Art. 37(b); ECHR, Art. 5; EU Charter of Fundamental Rights, Art. 6.

in national legislation.¹¹ The possibility to apply alternatives needs to be considered not only at the stage of issuing the detention order, but also throughout the period of detention when it has transpired that the return cannot be carried out within a reasonable term. EU law does not supply an exhaustive list of alternatives, but the most common alternatives used in Member States are seizure of travel documents, requirement to reside at a particular location, deposit of a financial guarantee, reporting obligation and electronic monitoring. Member States are free to apply different alternatives, as well as combination of alternatives as long as they comply with Art. 52(1) of the EU Charter of Fundamental Rights.

Alternatives to detention are distinct from **release from detention** through a court order or because the maximum term of detention has been reached. Release is unconditional, whereas the application of alternatives implies the existence of conditions, which the foreign national must observe, such as living at a particular address, reporting regularly at local police offices, etc. Noncompliance with these conditions can lead to the application of a more restrictive measure, such as proper detention. In some Member States measures from the alternatives portfolio continue to be applied to third country nationals beyond the maximum term of detention as a way of controlling irregular migrants on the territory.¹²

Theoretical Considerations

Discussions regarding the accommodation of migrants in irregular situation frequently begin by pointing out that the right to housing is explicitly recognized as a **basic human right** in a range of international and regional instruments.¹³ This right is applicable to all persons regardless of nationality and legal status and encapsulates access to secure, accessible and sustainable accommodation. In EU law an adequate standard of living is also connected to the respect and protection of human dignity as enshrined in Art. 1 of the Charter of Fundamental Rights. The availability of suitable housing is further linked to the exercise of other basic rights, such as the right to health. There is thus a human rights policy frame through which actors advocate and shape distinct responses to irregularity.

Policy analysis also makes a distinction, albeit not always fully articulated or justified, between **irregular and non-removed migrants** in the accommodation context.¹⁴ Irregular migrants are people without a right of residence for a variety of

¹¹ Directive 2008/115/EC, Art. 15; EU Return Handbook, p. 79.

¹² Bulgarian Helsinki Committee. (2016). Summary Report on National Practice Regarding Detention of Third-Country Nationals, p. 40. Available at https://www.bghelsinki.org/media/uploads/documents/reports/special/2016-07_detention-mapping-report.pdf

¹³ UDHR, Art. 25(1); ICESCR, Art. 11(1); ICERD, Art. 5 e-iii; CRC, Art. 27; ICRDP, Art. 28(1) (Bulgaria has not ratified); Revised ESC, Art. 31.

¹⁴ Fundamental Rights Agency (2011). Fundamental rights of migrants in an irregular situation in the European Union. Available at https://fra.europa.eu/sites/default/files/fra_uploads/1827-FRA_2011_Migrants_in_an_irregular_situation_EN.pdf

reasons, whereas non-removed migrants are those whose removal has been suspended or postponed. While the two categories can designate conceptually and legally autonomous categories, there is also significant overlap and people can easily move between both. In practical terms, such differentiation has affected the range of housing options deemed suitable or available for each group. The EU Fundamental Rights Agency (FRA), for instance, reviews access to private accommodation and homeless shelters for irregular migrants, but not regarding non-removed ones.¹⁵ The discussion of options for the latter group is limited to the availability of state-provided accommodation. There is thus no consideration of housing in terms of alternatives and some de facto detention facilities are listed as open accommodation.

Such omission implies that there is analytical potential in exploring accommodation choices for irregular migrants in relation to the **residency requirement** in the context of alternatives to detention. Both groups share similar characteristics in lacking access to social protection and essential services, work permits and legal income, and occasionally any identity documents. The notable difference is that migrants who are subject to removal have an on-going relationship with the authorities who need to be aware of the residential option and approve it. The difficulty here is that the approving authority might not consider all possible accommodation options for irregular migrants suitable or acceptable for the purposes of providing alternatives to detention. The rationale behind a positive or negative assessment, then, should be further investigated.

In some Member States the distinction between irregular and non-removed migrants is justified on the basis of existing sanctions for renting shelter to migrants in irregular situation. The EU Facilitation Directive imposes a duty on Member States to punish anyone who, for financial gain, intentionally assists a non-national to reside in breach of state law concerning the residence of aliens.¹⁶ FRA notes that a “zealous interpretation” of these provisions has led some EU countries to outright **criminalize the renting of accommodation** to migrants in an irregular situation.¹⁷ In a second group of countries, landlords of irregular migrants can be punished on the basis of general legislation regarding the facilitation of irregular entry or stay. FRA suggests that the wording of the Facilitation Directive needs to be revised to prohibit the penalization of actions committed with humanitarian aim and only sanction renting to irregular migrants if done with the sole purpose of preventing removal.

The assessment and accommodation of different forms of **vulnerability** deserves particular attention when considering housing options for irregular migrants. Reports highlight that lack of secure shelter might heighten the risk of sexual abuse and domestic violence, particularly for women, and thus there is a clear gender dimension to the issue.¹⁸ The elderly, the destitute, pregnant

¹⁵ Ibid, pp. 59-70.

¹⁶ Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorized entry, transit and residence, Art. 1(1)(b) & 1(2).

¹⁷ 13, Fundamental Rights Agency, p. 61.

¹⁸ PICUM. (2014). Housing and Homelessness of Undocumented Migrants in Europe: Developing Strategies and Good Practices to Ensure Access to Housing and Shelter. Available at

women, single women with small children, children turning 18 and people struggling with chronic disease or psychiatric disorders can also be extremely vulnerable. Member States run a wide range of specialized services for population groups considered at risk and many of them have welcomed irregular migrants in need. A further investigation is necessary to determine how these admissions have happened in the past, whether there are any administrative barriers and how entry could be streamlined.

Literature on the inclusion of irregular migrants in Europe further notes the role of cities in this field, which at times opposes exclusionary policies at national level. While immigration policy is crafted at EU and national levels, municipal authorities are responsible for implementation, but also for social cohesion and provision of services at the local level and cannot overlook the presence and needs of irregular migrants on their territory. The City of Utrecht, for instance, has resorted to innovative litigation strategies before international bodies to judicially assert that the city can provide shelter to irregular migrants because of the Netherlands' human rights obligations.¹⁹ Spencer argues that such **local turn in integration policy** actually fulfills, rather than opposes, shared social and economic objectives at national level.²⁰ City activism certainly requires a level of local autonomy, but in any context these developments bring awareness of the relevance of multi-level governance to the implementation of immigration policy.

EU Practice on Accommodation for Irregular Migrants

A. Private Housing

Even if the law does not expressly prevent irregular migrants from **concluding lease agreements**, a number of practical obstacles arise in the majority of Member States. Tenants may be required to provide a set of documents that are difficult to obtain for people in irregular situation, such as valid passport or ID, along with social security or tax identification numbers. Landlords also frequently require a proof of income or certain financial guarantee. The structure of the housing market, accommodation availability and discrimination pose further barriers. Similar difficulties may impede irregular migrants checking into a hotel or hostel independently.

Some NGOs help migrants to rent private accommodation at their own cost by **mediating between tenants and landlords**. *Provivienda*, an NGO funded by the community of Madrid, aims to facilitate migrants' fair access to rentals in the private housing market.²¹ The organization keeps the identity of the tenant anonymous to prevent discrimination until the leasing agreement is signed.

https://www.feantsa.org/download/annual-conference-2013-report-housing_en_fi-nal2732015831843266330.pdf

¹⁹ 2, Delvino, p. 12.

²⁰ Spencer S. (2020) Cities Breaking the Mould? Municipal Inclusion of Irregular Migrants in Europe. In: Spencer S., Triandafyllidou A. (eds) Migrants with Irregular Status in Europe. IMISCOE Research Series. Springer, Cham. Available at https://doi.org/10.1007/978-3-030-34324-8_10

²¹ 17, PICUM, p. 11.

Through this approach migrants don't have to provide documentation that is not available to them. *Abraço*, a Brussels-based migrant community organization, also offers interpersonal mediations between tenants and landlords, along with assistance and information to mostly Portuguese speaking migrants.

Organizations are further seeking to develop **community-based solutions** to increase the availability of temporary accommodation options.

Many undocumented migrants spontaneously turn to their support network of family and friends to find housing, particularly when in urgent need.

Such solutions, however, frequently lead to overcrowding and are only viable for the short-term. Initiatives exist to mobilize communities to temporarily host irregular migrants in their own homes.²² In this case an external organization structures the provision of temporary accommodation by vetting migrants and hosts, as well as managing suitable matching and financial resources. The advantage of this option is that while it prevents migrant homelessness, it also involves the host community and builds solidarity and visibility for migrant rights.

To circumvent documentation requirements irregular migrants are often forced to **sublet housing** without formal contracts. Depending on the preferences of the owner, the tenant cannot always use the address for administrative purposes and is vulnerable to exploitation. One possible solution is for organizations to own or rent housing, which they can then securely sublet to irregular migrants.²³ A PICUM study further suggests that partnerships with housing associations (private non-profit or for-profit providers of low-cost housing) can fill the gap in the private housing market.²⁴ Undocumented migrants can thus stay in temporary accommodation, which remains vacant prior to sale or rental, for a price below market value.

B. NGO-Run Residential Options

NGOs can also own or rent property that they then operate as a **residential service** for irregular migrants independently of state funding. Examples include *Ingen människa är illegal (No one is illegal)* in Stockholm, the *Association for Human Rights and Democracy in Africa (AHDA)* in Vienna and other similar NGOs in Barcelona and Madrid.²⁵ Running targeted accommodation services for migrants helps avoid competition with the native homeless population for limited places in shelters. Still, given the significant demand and the high cost of running a private shelter, such initiatives remain short-term options of limited impact.

Civil society organizations also receive **public funding** to address the housing needs of irregular migrants. Municipalities often outsource the service to NGOs, particularly when national legislation leaves no possibility to host individuals with irregular status in official public shelters.²⁶ Local authorities may prefer this option,

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ 13, Fundamental Rights Agency, p. 64.

²⁶ 2, Delvino, p. 19.

rather than providing a shelter through municipal departments, even in the absence of conflicting national norms. In Oslo, for instance, the City funds an accommodation center for overnight stays during the winter.²⁷ The Salvation Army and the Red Cross manage the facility, which was established to serve those without rights to other social services. According to an Oslo City official as “the question of irregular migrants has not been given much political or public attention”, no one is rejected from the center.

Organizations further run specialized **services for various vulnerable groups** with a residential component, either independently or with public funding. Frequently, local authorities support NGOs that provide services for specific categories of irregular migrants, as undocumented women, children or rejected asylum seekers. In Sweden, for instance, the City of Gothenburg reimburses non-profit shelters for providing a protected space for irregular women escaping violence.²⁸ The Municipality of Utrecht has, in turn, funded a shelter for undocumented adults, and an emergency shelter for rejected asylum seekers.²⁹ Most such initiatives are ultimately unassisted in meeting the high demand for specialized care and support.

The European Commission reports that only Austria provides an example of an NGO active in the **administration of the residence requirement** as an alternative to detention.³⁰ The NGO *Verein menschen leben* provides accommodation in a special facility in Vienna, *Zinnergasse*. Third-country nationals are required to report daily to the local police officer present at the facility. The measure thus seeks to combine two forms of alternatives to detention through close cooperation between the NGO and state authorities. It is not clear whether the organization is state-funded or whether it independently fills a gap in provision in coordination with state actors. The present option suggests stricter control over the movement of irregular migrants than other NGO-run residential alternatives, but might also indicate a state commitment to provide suitable infrastructure for the residence requirement.

C. Denomination-Run Residential Options

Religious communities have also been active in the care for irregular migrants through direct use of worship infrastructure, running an affiliated shelter or setting up specialized NGOs. In Germany, for instance, compelled by their Christian faith, some parishes provide temporary shelter to undocumented migrants.³¹ *The Ecumenical Consortium for Asylum in the Church (BAG Asyl in der Kirche e.V.)* provides undocumented migrants with legal support in addition to housing. In Portugal the *Jesuit Refugee Service (JRS)*, an international Catholic non-governmental organization, runs a shelter to host homeless migrants, *Centro Pedro Arrupe*.³² There is scope for greater involvement of religious structures and communities in this field, and especially in encouraging the involvement of the Muslim communities who may feel compelled to assist co-religionists, but have less established infrastructure.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ 8, European Commission, p. 34.

³¹ 17, PICUM, p. 16.

³² See <http://www.jrsportugal.pt/en/about-us/>

D. State-Run Residential Options

Some Member states provide accommodation to irregular migrants whose removal has been suspended or postponed, but who were not granted a residence permit. These people can be accommodated in private houses or flats, owned and managed by the state, also known as **social or public housing**, or privately owned houses and hotels with state-subsidized rents.³³ All persons present in Portugal are eligible to benefit from social assistance, which includes access to social services and facilities.³⁴ In Spain, in turn, non-removable individuals may in theory access accommodation if they register with the municipality.³⁵ In most Member States, however, access to public housing for undocumented migrants is extremely difficult as accommodation is scarce and preference is given to nationals or legal residents with some source of income.

Most frequently non-removed migrants are placed in **collective accommodation centers** if the Member State provides housing for those granted formal toleration, as well as for the de facto tolerated. These options can range from specialized immigrant reception centers to facilities where migrants are accommodated together with other groups, for instance, asylum seekers. In Germany, holders of a toleration card are assigned to accommodation centers within a certain area, whereas Sweden houses individuals with authorization to stay in long-term accommodation centers.³⁶ States also resort to placing non-removed migrants in facilities for the homeless as a form of collective accommodation. Given that such housing is usually intended for temporary stay, it frequently does not meet criteria for adequate accommodation in terms of hygiene and privacy.

Undocumented migrants may seek accommodation in **state-run shelters** on their own initiative. The state is generally the main service-provider in a national context and these services assist with a range of vulnerabilities from victims of trafficking to care-leavers and the elderly. As mentioned earlier, administrative barriers tend to obstruct undocumented migrant's access to these residential options and successful admissions merit further investigation. As with social and public housing, priority in homeless shelters is usually given to national homeless citizens or documented migrants, even if objective need might prevail in some cases of extreme vulnerability. Such placements may also require registration with the authorities, which is why irregular third-country nationals resort to short-term or emergency facilities of greater anonymity. Non-removed migrants ultimately do not correspond to the service profile of homeless shelters whose main objective is to foster reintegration in society.

In line with the exclusionary approach to irregular migration discussed above, accommodation is also available to third-country nationals in some Member States if they **sign up for voluntary return**.

³³ 13, Fundamental Rights Agency, p. 67.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

In the Netherlands a municipal ‘bed-bath-food shelter’ in Rotterdam has been accepting irregular homeless migrants only if unfit to sleep in the street, as certified by a medical doctor, and if they agree to cooperate for their return.³⁷ These conditions are in line with court rulings and coincide with the national governments’ stances on the matter.³⁸ In Belgium, in turn, irregular migrants who sign in for their voluntary return can access the *De Tussenverdieping* reception center managed by the City of Ghent.³⁹ These compromises are a difficult balancing act between conservative voters who advocate for the immediate deportation of rejected asylum-seekers and a left-leaning minority who insist that these people cannot simply be left on the street.

E. Immigration Detention and COVID-19: Spain Case Study

During the coronavirus pandemic of 2020 some EU Member States suspended immigration detention and released irregular migrants to the community. Such measures sought to prevent the creation of viral hotspots in institutional settings characterized by poor sanitary conditions and overcrowding. Equally, continued detention no longer had a legal basis since detention centers are meant as temporary holding facilities prior to deportation. The Return Directive stipulates that “detention ceases to be justified” if a reasonable prospect of removal no longer exists (Art. 15(4)). With the near-worldwide shutdown of borders and air travel, returns could not be carried out in the foreseeable future.

Spain set the example by closing all but one detention facility throughout the country and keeping only three people in detention.⁴⁰ The closures were the result of collaboration between local and regional authorities co-operating with civil society organizations, the Ombudsman, detention center directors, and judges to ensure that the rights and dignity of migrants were respected. *Fundación Cepaim*, an organization that addresses social and residential exclusion and migrants’ social integration, received some of the people released from detention.⁴¹ *Fundación Cepaim* is one of the main organizations managing the national reception system for refugees, asylum seekers and stateless persons and it also focuses on the reception of undocumented migrants through its humanitarian assistance projects.

Nacho Hernández Moreno, a lawyer at *Fundación Cepaim*, reports that the release of detainees was carried out on a case-by-case basis. Persons with relatives who could host them were released first and those with no family in Spain were sent to social organizations that implement reception programs for undocumented migrants. The entry and stay at civil society facilities are entirely on a voluntary basis. Significantly, released migrants do not have to report back to the authorities and will not be detained again once the state of emergency ends. The Spanish experience illustrates how an alternative to detention can be implemented with a structured effort to prioritize residential options in the community.

³⁷ 2, Delvino, p. 21.

³⁸ Sterling, T. (21 Nov, 2016). Dutch compromise over ‘bed, bath and bread’ for rejected asylum seekers fails. Available at: <https://www.reuters.com/article/us-europe-migrants-netherlands/dutch-compromise-over-bed-bath-and-bread-for-rejected-asylum-seekers-fails-idUSKBN13G1GS>

³⁹ 2, Delvino, p. 21.

⁴⁰ Majkowska-Tomkin, M. (29 Apr, 2020). Countries are suspending immigration detention due to coronavirus. Let’s keep it that way. Available at <https://www.euronews.com/2020/04/29/countries-suspending-immigration-detention-due-to-coronavirus-let-s-keep-it-that-way-view>

⁴¹ Moreno, N.H. (21 Apr, 2020). A Step Towards Ending Immigration Detention in Spain. Available at <https://picum.org/a-step-forward-towards-ending-immigration-detention-in-spain/>

The range of accommodation options for irregular migrants in the European context can be mapped on a matrix (Table 1) in relation to the nature of the service provider and the nature of any potential partner. Both axes represent a gradation from state-run housing to private accommodation through NGO and denomination-run residential options. Such a model allows us to visualize dependency on an intermediary to access accommodation alternatives and how much of that service-provision is dominated by the state. In addition, the chart illustrates potential new loci for service-creation that might not yet exist. The map is ultimately also an instrument for measuring whether the prevalent responses are community-based or institutional.

	state-run	NGO-run	denomination-run	private housing
STATE	<ul style="list-style-type: none"> collective accommodation centers state-run shelters accommodation for voluntary return 	<ul style="list-style-type: none"> publicly-funded residential service; services for vulnerable groups; administration of the residence requirement 		<ul style="list-style-type: none"> social housing
NGO		<ul style="list-style-type: none"> residential service; services for vulnerable groups; 	<ul style="list-style-type: none"> residential service; services for vulnerable groups; 	
DENOMINATION			<ul style="list-style-type: none"> residential service; services for vulnerable groups; 	
PRIVATE		<ul style="list-style-type: none"> sublet housing mediating between tenants and landlords; 		<ul style="list-style-type: none"> concluding lease agreements; hotel, hostel; sublet housing; community-based solutions

Table 1. Summary of accommodation options for irregular migrants across the EU

As illustrated by the examples above, accommodation for non-removed migrants, if available at all, tends to be institutional and oriented towards return. In exceptional circumstances people who cannot be deported to the country of origin can be accommodated in open reception centers for asylum-seekers or in homeless shelters. These options, however, are not presented as possible alternatives to detention, but as a way for authorities to provide a bare minimum of material assistance. The different housing possibilities presented here emerge mainly in discussions regarding irregular migrants who are not in contact with the authorities. As the case study from Spain shows, however, such pathways can be quickly and usefully deployed to offer alternatives to detention in an emergency situation. This is why it is useful to consider the full range of available choices in an effort to expand the alternatives portfolio.

Accommodation for Irregular Migrants in Bulgaria

The national context is characterized by a variety of actors across the public-private continuum. The immigration detention centers and the open reception centers for the accommodation of asylum-seekers are fully under state control. Many services for vulnerable groups are also state-run or managed as delegated services. Given the state-centered structure of service-provision for migrants in Bulgaria, alternatives should be sought by expanding community-based options. Removing barriers to existing services and enhancing migrant autonomy at the private housing market, in particular, seem to hold promise. The matrix presented in Table 1 is used here to locate existing and potential accommodation options for irregular migrants in Bulgaria.

	state-run	NGO-run	denomination-run	private housing
STATE	<ul style="list-style-type: none"> ■ <i>State Agency for Refugees</i>: open centers for asylum-seekers; ■ <i>National Commission for Combating Trafficking in Human Beings</i>: shelters for victims of trafficking; ■ <i>municipality</i>: centers for crisis accommodation of homeless people; centers for temporary accommodation; centers for the elderly; 	<ul style="list-style-type: none"> ■ (delegated services) <i>Animus</i>: crisis center; ■ <i>Association Information and Knowledge</i>: social services for adults with disabilities and the elderly; 		<ul style="list-style-type: none"> ■ <i>municipality</i>: municipal housing;

	state-run	NGO-run	denomination-run	private housing
NGO		<ul style="list-style-type: none"> ■ <i>Concordia</i>: social services for adults; ■ <i>Animus, Mission Wings</i>: complex of social services for children and families; ■ <i>Bulgarian Child Foundation</i>: study center for youth at risk; 	<ul style="list-style-type: none"> ■ <i>Caritas</i>: social centers 	
DENOMINATION			<ul style="list-style-type: none"> ■ <i>Muslim, Jewish, Orthodox, Catholic and Evangelical communities</i>: denomination shelters; 	
PRIVATE				<ul style="list-style-type: none"> ■ <i>hotels, hostels, landlords, brokers, irregular migrants</i>: rent and community options

Table 2. Main stakeholders and accommodation options for irregular migrants in Bulgaria

The present mapping does not contain an exhaustive list of available services and service-providers, but rather aims to introduce a comprehensive typology according to the nature of the actors. For each category interviews with stakeholders will reveal how accessible the residential option is for irregular migrants and any administrative or implicit barriers to entry. The shelter options affiliated with religious institutions, as well as the private housing alternatives, in particular, will benefit from a field exploration, as official and published information is scarce.