



HOMELESSNESS

Analysis of State Policies

Homelessness

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(Analysis of state policies and legal framework, a qualitative study of homeless groups)

Tbilisi, 2016



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Introduction

Homelessness and housing exclusion represent an important problem in Georgia. However, this issue is being inadequately recognized within political and social spaces.

Despite the acuteness of the problem, the needs of homeless individuals and the forms and reasons of homelessness or housing exclusion remain unstudied. To date, the number of homeless individuals has not been recorded and there is no relevant database. In addition, no research has been conducted on the scope of the problem of housing exclusion nor the increasingly severe situation of homeless persons

Due to inadequate recognition of homelessness as a problem and its exclusion from the political agenda, research on the problem of homelessness or housing exclusion in Georgia is related to significant complications¹. The grave social and economic conditions of homeless groups, insufficient access among them to different rights, low levels of political participation and the absence of self-organization, complicates the public articulation of their needs and requirements, making the problems of homelessness even more invisible and indefinitely delaying the preparation of bases for their resolution.

Considering these and other challenges, and the systemic nature of the existing problems, the goal of the presented research is to study the law, institutional frameowrk, state policies and the housing services; additionally, the goal of the research is to study existing forms of homelessness and housing exclusion, the scope of social exclusion of persons living in these conditions, causes leading to the condition of homelessness and the capabilities of homeless groups. In order to transform the data into an effective, reactive and simultaneously preventive normative model, the document tries to answer the following questions: what forms does homelessness or condition of housing exclusion manifest in, how long do people live in this condition and what leads to homelessness.

Through the analysis of the existing context and the best international practices against homelessness, the research approximates discussions on housing needs to social needs (related to poverty, gender inequality, disability, etc.). In line with previous studies, the given document discusses dimensions of material, immaterial, economic and social conditions, in this case specifically applied on homelessness, and the dynamics between them.

¹ Few of the important researches and reports, in this respect, are: Social Housing – Georgian Reality in International Context, 2013. Authored by: Vladimer Vardosanidze and Elene Darjania; Right to Adequate Housing – Special Report, 2015. Public Defender's Office; Non-recognition, Inactivity and Repression Substituting a Home , 2014. Human Rights Education and Monitoring Center (EMC);

The research is organized into two parts and ten chapters. The first part assesses policies, laws and institutional frameworks aimed at homelessness. The second part is a qualitative study of homeless groups. The first chapter of the first part describes research methodology; the second chapter reviews the state policies and the institutional framework aimed at eradicating homelessness; the third chapter analysis the definition of a homeless persona and the forms of homelessness recognized by the state; chapter four studies the services aimed at eradicating homelessness, while the fifth chapter conveys the major findings.

The second part of the research is organized into five main chapters. Chapter One describes research methodology. Chapter Two discusses different forms of homelessness and housing exclusion and the factors leading to the social exclusion of the groups falling under the mentioned categories, in order to understand their capabilities. Chapter Three includes information about the duration of homelessness or housing exclusion, which leads to the possibility of discussing different degrees of social exclusion among homeless persons or persons facing housing exclusion. Chapter Four discusses different levels of processes leading to homelessness or housing exclusion. Chapter Five summarizes the main findings of the research and, based on these findings, discusses and substantiates the need of changing the approach towards certain target groups in order to improve, change and prevent their situation.

Part I

The Study of State Policies and of the Legal Framework

Chapter 1. **Methodology**

This research aims at analyzing the existing legal, institutional framework of the right to housing, and how the issue of homelessness is treated within state policy and legislation. The study also analyzes housing services existing on municipal levels, their interrelation with the transitory and specialized services administered by the central government, and reveals the main shortcomings. The research group studies and analyzes the mentioned topics in light of standards for the realization of the right to housing and best practices of combatting homelessness.

To analyze national legislation and practice, the study also overviews and analyzes housing rights standards protected through legal documents recognized and beyond recognition by Georgia, as well as policies of other countries and methodical approaches towards adequate and effective realization of the right to housing.

Through simultaneous analysis of national standards, practices, and best international experience, the research team presents recommendations towards the creation, improvement, and strengthening of specific directions of state policy against homelessness.

In the working process, the team used the following instruments:

- Research of the existing legislation, policy, and realization of the right to housing.
- Request of public information (freedom of information requests).
- Strategic litigation.
- Working meetings and individual interviews.
- Research of international legal standards and best practices of other countries.

1.1. Research of the Existing Legislation, Policy, and Realization of the Right to Housing

For the purposes of this study, the existing legislation and policies were analyzed in the following directions: preventive and reactive policies against homelessness, competences of central and local government and coordination mechanisms, minimal housing standards and definition of homeless persons, practices of implementation of those transitory and specialized services on the central level that include housing component and are addressed to specific vulnerable groups.

In addition to studying these issues on the central level, the research team also examined normative acts and practices on local government levels in relation to the following issues: the concept of a homeless person and criteria for establishing homelessness, registration of homeless persons, referrals of homeless persons and policies of realization of the right to housing, and purposes and administration of municipal housing services.

The research team examined these issues fully in three local self-government units, including Tbilisi, Ozurgeti, and Lagodekhi municipalities. The Tbilisi municipality was selected because Tbilisi has an especially high concentration of persons with housing needs, as well as certain responsive mechanisms of the municipality. In the other two cases, two relatively small municipalities were selected in different locations. The team also observed certain issues in Telavi, Chokhatauri, and Batumi municipalities.

1.2. Freedom of Information Requests

For data collection purposes, the research team also used the freedom of information requests mechanism, from relevant services of the central government, as well as relevant units of local governments. The main purpose was to observe the fulfillment of responsibilities by target public institutions, identify the responsive mechanisms developed in response to the problem of homelessness and conduct a research of their administration processes.

1.3. Strategic Litigation

In order to research and evaluate the functioning of housing services on municipal levels, the research team also used strategic litigation, which implies legal representation of groups living in different forms of homelessness and their individual needs. This enabled the team to observe the process of recognition of homelessness by municipalities and the establishment of the forms of homelessness, as well as the target groups, scope and application of housing services.

1.4. Working Meetings and Individual Interviews

Within the study, working group meetings were held and individual interviews were conducted with experts working on certain issues, as well as representatives of relevant state services, local self-government units, organizations providing housing and social services, Public Defender's office, and international organizations.

1.5. Research of International Legal Standards and Best Practices of Other Countries

During the working process, the research team also analyzed the standards of housing established through international legal acts and recognized as binding by Georgia in relation to certain components of the right to housing, as well as the legal standards established through those acts that have still not been recognized by Georgia as binding. The team also examined documents establishing the interpretation of the right to housing elaborated by the UN and the Council of Europe and standards and typologies elaborated by FEANTSA with the aim of adequate realization of the right to housing. The team also studied the practices of numerous European countries, in terms of both state policies, as well as legislative regulations and supportive services of housing.

1.6. Limitations

This research does not cover all aspects of homelessness policy and analyzes specific research topics formulated in the research objectives. The policies, legislation, and practice of realization of the right to housing in relation to internally displaced persons in times of armed conflict or natural disasters were also excluded from the research scope.

Chapter 2.

Overview of the state policy and institutional framework for eradicating homelessness

The aim of this chapter is to evaluate the current state policy and institutional model of fighting against homelessness, from the perspective of effective and appropriate realization of the rights to housing, recognized by national legislation and international acts. Specifically, it includes the assessment of the main directions of state policy that essentially determine the mechanisms for prevention and effective response to homelessness. To this end, it overviews national policy papers related to homelessness to study the approach of the state towards assessing the number and needs of homeless persons, competences of central and local government, shortcomings revealed in the process of implementing their authorities, as well as the interrelations and coordination issues of responsible agencies. These are evaluated in under the standards established by the practices found successful in Europe, and contemporary approaches to guarantee the right to housing.

The presented chapter describes and critically analyzes the efforts of the state towards eliminating homelessness through the study and analysis of the fundamental directions on which the state should rely on in order to lead an effective and adequate policy.

2.1. Legislative regulation of the right to housing and its scope

State policy created to realize the right to housing is essentially defined by the scope and scale of the recognition of this right by the state. Therefore, evaluating the issue of legislative regulation of the right to housing is important for the analysis of relevant policy and institutional framework.

The right to adequate housing is not directly envisaged in national legislative acts with this exact formulation, and its content is presented in a narrow, ambiguous manner. However, the international legal standard for the realization of the right to housing, recognized as binding by Georgia, is wider and envisages different components of the right to housing.

The Constitution of Georgia recognizes the social state principle and its preamble highlights the aspiration of the citizens of Georgia to establish a social and legal state. In one of the rulings of the Constitutional Court, two judges of the collegium clarify the content of the social state principle in their dissenting opinions, noting that it serves the aim to preserve security, human dignity and freedom. Practical realization of the mentioned principles implies the

legislative recognition of social rights on one hand, and provision of elementary means for subsistence on the other.²

The organic law of Georgia “Local Self-Government Code” narrows the realization of the right to housing to the provision of shelter for homeless persons and considers this guarantee to be a responsibility of local government agencies.³ The law of Georgia “On Social Assistance” includes a definition of homeless persons, which, due to its ambiguity and narrow content, fails to become an effective instrument to identify homeless persons and include their needs in the scope of the legislation.⁴

In terms of realization of the right to adequate housing, the most important document among the legislative acts recognized as binding by Georgia is the “International Covenant on Economic, Social and Cultural Rights” of the United Nations, ratified by the country on May 3, 1994. According to Article 11 of the Covenant, member countries recognize the right of each individual to an adequate standard of living including basic income, food, housing, water, sanitation and clothing and the continuous improvement of living conditions.⁵ The UN Committee on Economic, Social and Cultural Rights declares that the right to housing should not be defined narrowly. Rather, it should include the guarantee of the right to live in secure, peaceful, and decent conditions at any place.⁶ Therefore, When the right to housing implicate mere provision of shelter, as is the case with the national legislation, the latter thus fails to reflect the full content of the right to housing recognized by the Covenant.

The right to housing is also protected by the European Social Charter, but its relevant articles are not recognized by Georgia as binding. According to Article 31 of the Charter, in order to effectively implement the right to housing, parties must take measures aiming at the provision of relevant housing for a homeless person and at the prevention and mitigation of the problem of homelessness with the objective of its gradual elimination. The Article also envisages provision of adequate housing for those who do not have relevant means.⁷

2.2. Principles of forming state policy against homelessness

International experience shows that the measures and models of eradicating the homelessness, forming part of strategies against social exclusion and poverty, have been refined numerous times. Considering the complex nature of the phenomenon of homelessness and based on the accu-

2 Dissenting opinions of the members of the Constitutional Court of Georgia, Ketevan Iremadze and Besarion Zoidze, regarding the ruling # 1.2.434 of August 27, 2009, p.9.

3 Organic Law of Georgia “Local Government Code,” Article 16, Paragraph 2, Subparagraph V

4 Law of Georgia on Social Assistance, Article 4, Paragraph P.

5 International Covenant on Economic, Social and Cultural Rights, Article 11, Paragraph 1.

6 General Comment N4 of the Committee on Economic, Social and Cultural Rights: “Right to Adequate Housing,” Part 7. See here: <http://www.refworld.org/docid/47a7079a1.html>.

7 European Social Charter of the European Council, Article 31.

mulated knowledge and experience, it has been recognized that effective ways to eradicate the homelessness can be implemented on the basis of coherent, complex policy. A national strategy document should describe the approach of the state in terms of how they will fight homelessness and determine its main objectives and directions. Therefore, the national strategy document, as a declared vision of the state, is an important political instrument against homelessness.⁸

The experience of countries studied within the scope of this research shows that they are concentrated on two important components of the effectiveness of state policy: the reliance of the strategy on the objective of complete elimination of homelessness, and the approximation of national strategies of different countries with the aim of creating a unified European strategy.⁹ In the joint report of the Social Protection Committee of the European Council and the European Commission of 2010,¹⁰ developed through open method of coordination (OMC),¹¹ elimination of homelessness was determined as one of the priority aims and the necessity of reflecting the consensus achieved among countries regarding the fight against homelessness in national action plans and strategies was agreed upon.¹²

2.2.1 National strategies against homelessness in European countries

In accordance with the experience of European countries, the national strategy against homelessness, as a declaration of the vision of the state towards the elimination of homelessness, should include clearly defined objectives, aims, and visions according to the directions which are especially significant for the state in the specific context.

The strategy could include issues such as: prioritization of assistance for the most vulnerable groups of homeless, prevention of eviction and how to decrease of the number of evictions, the necessity of creating an effective institutional framework, prioritization of developing preventive measures, the importance of creating methods for fighting against homelessness based on statistical analysis and updating of statistics, the need for systematic review of the strategy document and assessment of its effectiveness etc.¹³

8 Homelessness Strategies and Innovations. Lars Benjaminsen, Evelyn Dyb. (Homelessness research in Europe. Feantsa, Brussels 2010. P. 123. Available: <http://www.feantsaresearch.org/IMG/pdf/full.pdf>.

9 "A national perspective on local strategies to tackle homelessness". An abstract by Paulo Eurico Variz Catholic University of Portugal, Finance Ministry of Portugal. P 3.

10 Joint Report on Social Protection and Social Inclusion 2010. European Commission Directorate General for Employment, Social Affairs and Equal Opportunities Units E2 and E4 Manuscript completed in February 2010.

11 Open method of coordination is an important methodology for the elaboration of policies of social protection and social inclusion in EU countries, coined on the Lisbon Conference of 2000. See more information at: <http://ec.europa.eu/social/main.jsp?catId=750>.

12 Joint Report on Social Protection and Social Inclusion 2010. European Commission Directorate General for Employment, Social Affairs and Equal Opportunities Units E2 and E4 Manuscript completed in February 2010. P. 6.

13 Digests of the European Social Charter, #60, "c", "d", "e"; p.349: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168049159f>

2.2.1.1. Elimination of homelessness, as the central goal of the strategy

National strategies implemented by European countries include an innovative vision for fighting homelessness, which implies switching from the so-called “homelessness management” system to the “homelessness elimination” system. Under the “homelessness elimination” model, the vision of the state is oriented at rejecting temporary management methods and developing long-term visions aiming at the elimination of homelessness.¹⁴

2.2.1.2. Research and statistical data, as the foundation for strategy elaboration

The experience of countries reflected shows that research on homelessness and analysis of statistical data is a significant path towards developing effective instruments against homelessness. Furthermore, in its digests, the European Social Charter Committee directly states that only the strategies elaborated on the basis of statistical and research data on homelessness will be considered compliant to the Charter requirements.¹⁵

According to the experience of European countries, the research data related to homelessness should involve the identification of not only homeless persons, but also persons facing the risk of homelessness. The process is implemented¹⁶ through national statistical bureaus.¹⁷ Research includes processing of quantitative data on homeless persons and persons facing the risk of homelessness, as well as the study of the causes of homelessness and individual needs of identified persons. On the basis of this data, a priority system is created, which then serves as a basis for the determination of relevant financial and infrastructural resources, including the frequency of requesting allocations from international social funds.¹⁸

2.2.1.3. Prevention of homelessness, as the main component of strategy

National strategies of different countries show that the prevention of homelessness is viewed as an important mechanism in the fight against homelessness. Identifying and strengthening persons facing the risk of homelessness is the leading component of national strategies, since it implies the establishment of a sustainable system against homelessness and decreases the

14 Policy Document of the Conference held for the achievement of consensus on homelessness in Europe in 2010 (issued in 2016, pg.3).

15 Digests of the European Social Charter, Article 31, Comment N 60, pg. 349: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168049159f>

16 “Extent and Profile of homelessness in European Member States”. Statistical update (#4), Brusseles, 2014. P. 27-31.

17 Denmark: National Center for Social Research, Netherlands: National Statistics Office, Portugal: National Institute of Statistics, etc. Defining and Measuring Homelessness. Volker Buch-Geertsema. GISS, Germany. P. 95-108

18 “A national perspective on local strategies to tackle homelessness”. Paulo Eurico Variz Catholic University of Portugal, Finance Ministry of Portugal. P. 8.

need of fighting the problem of homelessness through reactive measures. This approach is also important for the purposes of effective and rational allocation of resources which effectively ensure the prevention of homelessness at an earlier stage. Application of preventive measures also implies decreasing of damage and lowering the probability of homelessness among beneficiaries. The definition of preventive policies by states, in turn, is based on statistical and research data on the spheres in which the causes of homelessness are revealed.

2.3. General overview of state policy against homelessness

Besides the international legislative acts to guarantee the right to housing, as well as several weak and ambiguous notations in the legislation, there were no policy papers in Georgia in which the state recognized the problem of homelessness, until 2014. Despite the severity of the issue and the fact that the unspecified, but significant number of homeless persons was especially highlighted in the Special Report of the Public Defender of Georgia,¹⁹ only the National Human Rights Strategy (for 2014-2020), approved by the Parliament of Georgia, declared the realization of the right to housing as a challenge before the state.

With the aim of fulfilling the obligations stemming from the right to the adequate housing and resolving the problem of homelessness, the National Human Rights Strategy defines the following key objectives: a) Maximal concentration of the existing state resources to the extent possible to ensure the right to housing; b) Provision of the right to adequate housing without any discrimination; c) Implementation of effective measures to provide access to adequate housing for vulnerable groups; d) Creation of legislation compliant with international standards to ensure the right to adequate housing and creation of the national housing strategy that envisages the interests of all groups; e) Registration of homeless persons and creation of a database; f) Provision of minimal housing conditions.²⁰

Despite the state vision declared in the strategy document, specific measures for the realization of the right to housing were not included in the Human Rights Action Plan of the Government of Georgia for 2014-2015, prepared with the aim of implementing the strategy approved by the Parliament.²¹ Similarly, the issue of the right to housing was excluded from the Human Rights Action Plan for 2016-2017,²² which points to the fact that this issue does not represent a priority for the state and that the relevant will to elaborate systemic state policy against homelessness is nonexistent.

¹⁹ Special Report of the Public Defender, "Right to Adequate Housing" 2015. pg.21. <http://ombudsman.ge/uploads/other/3/3282.pdf>

²⁰ Decree of the Parliament of Georgia "On the Approval of the National Human Rights Strategy of Georgia (for the years 2014-2020)", April 30, 2014. Article 21.

²¹ Decree N445 of the Government of Georgia of July 9, 2014 "On the Approval of the Human Rights Action Plan of the Government of Georgia (for the years 2014-2015)"

²² Ordinance N1138 of the Government of Georgia of June 13, 2016, on the Approval of the "Human Rights Action Plan of the Government of Georgia (for the years 2016-2017)."

In August 2015, an interagency working group, aiming at processing a unified strategy against homelessness was created under the Ministry of Labor, Health and Social Protection. The working process took place with the participation of not only the representatives of the central and local governments, but also the Public Defender and different actors. As a result, the Ministry prepared a draft of a strategy against homelessness. The document had numerous shortcomings of its own, but it has not been approved so far, delaying the possibility to declare state vision regarding the problem of homelessness and create a political instrument for its implementation for an indefinite period.

The National Human Rights Strategy of 2014-2020 included the registration of homeless persons and creation of a database as one of the main objectives. However, to this day, unified statistics of homeless persons are nonexistent, rendering the existence of systematized data on their number and the determination of relevant needs for service development impossible. Nonexistence of statistical data and research on the individual needs of homeless persons also leads to the insufficiency of services developed in municipalities and their mismatch with the real needs of homeless persons. Absence of research data also excludes the possibility to identify the causes of homelessness and reveal the policy directions in which the integration of preventive approaches is essential. The empirical data collected by the research team shows that the causes of homelessness are revealed on structural, institutional and household levels,²³ which clearly points to the necessity of the elaboration of preventive policy by the state.

With the current situation, it is clear that the state has no vision and strategy against homelessness, no information on the scope of homelessness, its causes and the number of homeless persons, and no unified system for the prevention of homelessness and response towards the problem. The failure to consider the issue of homelessness in the agenda of the central government has a significant negative influence on the prioritization of this issue by local municipalities and represents an obstacle to the formation of appropriate and effective policies on local levels. As a result, identification of the cases of homelessness and consideration of needs are based on fragmentally developed approaches of temporary management of homelessness, which is limited to reactionary measures to emergencies and critical cases and therefore decreases opportunities to transform the situation of homelessness.

2.4. Institutional models for fighting against homelessness in European countries

With the aim of realizing the right to housing, two central organizations research and implement the standards related to the necessary institutional framework for the elimination of

23 See Chapter on the Causes for Homelessness and Housing Exclusion in detail.

homelessness, including the European Federation of National Organisations Working with the Homeless (hereafter: FEANTSA)²⁴ and UN-Habitat-United Nations Human Settlements Programme (hereafter UN Habitat).²⁵ The mentioned organizations ensure expert processing of the issue of realization of the right to housing and the distribution of accumulated knowledge on national levels. FEANTSA is responsible for the expression of the standards of the right to housing in specific policies and creation of relevant recommendations. Specifically, the organization processes the best options for reforming the system to eliminate homelessness and creates the directions of housing policy and the technical and urban planning principles for structuring adequate housing to be implemented by relevant agencies within the institutional model. Both organizations aim at formulating national models for the management of housing policies in states.

In accordance with the experience of the countries studied, the institutional framework of homelessness includes joint working cycle of local and central governments, in which the strategies planned and coordinated on the central government level are realized through specific measures by local governments. For the purposes of effective fight against homelessness, it is important to formulate an institutional framework in which the central government is responsible for perceiving the full picture of homelessness in the country and setting the main objectives for the general policy, the implementation of which is delegated to local governments.²⁶

In such decentralized models of institutional framework, both levels of government have their own, clearly separated authorities, and the coordination, agreement and supervision of the mentioned simultaneously represents the main challenge and the effective implementation mechanism of the system.²⁷

2.4.1. The role of the central government

The role of central government in the elimination of homelessness is defined by the creation of policy, supervision of its implementation, and planning and analysis of strategic directions. The central government, even in the conditions of more decentralized governance of local municipalities, continuously ensures the formulation of the general policy of homelessness and supports its effective implementation on local levels.

In the studied countries, central agencies responsible for the elimination of homelessness are mainly those responsible for social and healthcare issues. For example, in Denmark, the

24 Feantsa/ About us: <http://www.feantsa.org/spip.php?rubrique13&lang=en>

25 UN Habitat/ About us: <http://unhabitat.org/about-us/un-habitat-at-a-glance/>

26 "A national perspective on local strategies to tackle homelessness". Abstract by Paulo Eurico Variz. Pages 1-2.

27 Ibid, pp. 3-6.

Ministry of Children, Gender Equality, Integration and Social Issues fulfills this mission, whereas in the Netherlands it is the Ministry of Health, Welfare and Sport, in Hungary – the National Office of Rehabilitation and Social Affairs, and in Germany – the Federal Ministry of Labor and Social Affairs.²⁸ In Greece, the institutional framework for the elimination of homelessness is based on the principle of local implementation of the strategy and national action plans approved on the central government level. On the national level, the central strategy and action plan are defined through the National Council for Social protection, which works under the Ministry of Health and Labor of Greece.²⁹

2.4.2. The role of local governments

Based on the countries studied during research, the role of local government in the elimination of homelessness is based on the strategy planned on the level of the central government. Within the scope of the objectives and directions determined by the central government, the local governments develop strategies and action plans and consequently create services to eliminate homelessness with regard to the needs of the population.³⁰

The local government is responsible for “continuous improvement” of the system and services and systematic assessment of the effectiveness of services and their compliance with the needs of the local population. For example, according to the principles of the national strategy and action plan of Greece, the local government develops specific programs that especially focus on the development of services easily accessible for vulnerable groups. On the basis of the central strategy, local government is concentrated on the solution of detailed needs of homeless persons, such as provision of social services, free transportation, creation of secure space for personal hygiene, etc. This system is also used in Spain. It is the prerogative of the local government to present a three-year plan before the central government, including the substantiation of decreased homelessness and effective elimination of social exclusion.³¹

2.4.3. The importance of coordinating processes on central and local levels

The experience of countries studied during research shows that the establishment of an institutional model structured by clearly separated authorities among the central and local levels,

28 Defining and Measuring Homelessness. Volker Buch-Geertsema. GISS, Germany. P. 95-108

29 „A national perspective on local strategies to tackle homelessness“. Abstract by Paulo Eurico Variz Catholic University of Portugal. P 7. (Greece).

30 “Local and central policy of social inclusion and elimination of homelessness,” Martin Dutch, United Kingdom, November 1999, pg 198.

31 „A national perspective on local strategies to tackle homelessness“. The Abstract by Paulo Eurico VarizCatholic University of Portugal, Finance Ministry of Portugal*. P 8.

structuring of the framework mechanism on decentralized governance and delegation of homelessness service management to local government makes the system for fighting against homelessness more flexible, effective, and sustainable. However, the decentralization component should not be understood as decreasing the role of the central government in the process of creating the strategy against homelessness. On the contrary, the decentralized system for the elimination of homelessness implies strengthening of governance in which the central government creates the basis for administration, elaborates visions, strategies and directions on homelessness and through this system, supervises the implementation of measures based on these visions with the involvement of different actors.³²

The main challenge of the institutional framework of decentralized governance is to ensure coordination and accountability between central and local governments. According to UN Habitat standards, the institutional framework governing homelessness should include the separation of responsibilities, including the functions of allocating financial resources between central and local levels of government clearly and in detail. The realization of strategic documents planned on the central level should be ensured in activities implemented by local governments. In addition, mechanisms should be in place for the central government to receive information regarding the operational activities of local governments, and to support these activities with financial and political resources.³³

The United Kingdom is recognized as the most cooperative model of local and central governments. In the primary stage of processing the new national strategy for homelessness, working forums are organized with the participation of different actors working on homelessness.³⁴ In this format, the central and local governments share their achievements, challenges, and effectiveness of the implemented work. The outcomes of the meeting have a significant impact on the renewed national strategies. In addition to state agencies, the effectiveness of decisions regarding homelessness is increased by the structure of coordination mechanisms in which the decision making process involves direct beneficiaries of national strategies and services and marginalized groups.³⁵ The implementation of this principle in practice ensures the consideration of the real needs of beneficiaries by the administration in the decision-making process.³⁶ In addition to beneficiaries, it is important to ensure the representation of other actors, including nongovernmental organizations working on homelessness issues etc.

32 Ibid. Pg 2.

33 Policy Document of the Conference held for the achievement of consensus on homelessness in Europe in 2010 (Published in 2016, pg. 11).

34 "A national perspective on local strategies to tackle homelessness" Paulo Eurico Variz Catholic University of Portugal, Finance Ministry of Portugal. P. 9.

35 "Governance and Joined Up Services". Alisa Cameron. School of Policy Studies. University of Bristol. Feansta, 2009 pg 239. http://www.feantsaresearch.org/IMG/pdf/feantsa_ejh_v3_12-2009.pdf

36 Ibid. Pg 233-234.

2.5. Institutional framework for fighting against homelessness in Georgia

In Georgia, the Ministry of Labor, Health and Social Protection is responsible for homelessness issues on the central level. According to the legislation, the Ministry regulates and coordinates the functioning of the social assistance system.³⁷ However, within the legislator limits the declared responsibility, to general provisions only and does not define specific obligations for its realization in terms of formulating homelessness policy and its integration in the social protection system. With regards to the Ministry, the legislation envisages only one specific obligation, which implies collection of registration data of homeless persons and preparation of a unified central database.³⁸ However, the implementation of this function in practice represents an additional challenge. Since the mechanisms and methodology for implementing the mentioned authorities is not provided, the only specifically defined obligation remains beyond execution.³⁹

In relation to homelessness, the authority to formulate housing policy is partly delegated to the Spatial Planning and Construction Policy Department of the Ministry of Economics and Sustainable Development of Georgia. According to the provision, the department is responsible for development, coordination and management of policies of spatial and territorial arrangement, urban development, architectural and construction activity and housing, development of state programs and projects of the housing sector, research of the existing situation in the housing sector and identification of problems on the basis of this research, and planning of measures for their resolution.⁴⁰ Despite the mentioned function, the Spatial Planning and Construction Policy Department of the Ministry of Economics and Sustainable Development does not implement any significant activities in terms of elaborating housing policy or adequate housing standards and research. The activities of the Department are limited to the revision of researches and policy documents of different nongovernmental and international organizations on the issue of adequate housing.⁴¹ Therefore, the authority of the Ministry of Economics and Sustainable Development in the direction of formulating housing policies is not implemented in practice.

The Department of Self-government and Regional Policy of the Ministry of Regional Development and Infrastructure also has certain competences in terms of guaranteeing housing rights. Its functions include: elaboration of methodical recommendations for the production

37 Law of Georgia “On Social Assistance”, Chapter IV, Article 16, Paragraph “A”

38 Ibid, Article 17, Paragraph “D”

39 Special Report of the Public Defender: “The Right to Adequate Housing” 2015. pg 10. <http://ombudsman.ge/uploads/other/3/3282.pdf>

40 Order N11/514 of the Minister of Economics and Sustainable Development of Georgia “On the Approval of the provision of the Spatial Planning and Construction Policy Department of the Ministry of Economics and Sustainable Development of Georgia”

41 Interview with Sophiko Maisuradze, Head of the Urban Development Division of the Spatial Planning and Construction Policy Department of the Ministry of Economics and Sustainable Development of Georgia.

of the strategy for social-economic development of regions and methodical provision of the preparation of action plans for regional development strategies and coordination of activities to this end, as well as elaboration of proposals for the implementation of measures for the development of social infrastructure in regions.⁴² However, similarly to the Ministry of Economics and Sustainable Development, the Ministry of Regional Development and Infrastructure does not implement any activities related to housing rights in regions, coordination of the resolution of homelessness locally or elaboration of systemic approaches. The participation of the Ministry in this direction has been limited to issuing consultations on infrastructure issues during the construction of the homeless shelter in Tbilisi (near Lilo).⁴³

Therefore, on the central level, the implementation of policies and related activities on homelessness is distributed among three agencies. However, research shows that on one hand, the functions defined for the central government are insufficient, and on the other hand, they virtually fail to implement the inherently limited authorities in practice.

On the local level, the legislation delegates the main functions in terms of development of homelessness policy and its implementation to local municipalities. Specifically, according to the “Local Government Code,” provision of shelter for the homeless and their registration falls under the competence of the municipality.⁴⁴ The mentioned notation determines the provision of shelter for homeless persons as the authority of self-governing units. In the conditions of failure of the relevant agencies of the central government to implement their authorities, the local self-governing units face the problem of homelessness with its full severity.

In addition to the limited mandate of municipalities, which only implies provision of shelter areas, research shows that the priorities set by self-governing units and the local budgets envisaged for homelessness are limited and fail to respond to the real needs of homeless persons.⁴⁵ Research also shows that the continuous nature and severity of the problem of homelessness, as well as the number of homeless persons, their needs and high rates of referral are nevertheless excluded from the priority directions of local municipalities, and budgets are not planned based on the existing needs or the scale of the problem. According to the Special Report of the Public Defender, in 2011-2013, the referral rate to the Kutaisi municipality exceeded 700, out of which 41 were satisfied within the scope of different services, and none of the 194 requests submitted to the municipality in 2014 was satisfied.⁴⁶ In the Gori municipality, 383 applica-

42 Order N7/N of the Minister of Reional Development and Infrastructure of Georgia “ On the Approval of the provision for the Department of Self-Government and Regional Policy of the Ministry of Regional Development and Infrastructure of Georgia”

43 Interview with Giorgi Tsakadze, Head of the Department of Self-Government and Regional Policy of the Ministry of Regional Development and Infrastructure of Georgia.

44 Local Government Code of Georgia, Article 16, Paragraph 2, Subparagraph H.

45 Special Report of the Public Defender: “The Right to Adequate Housing” 2015. pg 15. <http://ombudsman.ge/uploads/other/3/3282.pdf>

46 Ibid, pg 14.

tions of shelter seekers were submitted in 2012-2014, and none of those was satisfied, with the motive of absence of relevant resources.⁴⁷

According to the Special Report of the Public Defender, in 2012-2013, 10,000 persons applied to the Tbilisi City Hall with the request to satisfy their housing needs; only 46 families received assistance under different services. From November 2015 to the beginning of August 2016, more than 2750 citizens applied to the Commission for Homeless Registration and Provision of Housing of the Tbilisi City Hall with the request to be registered as homeless; the Commission considered only 501 applications and issued positive recommendation in 275 cases, and negative recommendation – in 191 cases. In addition, the City Service for Health and Social Affairs of the Tbilisi City Hall registered 250 persons as homeless, while 168 persons were rejected. According to the decision of the Tbilisi City Hall, positive decision for ensuring shelter area was made in relation to only 47 persons.⁴⁸ Nevertheless, the final execution of the decision made in relation to the mentioned persons has still not taken place due to repair works in the housing.⁴⁹

Research shows that the nonexistence of policies against homelessness on the level of central government and weak municipal policy renders the efforts of the local governments fragmented and excludes the development of coherent and effective approaches on the local levels. The inadequate representation of these issues in the local policies of municipalities, insufficient allocation of resources and short-term measures aimed at immediate needs fail to resolve the problem of homelessness in the long term. In addition, it is clear that for the purposes of managing homelessness, there is no interagency coordination mechanism and format between central and local governments, which would have created possibilities for planning joint policy. As a result, the services existing on municipal levels are developed not within the scope of strategically planned processes, but in response to immediate needs, which excludes the formation of services adequate to the requirements and needs of beneficiaries on one hand and fails to envisage systemic and consistent approaches to overcoming homelessness on the other.

47 Ibid, pg 15.

48 Correspondence N17.215633 of August 17, 2016 of the Division for Accessibility of Public Information and Support to Effective Public Administration of Municipal Legal Department of the Tbilisi City Hall.

49 Correspondence N17/242090 of September 15, 2016 of the Division for Accessibility of Public Information and Support to Effective Public Administration of Municipal Legal Department of the Tbilisi City Hall.

Chapter 3.

Definition of a Homeless Person and Forms of Homelessness

The aim of this chapter is to examine the national legislative definition of a homeless person and its relation with different forms of homelessness currently existing in our reality. At the same time, it aims at identifying the legal shortcomings of the existing definition and the problems of its application in practice. While analyzing the compliance of the definition of a homeless person in relation to international standards and the forms of homelessness existing in reality, the chapter relies on the experiences of other countries regarding the recognition of different forms of homelessness and their legislative regulation.

3.1. The Importance and Principles of the Definition of a Homeless person

Definition of a homeless person is an important basis for the elaboration of state strategy and policies for the elimination of homelessness, since it is precisely within this definition that the state establishes the scope of homelessness. The content of the definition of a homeless person also shows the diversity of homelessness forms in a specific country and represents a certain indicator to assess the readiness of the state to recognize overt or covert forms of homelessness on one hand, and to create adequate strategies against homelessness on the other.

The aim of defining homelessness is to guarantee the right to housing for every citizen and to include different forms of homelessness existing in a specific environment. It is widely recognized that the national definition of homelessness should be based on regular research and analysis of the situation of homeless persons by the state, which would allow the reflection of different manifestations of homelessness in the normative definition of homelessness and determination of the main directions of state intervention in response through evidence-based approaches.⁵⁰ Therefore, only an accurate and thorough description can ensure a perception of the full picture of homelessness, its adequate reflection in the chosen definition, and development of effective methods for fighting different forms of homelessness.

The existence of a legislative definition of a homeless person should, in addition to recognizing homelessness, enable the collection of statistical information regarding homeless persons to produce a comprehensive database, which in its turn, is important for the preparation of state strategies to eliminate homelessness. Hence, the definition of a homeless person is the necessary basis for comprehensive identification of the forms of homelessness by the state, as well as for the purposes of guaranteeing the right to housing.

⁵⁰ „Homeless Strategies and Innovations“, Lars Benjaminsen and Evelyn Dyb, (Page 137).

In order to fulfill the mentioned objectives, it is essential that the definition of a homeless person satisfy the following criteria:

- A unified definition should exist on the national level;
- Its content should be clear and unambiguous;
- It should comprehensively include both overt and covert forms of homelessness existing in reality, which should comply with the content of the right to housing recognized by international standards, and with established forms of homelessness.⁵¹

The existence of a unified definition implies a unified, universal definition, provided by the national legislation and enforced throughout the country, guarantees consistent rights standard for each group with housing needs and it also creates space for identifying the real nature and scope of homelessness in order to establish a unified approach and policy for fighting homelessness.⁵²

The existence of a clear, unambiguous definition enables formation of statistics with a uniform standard and the existence of a unified database based on these data. In addition, a clear and understandable definition decreases the probability of differing interpretations and guarantees that the possibility of excluding groups with different levels of vulnerability from the sphere of protection.⁵³

Coverage of different forms of homelessness is an important characteristic of the definition, as it creates space for the state to recognize not only one specific group of homeless persons, but also all types and forms of homelessness recognized as such in the existing and legal experience, as well as persons facing the risk of homelessness. Furthermore, a comprehensive and exhaustive definition of homelessness would ensure the development of consistent and non-discriminatory approaches towards all persons with housing needs and the policy for preventing homelessness, as well as the identification of the risks of all groups in the system for the purposes of fighting homelessness on the initial level.⁵⁴

51 „Defining and Measuring Homelessness“. Volker Busch- Geertsema. GISS, Germany. (Pages 28-30. Quoting Edgar et al. 2007).

52 „Extent and Profile of homelessness in European Member States“, Statistical Update (#4), Brussels, 2004. (P. 90-91).

53 „Defining and Measuring Homelessness“. Volker Busch- Geertsema. GISS, Germany. (Pages 28-29).

54 Ibid. pp. 20-25.

3.2. The concept of homelessness and the forms of homelessness recognized by international standards and practice

3.2.1. The scope of the concept of homelessness according to international legislative acts

The standards for protecting the right to housing are concentrated in several important international legislative acts, defining the obligation of member states to realize guarantees of the right to housing in compliance with the progressive realization principle. The mentioned acts and the documents of relevant committees establishing the content of these acts determine the exact content and scope of the right, with the aim of defining the concept of a homeless person and adequately recognizing different manifestations of homelessness.

The International Covenant on Economic, Social and Cultural Rights is recognized as binding by Georgia. The UN Committee on Social, Cultural and Economic Rights (hereafter: "Committee")⁵⁵ clearly defines the main essence and principles of the obligations included in the Covenant. The Committee believes that the right to housing should be widely defined and it cannot be related to rooflessness only. Realization of the right to housing should be directly related to the guarantee of a secure, peaceful and dignified life. The Committee considers that in the rights realization aspect, the state should define the right to housing widely, since the right to housing includes not only rooflessness, but also guarantee to adequate housing. According to the Covenant, in order to guarantee the right to housing, the legislative definition should include a wide range of persons with housing needs and thereby recognize everyone's right to housing. The Committee clarifies that adequacy of housing includes adequate personal space, security, electricity, ventilation, basic infrastructure and convenient location, which can be achieved through comprehensive implementation of the progressive realization principle. The adequate housing standard, according to the Committee, includes the following components:

Legally guaranteed housing: this implies housing which is legally guaranteed through a lease/rental agreement, ownership right or right to use. Housing which is not guaranteed as mentioned above, is regarded as inadequate.

Access to services and infrastructure: To consider a person as being in an adequate housing, he or she should have access to primary residential infrastructure, including electricity, water and sanitation.

Accessible housing: This implies that the expenses for housing should not be at the expense of ensuring primary needs, such as food, education, etc.

⁵⁵ The UN Committee on Social, Cultural, Economic Rights is an expert unit supervising the compliance of the members states of the Covenant with the UN Covenant on Economic, Social and Cultural Rights.

Adequacy of housing environment: Adequate housing does not only involve the functionality of the housing construction, but is also directed at adequate housing environment. A person in housing should be protected from cold, heat, noise, overcrowding or other circumstances that could weaken or damage his or her health.

Accessibility: Adequate housing should be accessible for any person, which implies organization of the housing in a way that satisfies special needs of vulnerable groups inhabiting it.

Location and cultural adequacy: Territorial location of adequate housing should ensure accessibility of such essential services as education, healthcare, transport, etc. In addition, housing should envisage cultural particularities of persons inhabiting it.⁵⁶

The Social Charter of Europe is an important international legal act in terms of establishing the right to housing and legal recognition of different dimensions of homelessness, which protects different social rights and, at the same time, reaffirms the right to housing of all persons. Article 31 of the Charter, which has not been ratified by Georgia, reaffirms the standards for adequate housing and obligates signatory countries to stress the accessibility of housing for vulnerable groups. In addition, the Charter calls for the adoption of all adequate measures to ensure consistent decrease of homelessness.

The Social Rights Committee of the Council of Europe⁵⁷ highlights that the basis for implementing effective state policy against homelessness is the creation of systematic statistics about homeless groups, aimed at the identification of new groups of homeless persons and covert forms of homelessness. Through legal digests, the Social Rights Committee interprets specific articles of the Charter and defines its obligatory and specific content for member states. Moreover, the Committee underlines the importance of the UN Covenant on Social, Economic and Cultural Rights in the definition of homelessness and, more generally, in the elaboration of homelessness policy and states that while establishing the standards of the right to housing, it largely relies on the Committee of the Convention and its clarifications.⁵⁸

Through its digests, the Committee specifies the scope of the right to housing reaffirmed by the Charter and clarifies that the legislative definition of homelessness should include appropriate provision for all homeless persons. The Committee defines homeless persons as those with no access to housing or other adequate shelter.⁵⁹ The Committee requires that the legislative framework recognize and provide for such homeless groups that may not be living on the streets, but may be living in inadequate housing.⁶⁰ According to the interpretation of the

56 The UN Committee on Social, Cultural, Economic Rights, General Comment #4.

57 The Social Rights Committee of the European Council is a unit supervising the interpretation of the Social Charter and the compliance of member states of the Charter with its requirements.

58 DIGEST OF THE CASE LAW OF THE EUROPEAN COMMITTEE OF SOCIAL RIGHTS, Article 31. 2008. P. 170

59 Ibid. Conclusions 2003, Italy, p. 345

60 Ibid. Conclusions 2003, France, p. 221:

content of the right to housing, the concept of adequate housing established by the state in the national legislation should be defined through the standards set by the UN Committee on Economic, Social and Cultural Rights. However, the Charter Committee itself highlights the following minimal components of adequate housing:

3.2.1.1. Healthy Environment

This implies sanitary housing that is safe for health and includes all basic utilities, such as water, electricity, heat, waste management system. In addition, this includes housing where residents avoid negative impact of toxic or harmful substances.

3.2.1.2. Protection from Overcrowding

This implies housing of relevant size, proportional to the number of residents and their needs, such as adequate and convenient space for living.

3.2.1.3. Legal Guarantees of Housing

The mentioned standard is directed towards not only existing constructions, but also planned constructions, housing received through leasing or rent, as well as state or social housing, and implies protection of residents from eviction.⁶¹

3.2.2. Scope of Definition of a Homeless Person and Legislative Standards in EU Member States

Homelessness has been a long-term problem for Europe. The experience of fighting against homelessness is similarly long. Under the aegis of FEANTSA and the European Commission, in 2010, a conference on homelessness issues was organized with the aim of achieving consensus on critical issues related to homelessness. Within the scope of the conference, a Committee of six members (hereafter: Expert Committee) discussed the issues raised by EU member states, including the necessary principles of formulating the definition of homelessness. The countries agreed on the essentiality of unifying the definition of homelessness and the principles for this definition. According to the Expert Committee recommendation, it is important that European countries define homelessness with a single definition, based on ETHOS, the homelessness model of FEANTSA.⁶²

61 DIGEST OF THE CASE LAW OF THE EUROPEAN COMMITTEE OF SOCIAL RIGHTS, Article 31. 2008. P. 171.

62 Re-print of the Policy Recommendations of the jury, from the 2010 European Consensus Conference of the Homelessness. Pages 4-7.

Based on research of the practice and legislation of European countries, FEANTSA developed the Typology on Homelessness and Housing Exclusion (ETHOS) for effective realization of the right to housing, which defines the basic forms of homelessness. The ETHOS typology is based in the principle that the definition of homelessness should include the cases of exclusion of housing from physical, legal or social dimensions or the cases where human existence in these dimensions is impossible.⁶³ According to this principle, the concept of homelessness was divided into two main criteria: homelessness as exclusion from all three dimensions of housing, or first-degree homelessness (rooflessness) and homelessness as exclusion from the legal and social dimensions of housing, or second-degree homelessness (living in inadequate housing).⁶⁴

When homelessness was defined according to the exclusion on physical, legal and social grounds, it became possible to differentiate between specific forms of homelessness. As a result, according to the typology, the absence of any of the mentioned dimensions is sufficient for considering a person homeless. The simultaneous absence of all three dimensions characterizes the gravest form of homelessness – the group living in roofless conditions, while the deficit in one of the dimensions shows the homelessness situation of persons living in inadequate, unreliable housing or institutions or other shelters.

ETHOS typology situates the described groups in four main categories and comprehensively describes the diverse manifestations of homelessness in each category. After updating research and statistics after the development of ETHOS, FEANTSA also created ETHOS Light typology in order to concentrate on the relatively grave forms of homelessness than those defined by ETHOS.⁶⁵

The typology of homelessness prepared through ETHOS and ETHOS LIGHT represents an important source, since it is based on the aim of effective realization of the right to housing and takes existing experiences into account. Numerous European countries recognized the main forms of homelessness on the basis of these typologies.⁶⁶ It is considered that roofless living is the gravest manifestation of homelessness, so the absolute majority of European countries recognizes and protects roofless persons through national legislative definition. The component of inadequate housing, as well as persons living in temporary housing, with friends, or with family members, persons facing day-to-day risk of homelessness and persons allocated to temporary shelters without rental agreement are considered homeless in such European countries and Denmark, Germany, Finland, Sweden, etc.⁶⁷ In countries with relatively

63 Defining and Measuring Homelessness, Volker Busch-Gertsema. GISS, Germany. (pp. 21-22).

64 Ibid. pg 22.

65 Ibid, pg 27.

66 The Governance of Homelessness in Liberal and Social Democratic Welfare Regimes. National Strategies and models of Intervention. Lars Benjaminsen, Evelyn Dyn, Eoin O' Sullivan. Dec. 2009. P 31-41.

67 Ibid. Pg 40.

narrower definition of homelessness, such as Hungary and Poland,⁶⁸ persons facing the risk of eviction, persons living under the threat of domestic violence and other types of risk, such as social exclusion, are considered as people with housing needs.

The ETHOS typology defines the following forms of homelessness:

Roofless persons: This group includes persons living on the streets or without shelter, as well as persons who have no dwelling, are excluded from physical, legal and social dimensions of housing and are sleeping rough.

Houseless persons: In this group, ETHOS includes persons living in homeless shelters, shelters for victims of domestic violence, immigrant shelters, persons leaving institutions, and those receiving long-term assistance due to homelessness, such as persons living in the shelters for the elderly, as well as formerly homeless individuals, persons living in homeless hostels, temporary or transitional housings, refugee housings, and, more generally, persons whose living in housing is time-bound and does not exceed one year. In such shelters, beneficiaries stay for periods less than one year; as usual, the period of stay is linked with the occurrence of certain conditions, such as elimination of the case of violence, transfer to long-term housing, etc.

Persons living in inadequate housing: Persons living in mobile homes, automobiles, other constructions without residential status, or unreliable facilities. Both typologies consider persons living in overcrowded spaces under this category.

Persons living in insecure conditions: Persons who live in housing without legal guarantees, under the risk of eviction and violence, as well as persons living temporarily with friends or relatives.

3.3. Definition of a Homeless Person and its Criteria According to the Legislation of Georgia

Georgian law on Social Assurances considers homeless as “a person with no specific and permanent place of residence, registered as homeless by a local self-government.”⁶⁹ For the consideration of a person as homeless, the definition requires simultaneous existence of material and procedural criteria; specifically, to recognize a person as homeless (1) he or she should lack permanent, determined housing and (2) at the same time, his or her registration as homeless in the local self-governing body is necessary.

68 The Governance of Homelessness in Liberal and Social Democratic Welfare Regimes. National Strategies and models of Intervention. Lars Benjaminsen, Evelyn Dyn, Eoin O’ Sullivan. Dec. 2009. P 40-43.

69 Law of Georgia “On Social Assistance,” Article 4, Paragraph P.

With the purposes of using temporary housing service, the decree of the Government of Georgia also introduces the concept of a homeless person which is defined as follows: “a person who lives roofless, has no permanent shelter, legal income, or property in ownership, or a person who, in a given moment in time, is on the streets and whose life is in danger.”

Research also shows that the mentioned definition of a homeless person includes important shortcomings and fails to fully reflect international standards of the right to housing. Specifically, the concept uses an ambiguous criterion to establish homelessness, which is open for wide interpretation by an administrative unit and creates possibility for making different decisions and excluding numerous homeless groups from the concept. In addition, the definition excludes persons living in permanent housing, but in inadequate conditions. Furthermore, satisfaction of the requirements of the definition are related to registration in self-governing units, which is rarely implemented by municipalities and creates additional obstacles for recognizing a person as homeless.

3.3.1. Ambiguity of the Criterion Established by the Definition of a Homeless Person

The first part of the legislative definition qualitatively clarifies who is considered as homeless. Undoubtedly, persons living in roofless conditions, without any shelter and excluded from the physical, legal or social dimensions of housing can unambiguously be considered as lacking “specific and permanent place of residence”. The specific definition of this group and its criteria are also introduced by the decree of the Government of Georgia, according to which, for purposes of using temporary housing services, “a person who lives roofless, has no permanent shelter, legal income, or property in ownership, or a person who, in a given moment in time, is on the streets and whose life is in danger” is recognized as homeless.⁷⁰

The definition is ambiguous and leaves room for wide interpretation in relation to including other cases of homelessness, existing in reality, under the concept. Specifically, the mentioned definition and the legislation fail to clarify what “specific and permanent place of residence” may mean and what criteria may assess the “permanent nature” of housing. Therefore, it is unclear from the definition whether a person who illegally occupies a certain facility for self-assistance or who lives in a shelter or other services and specialized institutions (prison, psychiatric institution), in a rented housing or with acquaintances or relatives, would be considered as having “no specific and permanent place of residence.”

⁷⁰ Decree N131 of Government of Georgia of February 7, 2014: “Technical Regulation – on Approving Minimal Standards for Temporary Homeless Shelters.” Article 4. Paragraph B.

When defining place of residence and its permanency, it is important to rely on the Civil Code of Georgia and relevant practices of the Supreme Court. The Civil Code clarifies that “place of residence is defined as a place, which a person usually selects for residence.”⁷¹ In one of its decisions, the Supreme Court defines the concept of a permanent residence and notes that the residence is permanent if the person inhabits it “usually and on an everyday basis,” as demonstrated by residential documentation (checks, household books, witness testimony, etc.). Moreover, a place of residence can be considered permanent if a person effectively has the will and the possibility to live in a flat, a house, or any other place of residence: “If a person chooses the place of registration based on own will, for the selection of permanent residence, it is essential that the will of the person be accompanied by the actual fact of living;” “while defining permanent place of residence, the actual fact of living is of decisive importance, in addition to a person’s will to have a place of residence in a given place. In addition, a person’s will – to establish a place of residence – should be provided by the possibility to satisfy this will, i.e. the person should have a flat, a house, or any other housing unit on the given place.”⁷²

Through simultaneous application of the mentioned legislative acts and judicial practice, it is possible to define “having a permanent place of residence” as cases in which (1) a person has a factual place of residence and (2) has the will to live in the given place and (3) has the possibility to realize this will. Therefore, regardless of the ambiguity of the concept, considering the best definitions of the right to housing and the foundations of the mentioned legal basis, the definition of a homeless person can include anyone who fails to satisfy at least one of the mentioned factual circumstances.

Therefore, the national legislative definition clearly includes roofless persons living on the streets. In addition, in spite of the ambiguity of the definition, subjects of the definition could include persons who do not have “permanent place of residence” due to the absence of a specific place of residence, the will to live there, or the possibility to do so.

3.3.2. The Definition of Homeless Persons Excludes Persons Living in Inadequate Housing

When defining the condition of homelessness, the national legislative definition only assesses the condition of absence of permanent place of residence, but fails to introduce the criterion of adequacy of housing under the ownership/property of, or in use by, a specific person. Hence, it is certain that the legislative definition does not consider persons living in facilities with residential function, but in conditions which fail to satisfy the conditions envisaged through

⁷¹ Civil Code of Georgia, Article 20.1.

⁷² Decision #ბ-1896-1849(-10) of June 9, 2011 of the Supreme Court of Georgia.

standards of adequate housing, such as sanitation, hygiene, protection from the environment, overcrowding, structural robustness, etc., as homeless. In addition, the definition excludes persons permanently living in non-residential facilities, whose environment is inadequate for residential purposes.

Since the definition excludes persons living in inadequate housing, the legislation also fails to set standards for adequate housing and to accept the obligation of guaranteeing the right to housing for persons living in inadequate housing.

3.3.3. The Problem of Practical Implementation of Registration of Homeless Status

According to the legislative definition, the necessary component for recognition as homeless is registration of the homeless status in a self-governing body. However, according to the definition of local municipalities, the registration is rarely carried out in practice.

The practice of local municipalities examined in this study takes two directions. Specifically, one group of municipalities does not grant homeless status or register these groups. Another group uses different forms of registration, which leads to incoherence and fragmentation. Based on information requested from local municipalities and interviews with the representatives of municipalities, it has been revealed that Ozurgeti municipality registers homeless persons.⁷³ Tbilisi municipality started registering homeless status only after November 2015.⁷⁴ Chokhatauri municipality does not register persons as homeless, as the definition requires it, but records applications requesting social assistance and categorizes applications from homeless families or those requesting improvement of housing.⁷⁵ The municipalities of Batumi and Kutaisi⁷⁶ do not register homeless status at all. According to public information received, the Telavi municipality does not carry out registration either.⁷⁷

3.3.4. The Legislative Definition is Inapplicable in Practice

In addition to the legal and administrative complications related to the concept of homelessness, its application in practice is also complicated by the inadequacy of the definition when

73 Order N1522 of December 22, 2015 of the Governor of Ozurgeti Municipality “On approving the registration form for homeless persons living in Ozurgeti municipality.”

74 Decree N28-116 of November 27, 2015 of the City Council of Tbilisi Municipality “On the approval of the rule of registering as homeless on the territory of Tbilisi and providing shelter.”

75 Letter N2175 of December 12, 2015 of the Governor of Chokhatauri Municipality of Georgia.

76 Gocha Jibladze, representative of the Batumi municipality Social Service Office (Interview date: October 29, 2015); Vladimer Nakashidze, Head of the Housing Infrastructure Management and Development Division of the Kutaisi Municipality City Hall (Interview date: October 27, 2015);

77 Letter # . 65 of December 24, 2015 of the Governor of Telavi Self-governing Unit of Georgia.

faced with the real challenges of homelessness. Since the current definition is not based on comprehensive research of the problem, it fails to adequately respond to homelessness manifested in different forms and renders the content of the definition practically inapplicable.

Research shows that the practice of municipalities takes two directions. A group of researched municipalities, such as the Telavi, Chokhatauri and Lagodekhi municipalities, do not use the concept, since they do not register persons with homeless status. Instead, these municipalities have developed certain criteria, the satisfaction of which gives a person the possibility to receive housing services in relevant self-government units without receiving homeless status.⁷⁸ Another group of municipalities uses the practice in which the municipality registers a person as homeless according to the criteria for the concept of homelessness developed by the municipality. For example, the Tbilisi municipality does not rely on the established concept and introduces independent criteria for recognition as homeless, and these criteria are applicable in Tbilisi only.⁷⁹ Specifically, the Tbilisi municipality recognizes persons registered in the territory of Tbilisi, who do not have right to property, rightful ownership, or use on the housing area or any other real estate, have no income and, where the person demonstrates that his or her property or income together are insufficient for provision of housing and livelihood minimum, as homeless. Additionally, a person cannot be considered as homeless in Tbilisi if he or she crossed the state border for any purposes, except for medical reasons. To register homeless status, the Ozurgeti municipality considers the rating given to the household in the unified database of socially vulnerable persons and the gravity of the factual situation.⁸⁰

Different legislative regulation of the concept of homelessness on the levels of different municipalities and the establishment of varying criteria creates the risk of establishing inconsistent, incoherent and discriminatory practices for recognition of homelessness. The research shows that regardless of the existence of a unified definition of homelessness, municipalities do not have the practice of uniform application of the definition due to the ambiguity and insufficiency of the concept, as well as its inadequacy in recognizing the existing forms of homelessness in reality and in attending to the needs of homeless groups.

⁷⁸ Letter N2175 of December 12, 2015 of the Chokhatauri Municipality Governor's Office; Letter # b.o 65 of December 24, 2015 of the Governor of Telavi Self-governing Unit of Georgia. And Order N1 of January 30, 2015 of the Governor of Telavi Self-governing Unit of Georgia "On the approval of social programs to be implemented in the Telavi Self-governing unit in 2015," Article 1,2.; Ordinance N1 of January 16, 2015 of the City Council of Lagodekhi Municipality "On the approval of the 2015 program of health and social protection of the Lagodekhi municipality population and its budget," Chapter IV, Article 12, Paragraph 8.

⁷⁹ Ordinance N28-116 of the Tbilisi Municipality City Hall "On the approval of the rule of registering as homeless on the territory of Tbilisi and providing shelter." Article 2, Paragraph 2.

⁸⁰ Order N1535 of the Governor of Ozurgeti Municipality "On approving the registration form for homeless persons living in Ozurgeti municipality."

Chapter 4.

Services for Fighting Homelessness

Despite the recognition of the effectiveness of preventive policies against homelessness, the need for reactionary approaches towards the outcomes of homelessness, such as provision of housing services for homeless groups and continuous monitoring of its operation with the aim of eliminating the cases of homelessness, still remains unsolved. As a result, one of the main directions that homelessness strategies need to address is how the services for eliminating homelessness and systems of administration for such services should be tailored.

This chapter aims to describe the services for homeless persons, developed in Georgia within the existing state and legal framework, overviewing best practices of other countries, and, through identification of the main shortcomings of the system, analyzing the sufficiency, adequacy and effectiveness of the existing services for homeless persons, considering the existing challenges.

For the purposes of this chapter, the services existing on municipal level in Georgia were evaluated, also the research concentrates on the services, existing on central governmental level, that do not primarily aim at provision of housing, but in fact incorporate the housing component.

4.1. Housing Services for Homeless Persons (Experience of EU Member States)

The analysis of the experience of EU countries shows that homelessness services are based on state vision of fighting homelessness and rely on the approaches developed by states with regards to this problem. Therefore, the system of homelessness services developed together with the vision for fighting homelessness has been completely transformed according to its paradigmatic shifts.

The first, “staircase model” of homelessness services, was dominated by the principles of “improvement” and “normalization” of the homeless, so the beneficiary was considered worthy of housing only upon successful completion of re-socialization process.⁸¹ Today, the “staircase model” is widely considered as flawed and ineffective, since it failed to recognize the right of all persons to housing and, in addition, beneficiaries were unable to escape from the homelessness problem.⁸²

⁸¹ Nicolas Pleace, the Housing first guide, Europe, The History of Housing First. P 16. June 2016.

⁸² Housing First Guide, Europe. Nicholas Pleace. Chapter 1, Page 5-7.

After the 90s, the majority of countries started replacing the disciplining and normalizing model with a new concept, according to which the beneficiary does not “earn” housing; rather, the beneficiary has the right to be provided with housing.⁸³ This model is based on the Housing First approach, in which provision of long-term housing is considered as the most effective way for re-socialization of beneficiaries.⁸⁴

After moving towards the Housing First model and recognizing its efficiency, European countries distinguish between housing services and services aiming at overcoming of specific forms of social vulnerability. Based on the mentioned separation, services offered to homeless persons are divided into housing and social services.

According to the new model, housing services are not related to a specific period, condition, or program duration and their stability is guaranteed by the state as long as there is need for provision of housing.⁸⁵ Immediate and transitory services of housing are no longer considered as sufficient and effective means for realizing the right to housing. Therefore, their application in practice is limited and strictly regulated.

In light of this concept and based on the experience of various countries, housing services can be provisionally divided into long-term and temporary housing services.

In parallel with offering housing service, social services aimed at overcoming specific vulnerabilities are selected after detailed research of individual needs of beneficiaries, only with the inclusion of the beneficiaries and cooperation with them. Even though the principle of Housing First is to avoid categorization of social service packages to be offered, the social services developed in practice by researched countries can be provisionally divided in three parts:

- **Prevention services** ensure support to beneficiaries based on risk identification to avoid homelessness;
- **Rehabilitation services** include services for overcoming specific forms of vulnerability related to health;
- **Reintegration services** which mainly aim at reintegrating homeless persons in the society.

83 Housing First Guide, Europe. Nicholas Pleace. Chapter 1, Page 2.

84 Housing First Guide, Europe. Nicholas Pleace. Chapter 1, Page 6.

85 Housing First Guide, Europe. Nicholas Pleace. Chapter 2, Page 7.

4.1.1. Housing Services

Housing services differ according to function and purpose. It is considered that the realization of the right to housing is only possible through stable housing services. Many European countries reject temporary housings altogether, since they lead to institutionalization of beneficiaries and enable the state to delay elaboration and implementation of homelessness elimination strategy. However, in a number of countries, temporary housing is still used, although their application is determined by immediate emergencies and strictly regulated. The majority of European states prefer long-term housing services, in which 24-hour social services and stable housing are guaranteed.⁸⁶

4.1.1.1. Long-term Housing Services

Long-term housing is considered as the most effective method in realizing the right to housing. Long-term housing implies non-institutionalized, adequate dwelling with all components of adequate housing, where the beneficiary can live and, at the same time, continue socialization with the society.

In Belgium, Ireland and Wales, with the aim of ensuring long-term housing, state housing funds are created, which accumulate financial resources for long-term housing through different methods.⁸⁷ Importantly, the administration of the housing funds is carried out by the state in order to ensure the communication between the beneficiary and the state, rather than the property owner. The existence of systematic reserves of housing funds is also ensured in order to guarantee the right to choose long-term housing. The service includes prior viewing of the housing by the beneficiary in order to enable the assessment of security and convenience of the location and consideration of the beneficiary's needs.⁸⁸ An example of such housing funds is the "Y-Foundation" of Finland; the local municipality grants housings leased from the Y-Foundation to homeless persons.⁸⁹ Two main forms of long-term housing can be distinguished: Long-term Supported Housing and Long-term Independent Housing.

Long-term Supported Housing

Long-term supported housing implies placement for a long term. In these types of housing, there are supporting agents and voluntaries which offer 24-hour support to people

86 Housing First Guide, Europe. Nicholas Pleace. Chapter 1, Page 7.

87 Housing First Guide, Europe. Nicholas Pleace. Chapter 1, Page 9.

88 Housing First Guide, Nicholas Pleace. Chapter 4 Delivering Housing. P.7

89 Breaking down the myths: Providing and managing housing services for homeless people A toolkit for housing practitioners. P. 14. Feantsa

with different types of needs, which also includes medical, psychological, and other types of assistance.⁹⁰

Long-term Independent Housing

Long-term independent housing completely satisfies the standards of adequate housing. Placement of homeless persons in such housing envisages complete re-socialization so that after the completion of the program, the person is able to stay in the same housing unit and continue rental agreements as any other type of tenant. Such housing is used by the majority of countries studied under this research, including Finland, Denmark and Sweden.⁹¹

4.1.1.2 Temporary Housing Services

Temporary housing services are characteristic of “staircase models” for fighting against homelessness, in which placement aims at preparing beneficiaries for long-term settlement. With the transition to a new model, a large part of European countries, including Finland and Germany, are oriented at complete eradication of temporary housing. The Strategy of Finland Against Homelessness⁹² defined the modification of the existing shelter concepts as its objective, including the de-institutionalization of temporary housings and their transformation into long-term housing. Germany is completely closing down temporary housing. According to its strategy, realizing the right to housing should only occur by offering long-term housing.⁹³ Nevertheless, temporary housing is still common in a range of countries, however, their application and conditions is strictly regulated. Two types of temporary housing are used: immediate (emergency) and transitory housing.

Immediate (emergency) Shelter

Immediate (emergency) shelter, as a rule, includes night shelters, hostels, bed and Breakfasts. Such housing is financed under social budget and managed under the municipal or national social services. However, in countries where the social system for homelessness is relatively less developed (Poland, Czech Republic), governance of such shelters is delegated to non-governmental organizations.⁹⁴ While administering emergency shelters, it is important to ensu-

90 Breaking down the myths: Providing and managing housing services for homeless people A toolkit for housing practitioners. Feantsa. Chapter 2.3.P9.

91 Ibid.Chapter 2.4 pg. 8.

92 Finland - National Report Housing Solutions for People who are homeless FEANTSA Annual Theme 2008 Housing and Homelessness.

93 Feantsa European Report The role of housing in pathways into and out of homelessness Annual Theme 2008 Housing and Homelessness. P. 8.

94 Breaking down the myths: Providing and managing housing services for homeless people A toolkit for housing practitioners. P. 7. Feantsa

re their temporary character and exclude the possibility of long-term stay. The shelter should not become an institution and after leaving, the person with housing needs should be offered alternative, long-term housing.⁹⁵ Research of homelessness practices in European countries⁹⁶ shows that long-term stay in institutionalized structures has a negative influence on the skills of homeless persons and, the longer the experience of living in the institution, the weaker the possibilities for reintegration and re-socialization. Considering these observations, states should ensure application of emergency shelters only in exceptional cases, in response to immediate need.

Transitory Shelter

Placement in transitory shelter occurs on the basis of granting a specific status or the duration of this status. Such shelters are used by Sweden, Denmark, Germany, the UK and other countries to offer shelter to domestic violence victims before the violence is eliminated. The transitory nature implies that after the elimination of the placement condition, the beneficiary is transferred to long-term housing.⁹⁷

4.1.2. Social Services

The social services for prevention of homelessness, reintegration and rehabilitation, adapted at the needs of beneficiaries, aim at identifying the risks of homelessness and work consistently to eliminate them. For homeless persons, they aim at systematic support based on specific grounds of vulnerability, after which the beneficiaries can be involved in the process of overcoming the specific issue in the long-term.⁹⁸

4.1.2.1. Services for Prevention of Homelessness

The countries studied for the purposes of this research consider prevention of homelessness as the main method for fighting against homelessness, since re-socialization and reintegration of a homeless person is a much graver problem requiring long-term resolution, than the prevention of homelessness based on identification of risks.

⁹⁵ Ibid. Pg 8.

⁹⁶ Feantsa European Report The role of housing in pathways into and out of homelessness Annual Theme 2008 Housing and Homelessness. P. 9

⁹⁷ Ibid. Pg 8.

⁹⁸ Housing First Guide, Chapter 2. Core principles of Housing First. Page 8: <http://www.housingfirstguide.eu/website/wp-content/uploads/2016/HFG/Chapter2.pdf>

The aim of preventing homelessness should be guiding state policy in all directions that could potentially produce risks of homelessness. In addition, preventive approaches of the state can be reflected in the development of specific prevention mechanisms, which represent a part of policy against homelessness on national and regional levels.⁹⁹ Development of prevention services should respond to the causes of homelessness in specific societies and countries. For example, in the Netherlands, the main focus of prevention mechanisms is to, relevant, research based assistance to victims in cases of loss of employment, illness, loss of partner, or divorce.¹⁰⁰ Homelessness prevention services have also been widely implemented in Denmark,¹⁰¹ where a specific system of financial exemptions and support was created in order to support persons with financial risks, including bank liabilities,¹⁰² as well as preventive services of legal and property-related consultation for beneficiaries with lease liabilities.

4.1.2.2. Rehabilitation Services

Rehabilitation services are health-related services which aim at systemic and consistent work towards specific health problems of homeless persons. The mentioned model recognizes the right to choose. Therefore, the role of the social worker is to persuade the beneficiary to select the best option for him or her.¹⁰³ For example, treatment for a substance abuser does not imply the prohibition of the specific substance forever, rather, it tries to prepare the beneficiary to overcome dependence with methodical approaches. Through this method, the rehabilitation service is oriented at systematic improvement of the situation of the beneficiary, his or her continuous support and encouragement during the whole period of the need for such support, rather than the objective of achieving the final aim.¹⁰⁴ For example, a concept has been recently developed in France, according to which detoxification or prohibition of harmful substances (punitive measures) do not represent a universal solution for all alcohol- or substance abusers.¹⁰⁵ In France, the mentioned service is governed under the risk mitigation principle and is based on a holistic approach, according to which vulnerability is due to structural, social and economic reasons. Therefore, the causes should be addressed and the risks that could lead to abuse of harmful substances should be eliminated.¹⁰⁶

99 Better Than Cure? The Role of Homelessness Prevention. Feantsa, Homelessness in Europe, Winter, 2013. P.4:

100 Prevention of Evictions by Social Housing Organisations in the Netherlands By Nathalie Boerebach Head of Social Affairs, Aedes, Dutch Association of Social Housing Organisations, Netherlands. P. 12.

101 Preventing Homelessness: The Example of Odense Municipality By Tom Rønning, 1 Strategic Housing Consultant, Social and Labour Department, Odense Municipality, Denmark. P. 4

102 Prevention of Evictions by Social Housing Organisations in the Netherlands By Nathalie Boerebach, Head of Social Affairs, Aedes, Dutch Association of Social Housing Organisations, Netherlands

103 Pleace, N. (2008) Effective Services for Substance Misuse and Homelessness in Scotland: Evidence from an International Review Edinburgh: Scottish Government <http://www.gov.scot/Resource/Doc/233172/0063910.pdf>

104 Housing First Guide, Europe. Nicholas Pleace. Chapter 8.

105 Based on the theory developed by Dr. Claude Oliverstein in France in the 1970s.

106 11 Dr. Claude Olivenstein was influential in introducing the concept of harm reduction in France in the 1970s.

4.1.2.3. Reintegration Services

Reintegration services aim at ensuring reintegration into the society. Specifically, the main objective is to ensure that a homeless person considers him- or herself as a full member of the society. Reintegration services are well developed in Romania,¹⁰⁷ where the situation and risks of, for example, persons leaving institutions, are assessed in advance and, based on the assessment, specific support mechanisms are developed, such as learning scholarships for persons leaving child's boarding institutions, offering of funded colleges and vocational education for gaining vocational skills, etc. Integration services are not pre-determined with specific offers and are completely based on and adapted to the real needs of beneficiaries. Reintegration services also consider moral, psychological and other assistance, actualizing the feeling of significance among homeless persons. The mentioned may include assistance in the return to family and loved ones, in communication, art therapy or inclusion in voluntary activities. Rehabilitation services are applied in numerous countries; such practices are especially developed in the UK and Finland.¹⁰⁸

4.1.3. Social Service Management Methods

According to the experience of researched countries, a homeless person placed in long-term housing received social service after individual and accurate assessment of his or her needs. The most frequent forms of vulnerability identified among homeless persons include psychosocial needs, psychological crises, alcohol- or substance abuse, disability, etc.¹⁰⁹ Since the needs are diverse, states do not develop predetermined packages of social service; rather, they provide assistance in the housing unit, after placement for the long term. For the purposes of this study, two main forms of administering the process of service provision were identified among existing approaches: Intensive Case Management (ICM) and Assertive Community Treatment (ACT) team.

4.1.3.1. Intensive Case Management (ICM)

ICM is a social service management form in which the beneficiary case is administered by a healthcare or a social issues professional, who systematically monitors the condition of the beneficiary and evaluates his or her needs. The assessment is proactive and, in addition to monitoring risk factors identified under preventive services, includes the conclusion on the existing condition of the homeless beneficiary. The conclusion of the social worker and views on the specific form of service to be offered is integrated with the views of the beneficiary,

¹⁰⁷ Challenges to Overcome When Leaving Care: the Case of Romania By Sabina Nicolae, Executive Director, Samusocial din Romania, Romania. P. 18.

¹⁰⁸ The role of housing in pathways into and out of homelessness Annual Theme 2008 Housing and Homelessness. Feantsa. P 32-33.

¹⁰⁹ Housing First Guide, Europe. Nicolas Pleace, Chapter 1.:

which is reflected in the decision on the recommended service.¹¹⁰ After the assessment, the social worker directs the beneficiary to a relevant state service, and then continuously monitors the process of provision of adequate and high-quality service. In the case when the beneficiary does not require complex service, the social worker offers medical and psychological assistance during the necessary period.

4.1.3.2. Assertive Community Treatment (ACT) Team

ACT team is oriented for the vulnerable groups with especially grave needs among the homeless, including persons with psychosocial needs and dependence. The mentioned service implies work of a multidisciplinary team for assisting the beneficiary, with the involvement of professionals of different medical spheres providing regular or emergency assistance. The team starts working after the social worker assesses the needs of the beneficiary. Based on the team's decision, if necessary, a specific professional is added or excluded from the team. Medical services offered in the process do not have binding character. Before offering specific medical service, a psychologist works with the beneficiary for an extended period in order to explain the offer and give correct direction. Both systems are actively implemented and used according to beneficiaries' needs in Denmark, Sweden, France, and Norway.¹¹¹

4.2 Services against Homelessness in Georgia

The data of researched countries shows that the specific model for fighting against homelessness, usually implying simultaneous existence of long-term and temporary/transitory services, is based on the general state policy for fighting homelessness and is oriented on the realization of the right to housing with best standards, and while considering the specific needs of the beneficiary, is offered until full satisfaction of the need.

Research shows that in Georgia, services against homelessness have not been developed and the attempts of separate municipalities to establish rudimentary services and response to specific needs of the homeless, fail to create an effective, consistent system for preventing and responding to homelessness.

Long-term services of overcoming homelessness, nowadays considered as the main and most effective reactionary strategy against homelessness, are effectively nonexistent in Georgia. The Public Defender highlights the increasing referrals of citizens with housing needs to mu-

¹¹⁰ Finish Homelessness and its' Characteristics: http://www.housingfirst.fi/en/housing_first/homelessness_in_finland/finnish_homelessness_and_its_characteristics

¹¹¹ The Housing First Guide, Europe, Nicholas Please, June, 2016. Chapter 3.2.1. (Organizing Support). P. 43

nicipal organs and their lack of ability to create long-term strategies.¹¹² The attempt of implementing a long-term social housing program in Tbilisi with the support of international donor organizations has not been carried out in practice, due to the absence of an adequate administrative system at the municipality. Social housing lost its primary purpose and the absence of administration processes led to the impossibility of usage of this service by other beneficiaries.¹¹³

Hence, today, the system of services against homelessness includes temporary services available only for a limited number of homeless groups on municipal levels, existing in several self-governing units, and specialized care, treatment or rehabilitation services for target groups on the central level, including transitory housing and long-term institutions. Services under the management of the central government, analyzed in the preceding chapter, have not been created for the purposes of overcoming homelessness, but they include the component of temporary housing.

The existing model of homelessness services in Georgia, developed in the absence of state vision and in a context where the issue of homelessness is neither recognized nor prioritized that is significantly incompliant with the standards of the right to housing and the actual needs of the homeless. Moreover, it repeats the vision of fighting homelessness which has been rejected by numerous countries.

4.2.1. Temporary Services of Homelessness on the Municipal Level

Since local municipalities have no long-term services for overcoming homelessness, and services focusing on the issue only have transitory or temporary character, the given chapter discusses the temporary services on municipal levels which are directed at housing needs. To this end, the research examines and analyzes two forms of temporary housing in target municipalities: including the Rent Allowance Service and Immediate (Emergency) Shelter Service.

4.2.1.1. Rent Allowance Service

The rent allowance service is a temporary housing service developed in local municipalities, which aims at providing homeless families with rent allowance for a certain time. In all municipalities researched under this study, rent allowance programs have been enforced for a predetermined period, for different target groups, provided they would meet certain criteria.

¹¹² The Right to Housing, Special Report of the Public Defender 2015. Pg: 15 <http://www.ombudsman.ge/uploads/other/3/3282.pdf>

¹¹³ See more in Part II, Chapter 2.4.1.1. Limits of social housing and social exclusion among beneficiaries, pg.72

Temporary Nature of the Service

Research shows that in target municipalities, rent allowance services are oriented at satisfying the needs of families without housing for a limited, predetermined period. For example, the rent compensation service provided by the Tbilisi Municipality upon compliance with certain criteria by homeless persons implies a definite period, not exceeding the ongoing budget year, and, in case of a individual decision, can be extended up to 24 months.¹¹⁴ Similarly to Tbilisi municipality, the Lagodekhi municipality also limits the service duration to a specific time period; the rent allowance program covered by the social protection budget is limited to a period of 6 months.¹¹⁵

Due to time limitation, the rent allowance service improves the situation of beneficiaries only temporarily, throughout the period of the allowance, which is the main shortcoming of the program. In his special report, the Public Defender of Georgia highlights the need of developing long-term, stable housing services and notes that provision of rental allowance for homeless persons can be considered as one of the means, rather than the only means, against homelessness.¹¹⁶ Nonetheless, in the conditions of absence of housing funds, long-term housing, and other homelessness services, the rent allowance program remains the only and key service offered to homeless families.

The temporary and unstable nature of the housing services also leads to the lack of trust among beneficiaries, which represents another significant challenge to the state in the process of including beneficiaries in the program. Research study conducted in Tbilisi demonstrates that persons illegally occupying state facilities for self-assistance, refuse to agree to the rent compensation provided by the state, precisely for its temporary and unstable nature, since after its expiration, the housing perspectives of these families remain ambiguous.¹¹⁷

Consequently, in the conditions of absence of long-term services to overcome homelessness, regardless of the financial expenditures from the state,¹¹⁸ the rent allowance service can only be considered as a temporary reaction mechanism, which fails to resolve the problem of homelessness in the long term and fails to achieve the purpose of overcoming homelessness.

¹¹⁴ Ordinance 1312 of Tbilisi Government on the approval of the instructions for the implementation of programs to compensate the population of buildings unfit for housing, December 26, 2012.

¹¹⁵ Ordinance N1 of Lagodekhi Municipality Council, January 16, 2015, on the Approval of the program and budget for social protection of Lagodekhi population.

¹¹⁶ The Right to Adequate Housing, Special Report of the Public Defender, 2015. Pg. 16. Available here: <http://www.ombudsman.ge/uploads/other/3/3282.pdf>;

¹¹⁷ See more in Part II, Chapter 4.2.2. Inadequacy of the offered service, pg.105

¹¹⁸ The Didube Administration assisted 12 families with the amount of 21,750 GEL in 2014. In 2015, the assistance amount was 69814,50 during 5 months. The Isani Administration spends 60,365 GEL per month for 223 beneficiaries. Samgori Administration spent 360920,00 GEL for rent compensation in 2014, and 198100,00 GEL in 5 months of 2015. Gldani Administration spent 129 930 GEL (64 families) in 2014 and 101 690 GEL in 5 months of 2015. (Source: Letter 3018989 of June 24, 2015 of the Isani Administration of Tbilisi Municipality, Letter N3019030 of June 24, 2015 of the Samgori Administration of Tbilisi Municipality, Letter N3022609 of Gldani Administration of Tbilisi Municipality).

Service Conditions have Blanket Character and Fail to Consider Individual Needs of Beneficiaries

The analysis of services across municipalities demonstrates that in any case, the conditions have blanket character and offer similar services to homeless groups with different needs, leading to inadequacy in terms of satisfying the needs of specific beneficiaries.

The rent allowance offered by Tbilisi Municipality units is limited to 300 GEL, and in exceptionally cases, only with the approval of the Government of Tbilisi, the amount can be increased. Within specific limits, similar programs are implemented in other municipalities as well. Therefore, the rent amount is predefined and fails to consider individual challenges of beneficiary households, including, the number of family members, territorial location, perspectives of maintaining social networks, or individual needs of household members. The empirical data obtained through research shows that the failure to consider individual needs represents a significant problem for beneficiaries. Specifically, the blanket nature of the compensation and its small amounts as compared to the market rental prices forces the beneficiaries to rent housing in harsh conditions.¹¹⁹

Narrow Target Group of Rent Allowance Program Beneficiaries

One of the shortcomings of the rent allowance program is its focus on a specific homeless group, rather than different households with housing needs. This limitation excludes numerous households with housing needs from the scope of beneficiaries, which is especially problematic in the conditions of absence of alternative or long-term services of housing.

The analysis of municipal programs shows that the rent allowance service is not directed at a wide scope of homeless persons and is limited to families which satisfy the narrow homelessness criteria established by the municipality. The criteria usually focus on specific causes of homelessness and thereby comprehensively limits the circle of beneficiaries. For example, the compensation offered by the Tbilisi municipality is limited to families registered in Tbilisi, in a property on the Tbilisi territory, or own a facility that is destructed, or otherwise unfit for living, where they lived before depreciation. In addition to these conditions, the person should demonstrate that neither he/she nor his/her family members have the financial means to provide for housing.¹²⁰ As a result, families who have never owned housing and could therefore not have lost it due to economic vulnerability are excluded from the program. In addition, persons living in inadequate housing and other households with housing needs are similarly excluded.

119 See more in Part II, Chapter 2.4.2.1. Limits of the rent allowance program and social exclusion among beneficiaries, pg. 73

120 Ordinance N33-138 of Tbilisi Municipality City Council of December 29, 2015, Article 2, Paragraph 1.

Non-target beneficiaries of the program can only benefit from the rent allowance program in Tbilisi in exceptional cases, through the decision of the Governor. However, the criteria the Governor uses to make the exception are not clearly defined by the law, increasing the chances of making arbitrary or inconsistent decisions by the administrative unit. In order to observe the mentioned characteristic of the program, the research team litigated two cases, requesting the placement of two homeless families with immediate housing needs. Both cases were eligible for resolution under the Governor's decision as an exception. However, the same municipality satisfied one request for housing and refused the other.¹²¹

Even though the housing needs of homeless persons living in the municipality are heterogeneous, the rent allowance service is the only service offered by the Lagodekhi municipality. The Governor's Office of Lagodekhi municipality provides allowance for homeless families or families who were victims of natural disasters, whose residence in social housing leads to risks to health and life. Provision of housing area through purchase of flats is only possible in exceptional cases, with the Governor's decision. Persons receiving a certain rating in the Register of the Database of Socially Vulnerable Persons are considered homeless. During the litigation under this research, the request of a large family living in Lagodekhi to bring the housing under their ownership in the condition of an adequate housing was not satisfied due to incompliance of their needs to the program objectives.

The rent allowance service, which envisages assistance within 100 GEL is the only systematic service in Chokhatauri municipality too.¹²² An exception offering relatively diverse services to its citizens is Ozurgeti, which, in addition to the rent allowance service, has the practice of purchasing flats or issuing material for reconstruction. However, the mentioned services do not cover the wide number of persons with such needs and the number of beneficiaries remains limited.¹²³

The Service Excludes the Component of Facilitating Independent Life of Beneficiaries

One of the shortcomings of the rent allowance service is the absence of other supporting services for households included in the program. Specifically, the service does not include any other service than rent compensation or the component of social work. Therefore, within the program or

121 From the mentioned beneficiaries, one roofless family that asked for housing received rent compensation from the Administration; however, another large family living in inadequate housing, in extremely grave situation, and in immediate need for housing, was refused.

122 Letter N2175 of December 31, 2015 of Chokhatauri municipality administration.

123 In 2013, 74 families received housing assistance from the Ozurgeti municipality; out of those, 4 citizens received monthly rent allowance, 5 families received housing in ownership, and 65 families were given materials for reconstruction. In 2014, 96 families received assistance, out of those 7 families received rent allowance. In 2014, 69 families were assisted and one received house in ownership. 10 received rent allowance, and 3 received one-time assistance. In 2015, the municipality had planned to open social housing, accommodating 90 beneficiaries (Source: letter N5547 of December 24, 2015 of the Ozurgeti municipality).

independently of the program, no supporting services are offered to beneficiaries with the aim of facilitating their independent life and overcoming the condition of homelessness.

As a result, after the expiration of the rent allowance service, the transformation of the condition of homelessness remains an independent, exclusive responsibility and challenge of homeless families, and leaves them facing homelessness risks after the program.

Administrative Barriers of the Service

Research shows that administrative barriers in the service and its non-proactive administration creates additional obstacles for potential beneficiaries of the service. Receiving of homelessness services, according to the existing legislative regulation, is only possible through a personal statement of the beneficiary.¹²⁴ Municipalities are not proactive with regards to the beneficiaries who face obstacles in terms of accessibility to the service,¹²⁵ which especially aggravates the situation of persons with physical and other barriers.

One of the main shortcomings of the service is the disproportionate burden delegated to the beneficiary, which is reflected in the responsibility to find housing, communicate with the owner, and carry out numerous formal procedures independently. Thus, the administrative barriers significantly complicate the access to the service or completely exclude the possibility of benefitting from it.¹²⁶

4.2.1.2. Immediate (emergency) Shelters

One of the forms of service offered to homeless persons is immediate (emergency) shelter for roofless persons. Since the service is offered in only one of the target municipalities studied in this research, the scope is limited to the evaluation of the shelter in the Didi Lilo village of the Tbilisi municipality.

The immediate (emergency) shelter service only focuses on roofless persons living on the streets and is temporary by definition. Even though the service was created in response to the immediate needs of roofless persons and has the nature of an immediate (emergency) shelter, the duration of stay, 10-18¹²⁷ months, inherently strips the temporary nature of the service and creates risks of institutionalization. Research also shows that the location of the shelter

¹²⁴ Letter N2528397 of September 26, 2014 of the Isani Administration of Tbilisi municipality.

¹²⁵ See more in Part II, Chapter 2.1.2. Social Exclusion among Persons Living Roofless, pg.62

¹²⁶ See more in Part II, Chapter 2.4.2.1. Limits of the rent allowance program and social exclusion among beneficiaries, pg. 73

¹²⁷ Duration of residence in the shelter is defined as 10-18 months (the Shelter administrator has the rights to make decision to extend the duration based on consultations with a social worker and a psychologist (Instructions for Management of the Lilo Homeless Shelter, Article 3, Paragraph 7.)

creates obstacles in terms of transportation, access to social networks and workplace, etc., which could limit the possibilities of independent life and aggravate the degree of exclusion.¹²⁸

Due to its purpose and nature, the immediate shelter service is aimed at responding to the immediate needs of the most vulnerable persons. However, according to the shelter regulations, homeless persons with immediate needs lacking the capacity of self-care, or homeless persons with alcohol- or drug dependency are excluded from the circle of beneficiaries.¹²⁹ In addition, only the persons who have been registered in Tbilisi for the past two years can benefit from the service.¹³⁰ As a result, persons who can be facing the necessity of using the immediate shelter service can be excluded from the service scope, which represents one of the significant shortcomings.

4.2.2. The Possibilities of Realizing the Right to Housing of Vulnerable Groups in the Current System of Services

Research shows that homelessness services on municipal levels usually fail to cover the needs of persons with different vulnerabilities or directly exclude specific groups from the service. Therefore, the current system of homelessness services, as a rule, fails to recognize certain aspects of homelessness and, in some cases, is directly discriminatory towards them. As a result, these groups use specialized services on the central government level, which are not organized for the realization of the right to housing, but nevertheless include such component. The aim of this chapter is not to evaluate specialized services; rather, it aims at identifying the need of realizing the right to housing of the beneficiaries and the related problems of implementation.

Research shows that specialized services, created for the purposes of care, treatment, or rehabilitation do not imply the purpose of housing. However, the state does not recognize the persons under state services as homeless, regardless of their housing needs. Furthermore, the state does not create services oriented directly at facilitating independent life or at the need of housing, which would be an important guarantee of independent life after leaving the institution. The absence of such services, on one hand, leads to the practice of institutionalizing beneficiaries for an indefinite period and, on the other hand, often becomes the factor leading to their homelessness and rooflessness.

128 See more in Part II, Chaptr 2.3.1.2. Social exclusion among persons living in temporary shelters , pg. 69

129 Ordinance N41.16.1192 of Tbilisi municipality, On the approval of the registration applications and receipts of homeless persons to the NELP Lilo Homeless Shelter.

130 Instructions for Management of the NELP Lilo Homeless Shelter, Article 3, Paragraph A.

Through examination of specialized and transitory services and interviewing of persons responsible for their administration, as well as experts, it was revealed that the problem of homelessness and independent living is especially acute in the case of persons with psychosocial needs, persons with disabilities without state care and victims of domestic violence. Empirical research obtained through this study also demonstrates the existence of chronic or temporary homelessness among these groups. Based on the study, the condition of homelessness among these groups, due to the lack of skills and opportunities for independent living and weakness of social networks, is related to grave social exclusion and institutional factors resulting from the absence of state services.¹³¹

In the case of persons with psychosocial needs, their vulnerability on these grounds often becomes a direct cause of homelessness, since there are frequent cases of loss of property, involuntary appropriation or other violations of property rights, further decreasing the chances of independent living.¹³²

One of the main problems is the practice of the delay of former patients in psychiatric institutions for indefinite periods after the termination of treatment. According to the latest Special Report of the Public Defender, "mental health facilities have patients, who can be called "open-ended" or "perpetual" patients. "Perpetual" patients "in this case are the patients who for months and years, stay on inpatient treatment without in fact ever leaving the hospital. They often do not require active treatment, but cannot leave the hospital because "they do not have a place to go to", or because the family avoids taking them home. It should be noted that managements of all of the institutions with the long-term care unit, declare that such "perpetual patients" represent 30-40% of their contingent."¹³³ Based on the Report of the Public Defender and the interviews conducted for this study, the reasons behind the delay are based on the on hand on the refusal from families of the patients to take them home and on the other hand on the absence of alternative state services, including long-term housing services, the deficit of skills among patients, etc.¹³⁴ Placement of persons with psychosocial needs in large institutions, even in the conditions of the need of treatment, is considered as a practice violating human dignity and fundamental rights. As for delay for indefinite periods, this re-

131 See more in Part II, Chapter 2.5.1.2. Social exclusion among persons with psychosocial needs, pg. 76

132 Interview with Olga Kalina, association "Cooperation for Equal Rights," Expert on discrimination issues in the Special Prevention Group of the Prevention and Monitoring Department of the Public Defender's Office. Interview date: August 1, 2016.

133 Special Report of the Public Defender: "Report on the Monitoring of Mental Health Institutions" 2015. Pg 12. <http://ombudsman.ge/uploads/other/3/3695.pdf>;

134 Interview with Olga Kalina, association "Cooperation for Equal Rights," Expert on discrimination issues in the Special Prevention Group of the Prevention and Monitoring Department of the Public Defender's Office. Interview date: August 1, 2016; Interview with Irine Oboladze, Head of the Department of the Rights of Persons with Disabilities of the Public Defender's Office. Interview date: July 5, 2016.

presents an extraordinary case of interference in the rights of persons with psychosocial needs and should immediately become subject to reaction from the state.

One of the main reasons behind violations of the right to housing and other rights of persons with psychosocial needs is the lack of services supporting families, forcing the latter to make the decision to leave a family member in the institution for a long period.¹³⁵

The inability to realize the right to housing is an important problem also with regards to persons with disabilities of 18 years of age or older, who have left state care services after reaching legal adulthood.¹³⁶

Research revealed cases of delay of adults in boarding schools for children with indefinite periods, which was the only alternative for them to counterbalance the risk of living on the streets, due to absence of long-term housing. However, after the closure of boarding schools, living in institutions for persons with disabilities¹³⁷ became the only option for them.¹³⁸

The above-mentioned is considered as a serious problem by the Public Defender as well. As noted in the Special Report: "The persons with disabilities, who were under the state care in their childhood, have to leave respective institutions after reaching full age without any preparations for independent living. The state does not offer them adequate support, due to which, apart from facing other social and economic problems, they are left without housing and necessary services. Therefore, they are unable to fully enjoy the fundamental human rights and freedoms."¹³⁹ Empirical data also show that in parallel with the absence of housing services, persons leaving the respective institutions have inadequate access to education, lack personal documentation and skills for employment, which aggravates their social exclusion and leads to permanency of homelessness.¹⁴⁰

For persons becoming homeless due to domestic violence, a majority being women, homelessness is an important issue after leaving the transitory service for victims of domestic violence.¹⁴¹ According to the observation of the Public Defender, after the expiration of the period

¹³⁵ Interview with Olga Kalina, association "Cooperation for Equal Rights," Expert on discrimination issues in the Special Prevention Group of the Prevention and Monitoring Department of the Public Defender's Office. Interview date: August 1, 2016; Interview with Irine Oboladze, Head of the Department of the Rights of Persons with Disabilities of the Public Defender's Office. Interview date: July 5, 2016

¹³⁶ Interview with Irine Oboladze, Head of the Department of the Rights of Persons with Disabilities of the Public Defender's Office. Interview date: July 5, 2016

¹³⁷ Boarding Houses for Persons with Disabilities of State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking in Martkopi, Dzevri and Dusheti.

¹³⁸ See more in Part II, Chapter 2.5.2. Persons discharged from residential institutions for minors, pg. 76.

¹³⁹ Proposal to Government on Support Measures for Independent Living of Persons with Disabilities Leaving Care. <http://www.ombudsman.ge/ge/recommendations-Proposal/winadadebebi/winadadeba-saqartvelos-mtavrobas-saxelmwifo-zrunvidan-gamosuli-shezguduli-shesadzleblobis-mqone-pirebis-damoukidebeli-cxovrebis-xelshemwyobi-gonisdziebebis-shesaxeb.page>

¹⁴⁰ See more in Part II, Chapter 2.5.2.2. Social exclusion among persons discharged from residential institutions for minors, pg. 77

¹⁴¹ The Gori, Sighnaghi, Tbilisi and Kutaisi shelters for domestic violence victims are administered by the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking.

of living in the shelter for domestic violence victims, the perspectives of the victim women are mostly limited to returning to the perpetrator of violence due to absence of long-term housing services and insufficient financial or other resources: “Clearly, persons who have no housing of their own, have the necessity to use the shelter.” “Victims of violence often have to continue living on their own. The shelter is an important service for their assistance, and therefore, the duration of placement in these shelters should be longer...during the discussions, almost all of them [women victims of violence] noted that they feel very nice in the shelter, but are counting days at the same time, because they do not know where to go after that. Often, the only alternative for them is to return to the violent husband.”¹⁴² One of the obstacles to independent living is also the practice of ceasing social assistance to victims of violence during their stay in the shelter. The reactivation of social assistance, which could be the only source of livelihood for the beneficiaries after leaving the shelter, is related to bureaucratic procedures of several months, which further aggravates the economic conditions of victims and the perspectives of housing.¹⁴³

The experience of women studied during the research shows that the efforts of the shelter administration¹⁴⁴ to provide housing for victims of violence are insufficient, both before the expiration of the residence period and after.¹⁴⁵

Such systems of homelessness services leaves certain circles of homeless persons beyond municipal homelessness services, which creates possibilities of indefinite stay in specialized services or grave and chronic cases of homelessness.

142 Interview with Ekaterine Skhiladze, Deputy Public Defender. At the time of the interview, she was the Head of the Gender Equality Department of the Ombudsman's Office. Interview date: July 5, 2016.; Special report of the Public Defender: Violence towards Women and Domestic Violence in Georgia, 2015. Pg. 12.

143 Interview with Ekaterine Skhiladze, Deputy Public Defender. At the time of the interview, she was the Head of the Gender Equality Department of the Ombudsman's Office. Interview date: July 5, 2016.

144 According to Irma Aladashvili, Head of the Public and Donor Relations Department of the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking (Interview Date: August 5, 2016), the shelter includes services for health, social reintegration, nutrition, employment search, capacity development, etc. The beneficiaries are also connected to city administrations in order to ensure housing in the future.

145 See more in Part II, Chapter 2.3.2.1. Limits of the shelters for the victims of domestic violence and social exclusion among the beneficiaries, pg. 70

Chapter 5.

Research Findings

With regards to general homelessness policy research shows that:

- The state does not adequately recognize the problem of homelessness and the rights dimension of housing. As a result, the issue of adequate realization of the right to housing is not on the political agenda, which indefinitely delays the improvement of the situation of persons with housing needs;
- Despite the reflection of the issue of the right to adequate housing in the National Human Rights Strategy of 2014-2020, the right to housing has not been included in the Human Rights Action Plan, which demonstrates that the issue of homelessness is neither recognized nor prioritized by the state;
- Research shows that Georgia does not have a declared policy against homelessness and relevant policy papers that would state the vision, aims, and objectives of the fight against homelessness;
- The absence of homelessness policy on the central level also leads to weakness of local self-governments that, regardless of continuously increasing referrals, do not adequately reflect the needs of homeless persons as priorities in aims of municipal development;
- The state has neither statistical nor research data on the number of homeless persons, the causes of homelessness or the individual needs of the homeless persons, which renders the formation of policies against homelessness impossible. As a result, the state has no relevant system of preventing or responding to homelessness;
- The current, incumbent policies for addressing the issue of homelessness, reflected in certain attempts of municipalities, are directed only towards critical manifestations of homelessness, in an incoherent, fragmented manner. Such policies aim at temporary management of extremely grave cases of homelessness and are not directed towards transforming the conditions of homelessness.

In relation to the functioning of the institutional framework for combatting homelessness, research shows that:

- On the central level, the authority to implement policies against homelessness is distributed among three public agencies. However, the competences envisaged by the legislation are limited and insufficient. In addition, the responsible units largely fail to fulfill their authorities in practice;
- The existing legislation delegates the key responsibilities with regards to the problem of homelessness to local municipalities. However, the obligations of municipalities imply only the provision of shelters, which is an unreasonable limitation of the right to housing;
- The priorities established by local municipalities and relevant budgets are limited and do not respond to the actual needs of the homeless;
- The complete delegation of homelessness issues from the central government to local municipalities and the weakness of municipal policies renders the municipal approaches established in the conditions of absence of common vision and objectives, fragmented and ineffective;
- There is no formal mechanism for coordination and communication between central and local governments, which complicates the actualization and processing of the issue, and the establishment of common approaches.

In relation to legislative regulation of the right to housing and the definition of a homeless person, research shows that:

- The national legislation interprets the right to housing in a limited manner, relating it to the provision of housing for the homeless. As a result, the legislation does not include the interpretations of the right to housing by international legal acts, components of the right to housing, and minimal standards for guaranteeing the right to housing;
- Moreover, the national legislation does not establish the concept of adequate housing, nor define standards for assessing adequacy of housing or its criteria for evaluation of the living conditions as adequate;
- The ambiguity of the definition of a homeless person creates possibilities for wide interpretation, which may lead to exclusion of numerous homeless groups from the scope. In addition, the concept excludes persons living in inadequate housing and fails to recognize different forms of homelessness;

- Despite a unified definition of homelessness, it is not consistently applied by municipalities, which is a result of the insufficiency and ambiguity of the term, as well as its mismatch and omission of existing forms of homelessness and the needs of homeless groups. This shows that the definition of homelessness envisaged in the legislation does not comply with the actual forms of homelessness, the needs of homeless persons, and the challenges that local municipalities face;
- Municipalities define the term of homelessness and its criteria to offer specific housing services in an independent manner, which leads to incoherent and inconsistent practices of recognition of homelessness and protection of the right to housing;
- Some municipalities do not grant the status of homeless or register homeless persons at all, while other municipalities use different forms of registration, which are of inconsistent and fragmented character.

In relation to the existing system of housing services, research shows that:

- Services against homelessness are not developed in Georgia, and the attempts of certain municipalities to respond to immediate needs of housing through temporary services, do not create an effective system for the prevention of, and response to, the problem of homelessness;
- The existing model of housing services in Georgia, developed in the conditions of absence of state vision and a context where the issue of homelessness is neither recognized nor prioritized, is significantly incompliant with the standards of the right to housing and actual needs of homeless persons. Moreover, it implements the vision of fighting against homelessness which has been abandoned by numerous countries. The de-facto system of housing services is comprised of temporary/immediate housing services on the municipal level and transitory/specialized services that include the housing component on the central level;
- Current housing services are insufficient with regards to the needs of homeless groups, as they are directed only at an extremely small group;
- Long-term services to overcome homelessness are virtually nonexistent, including social housing or available housing programs, which renders it impossible to transform the conditions of homelessness;
- The temporary housing services on the municipal level only aim at temporary improvement of the situation of homeless households and do not consider individual needs

of homeless persons, the components of capacity development or reintegration, which makes it impossible to terminate the homeless condition;

- The shelter in Tbilisi, which can be considered as one of the stages in a long-term strategy to overcome homelessness and as an immediate response mechanism, does not have temporary character and implies risks of exacerbating social exclusion of beneficiaries and institutionalization;
- The transitory and immediate services of housing are discriminatory towards persons with individual needs and directly excludes them from target groups;
- The lack of housing and other supportive services leads to indefinite stay of persons with psychosocial needs in mental institutions and the systemic practice of violating their rights;
- Due to lack of housing and other supportive services, the state still cannot resolve the problems of persons with disabilities leaving state institutions and leaves these groups in permanent conditions of homelessness and extreme poverty;
- After the expiration of the period of stay in the shelter for the victims of domestic violence, due to the absence of housing services and limited opportunities of independent living, beneficiaries often face the choice of returning to violent environments or living roofless, in extreme poverty;
- There are no communication and coordination mechanisms between temporary/immediate and transitory/specialized services with the aim of transferring beneficiaries according to their needs;
- The state maintains repressive policies towards people residing illegally in state institutions, limiting their right to register in the unified database of socially vulnerable groups and thus access to livelihood assistance;
- Persons living roofless are excluded from registration in the database of socially vulnerable groups, and therefore from the beneficiaries of livelihood assistance, in a discriminatory, unjustified manner.

Part II

Sociological Analysis of the Forms and Causes of Homelessness

Chapter 1.

Methodology

Through observation of the situation experienced in specific housing conditions, the research discusses the lack of alternatives or capabilities among homeless persons or persons facing housing exclusion. It also illustrates the link between the above-mentioned and the social injustice in societal systems.

When discussing the specific housing conditions and individual opportunities, the research uses the European Typology of Homelessness and Housing Exclusion (ETHOS) (see Annex 2.), which differentiates between cases of exclusion based on housing conditions. The Typology was developed by the European Observatory on Homelessness and the European Federation of National Organizations Working with the Homeless (FEANTSA).¹⁴⁶

Theories of social exclusion, articulated within development studies, is used as the major analytical category in order to illustrate how social inequality and the degrees of participation in societal systems determine forms, duration and causes of homelessness. Specifically, the presented analysis assesses the horizontal and cross-cutting exclusionary processes that are hindering the realization of the right to adequate housing for everyone. In addition to merely observing the issues of economic inequality (which characterizes theories studying poverty), the research tries to analyze the processes leading to the continuous exclusion of homeless groups or groups lacking adequate housing from societal relations on different grounds.¹⁴⁷ Here, beyond discussing economic growth or need for redistribution, the impor-

¹⁴⁶ Amore, K., Baker M., Howden-Chapman, Ph. (2011) 'The ETHOS Definition and Classification of Homelessness: An Analysis', European Journal of Homelessness, Volume 5, Issue 2. Accessed 5 August, 2016 <http://www.feantsaresearch.org/IMG/pdf/article-1-3.pdf>

¹⁴⁷ Silver, H. (2007) 'The process of social exclusion: the dynamics of an evolving concept', Chronic Poverty Research Center, Department of Sociology Brown University.

tance of providing different social services, eliminating discrimination on different grounds and strengthening of social justice in order to develop the capacities of individuals or certain groups, is discussed.

The identification of different homeless persons or persons facing housing exclusion and examining the challenges they face gives the possibility to discuss different forms of homelessness or housing exclusion. However, the study does not aim at including all groups with housing needs. For example, the research does not examine the housing needs of children, elderly people, migrants or persons leaving penitentiary systems. Neither does it aim at linking the discussion on identified groups to all possible dimensions of the exclusion among them. For example, it was impossible to discuss the processes of social exclusion among homeless persons or persons facing housing exclusion on grounds of sexual orientation, drug dependency, religion, ethnicity etc.

Parallel to collecting empirical data through field-work, different publications were researched on the given topic by different institutions of the European Union, the UN Habitat, and international non-governmental organizations. Theoretical information was processed through researching the development studies literature of the Sociology Department of Brown University and Oxford University.

1.1. Data Collection

Qualitative research method was used to collect and analyze the data. Empirical data for analysis was collected during the period of November 2015 to May 2016, through visits of housing units in Tbilisi and interviews with target groups.

To ensure that research encompassed all forms of homelessness and housing exclusion according to ETHOS typology, respondents were selected through purposive sampling. The research investigated the cases reported by media and identified territories occupied by homeless groups Service providers were contacted and “the snowball principle” was used, through which respondents helped recruit other participants.

The research conducted 26 interviews at 17 different locations (see Annex 1.). These locations were: respondents' dwelling spaces, temporary shelters, social houses, medical and educational institutions, the workspace of the research institution and neutral territories.

Data collection was conducted on individual and household level through semi-structured in-depth interviews with individual family members, each interview lasting up to one hour.

1.2. Development of the Questionnaire Guide

The questionnaire guide was prepared in two stages. After pilot interviews, the guide was modified and questions about the social dimension of housing were added.

The questionnaire was organized into three parts: 1. The first part asked the respondents with housing exclusion or homeless respondents to describe their housing conditions and their opportunities in order to characterize the housing situation; 2. The second part gave research participants the possibility to share personal stories and experiences of homelessness and different situations of lack of housing; 3. The third part enabled respondents to discuss their needs and the necessity of specific assistance.

The data was recorded through the transcription of audio recordings of interviews, on the condition of confidentiality provided for research participants. To encourage respondents, the participants received a small monetary compensation.

1.3. Data Analysis

To discuss different issues, various methods were used for data analysis.

To characterize different forms of homelessness or housing exclusion, the method of thematic coding of data was used, according to which each subchapter describes the circumstances defining physical, social or legal vulnerability in the mentioned housing situation. Consecutively, the determining factors for social exclusion in the given situation are described.

To discuss the duration of homelessness or housing exclusion, data analysis was conducted again through thematic coding, where the discussion on different degrees of social exclusion analyzes the repeated or permanent situations of housing.

For coding data on the reasons causing homelessness or housing exclusion, the life history method was used, which entails a focus on events occurring simultaneously with loss of housing. Therefore, the research discusses the reasons of homelessness or housing exclusion on three different levels: structural, institutional and family relations.

Chapter 2.

Forms of Homelessness and Housing Exclusion

This chapter aims at revealing different forms of homelessness or housing exclusion. Hence, the research describes the dwelling space and the lack of capabilities in given circumstances that lead to social exclusion among people affected.

Housing situation is characterized according to the ETHOS international typology, in which the term 'home' is defined by three main factors: these include the physical, social and legal domains to it. The physical domain implies conditions that are adequate to the needs of persons living in the area; social domain is defined as a private and safe personal space for social relations; the legal domain implies legal title to occupation. According to the research literature, deterioration of certain conditions, lack of certain elements or the combination of all defines the situation of homelessness and housing exclusion.¹⁴⁸

Another factor defining the forms of homelessness or housing exclusion is that the dwelling space influences the social relations on individual and collective levels, degrees of participation in different institutions, and the identity and personal dignity of individuals.¹⁴⁹ Hence, the research follows the existing social science literature, which defines homelessness and housing exclusion as the multidimensional process of social exclusion. The given chapter describes the circumstances where a person or a group might have been excluded from participating in labor market or systems of social protection or healthcare by different degrees, and might have had limited access to public information, different public goods and resources.¹⁵⁰

On the basis of analyzing empirical data, the research identifies five different forms of homelessness and housing exclusion. In addition, the research explains what causes social exclusion and in which aspects it can be revealed in each case.

The structure of the given chapter is as follows: subchapters one and two discuss the cases of roofless persons and of persons living in unconventional insecure facilities – this condition is characterized by the simultaneous absence of guarantees to physical, social and legal domains of housing. Subchapters three and four discuss the cases of persons benefitting from the services of temporary shelters and long-term housing assistance programs. In these cases, only the physical and legal dimensions of housing are provided. The final subchapter five discusses the cases of people who have to live in institutions due to absence of alternative housing, which only involves providing

148 Busch-Geertsema,V. (2010) 'Defining and measuring homelessness', Homelessness Research in Europe: 9-41, European Observatory on Homelessness. Accessed 5 August, 2016 <<http://www.feantsaresearch.org/IMG/pdf/ch01.pdf>>

149 Tipple, G., Speak, S. (2005) 'Definitions of homelessness in developing countries', Habitat International 29 337-352 Accessed 5 August, 2016

150 Ruggeri Laderchi C., Saith R., Steward F. (2010) 'Does it matter that we do not agree on the definition of poverty? A comparison of four approaches', Oxford Development Studies, 31:3, 243-274

of material space. The same subchapter discusses the cases when people have to live as homeless upon leaving the institutions.

2.1. Roofless Persons Living on the Streets

This subchapter discusses the group of homeless, for which the simultaneous non-existence of the guarantees to physical, social, and legal environment determines their situation of homelessness. Homeless persons have to spend their nights in public spaces, in roofless conditions, either temporarily or permanently.

The participants engaged in research through direct interviews at their places of stay. Due to methodological and practical limitations, the research did not include cases of homeless children.

2.1.1. Housing Conditions of Persons Living Roofless

Research showed that homeless persons are vulnerable to environmental hazards and continuous stress. They have limited possibilities to benefit from basic infrastructure, which hinders them from satisfying their elementary needs. Due to extreme poverty, they face continuous lack of food. The mentioned conditions lead to situations where their health and safety are under threat.

Living roofless also implies frequent displacement for self-help purposes. In certain cases, homeless persons might have a fixed dwelling space, however, even this latter circumstance does not represent a guarantee of safety. These groups have the capacities of coping with environmental hazards differently at different times. As one homeless couple who sometimes has the possibility of setting fire on streets, said: "sometimes, we sleep on stairs, sometimes in building entrances, and sometimes outside, in rain or snow." Another respondent stays warm in his car: "sometimes I have 2 liters of petrol, so I stay warm [in the car,]".

When it comes to public and commercial infrastructure, homeless persons only have access to facilities which are located in their surrounding areas. This does not, however, apply to homeless persons with disabilities who are often unable to access these facilities due to physical barriers. There are also other forms of barriers, especially prevalent in commercially owned spaces where homeless persons can be denied entrance with reference to their homelessness. Often homeless persons have unlimited access to drinking water only, and have no resource or equipment to prepare food independently. As a result, they are not adequately fed. Limited access to hot water and laundry facilities excludes the possibility of self-hygiene.

Research shows that the mentioned circumstances have a significant influence on health conditions of homeless persons. The health condition of one of the homeless respondents gradually worsened, necessitating the use of a wheelchair for the past 8 years. In addition, respondents have discussed cases of different chronic illnesses, developed due to the impact and stress of living on the streets and the unfulfilled need of emergency healthcare among homeless groups.

2.1.2. Social Exclusion among Persons Living Roofless

Research shows that the social exclusion of homeless persons largely results from the factors that they have limited opportunities of participating in the labor market or access to social benefits. They also lack social assistance networks.

Homeless respondents face the problem of chronic unemployment. The livelihood strategy of one of the respondents is to ask for help in crowded areas or to receive food or material assistance from the local residents: "I have several acquaintances, who sustain me" – one of the respondents says. However, it is important to note that when having access to housing, research participants had certain work experiences. During the period when the respondent had a night shelter at one of the public facilities, the person had been hired as an outside vendor near one of the Metro stations. Another respondent says that before ending up homeless, he used to work as a constructor.

In this group, social exclusion is also determined by the fact that homeless persons have lost their family ties. Often, their acquaintance circle is narrow or non-existent. For example, a close relative – a daughter – of one of the respondents lives abroad. Another respondent talks about the emigration and death of loved ones: "I had relatives, they died. Everyone I had has died. The relatives I had from Sokhumi, some of them are in Russia, some of them are in Greece, some of them - in Germany. My relatives, cousins – nobody is alive."

One of the determining factors of social exclusion in this group is that homeless persons are hindered from receiving subsistence allowance or public services due to limited capacities concerning mobility, physical barriers to access or informational isolation. For example, due to physical barriers and lack of information, homeless persons with disabilities who participated in this study had never benefitted from the social packages for people with disability. One of the roofless respondents, who has an amputated leg, has been unable to become a beneficiary of a state program and receive a wheelchair for the last three years due to different physical barriers in the application process . In another case, a respondent did not use the universal healthcare service during chronic pains.

Even if they are living in conditions of extreme poverty, homeless persons are unable to register in the unified database of socially vulnerable families due to the absence of permanent housing and thus have no access to the targeted social assistance – the subsistence allowance.

As the research participants state, they had been receiving this assistance only until they lost their housing and continued living on the streets. “Who needs more assistance, a homeless person or one with housing?” – one respondent asks.

2.2. Persons living in inadequate housing conditions

According to ETHOS typology, inadequate housing includes insecure and nonconventional edifices with infrastructure unfit for habitation and with no safe or private space for social relations. In a range of circumstances, the lack of legal guarantees to occupied dwelling also implies living under permanent threat of eviction. In the given form of homelessness, spaces that have not been designed for habitation purpose or are insecure edifices are used permanently for habitation purposes. Individuals live permanently in mobile homes, or destructed, depreciated, unfinished or temporary facilities, often without permission, for self-help.¹⁵¹

The research analyzes two types of inadequate housing: 1. Cases where nonconventional facilities are used for permanent habitation; and 2. Cases where nonresidential state or private buildings are squatted.

This group of the homeless was researched on household level, by interviewing the members of relevant households in their dwelling spaces.

2.2.1. Cases of using nonconventional facilities for permanent habitation

Research participants include persons who use those spaces for habitation that were not designed or transformed for dwelling purpose.

¹⁵¹ The Challenge of slums, Global Report on Human Settlements (2003), United Nations Human Settlements Programme. Accessed 05 August, 2016 <<http://mirror.unhabitat.org/pmss/listItemDetails.aspx?publicationID=1156>>

2.2.1.1. Housing conditions of persons dwelling in nonconventional facilities

Persons belonging to this group use infrastructure that is unfit for habitation. As a result, they continuously face risks to their personal safety and health. Paucity of the dwelling space, as well as legal guarantees to its occupation determine the insecurity and inadequacy of housing among this group of people.

One of the respondents uses a former office space for dwelling and has no adequate infrastructure to satisfy hygiene, food and other primary needs. The inadequacy of such dwelling is also determined through the fact that this person lives in a depreciated part of the building, which lacks thermal isolation that would protect the residents from environmental impact. “When it is raining, I have to step through water, I have to reach my room with an umbrella” – says the respondent about the dwelling spaces used for 7 years already, after losing own home. In addition, the respondent lives under the fear of eviction, since it is unknown how much longer the respondent will have the possibility to use this space.

In other cases, the insecure, inadequate housing includes crudely built constructions, which lack water supply, sewer system, gas system and thermal isolation. Persons living in such facilities are not protected from environmental hazards. “It was raining on me just like it was raining outside. I was freezing. I died, my life ended. I became very sick” – says the respondent.

Another respondent lives in a space intended as a shared kitchen in a so-called “Italian yard” with a spouse. The elderly couple has no space for basic social relations. When talking about paucity of dwelling space, the respondent says: “the doctor or the ambulance cannot come. My husband forgot how to walk. The space between the bed and the door is this much [indicates by hand], you have to either stand or lay down.”

In the case of another respondent and his 12-member family, the scarcity of housing space limits private space and space for basic social relations. The respondent describes the shelter as follows: “in the beginning, this was a stable, what you call a stable...they [acquaintances] gave me pieces of metal and I used it as a roof for the stable.”

2.2.1.2. Social exclusion among persons residing in nonconventional facilities

Research showed that among the mentioned group, social exclusion is worsened by poverty and the resulting social-economic vulnerability.

Respondents state that they cannot provide the living minimum to themselves or to the depended family members, which disallows them to put efforts in improving housing conditions among them.

The main livelihood means for research participants are the subsistence allowances for persons below the poverty line, pensions for the elderly, food from free dining facilities and one-time international humanitarian assistance from different organizations.

Social and economic vulnerability of persons in these conditions is due to different factors.

One of the respondents talked about the repeated necessity of releasing a family member from a penitentiary institution: "We, the two families, depend on one boy; he is the one who will bury us, he is our hope, we did not raise a boy for the prison. We released him twice. We had to send stuff to him, to avoid health issues, this and that," – says the respondent on the expenses which deteriorated the social and economic conditions of the elderly couple. Another respondent's material position was weakened by the stress and poor health conditions: "Due to all this nervousness, I now have neurosis, I also had a stroke. I could not move my hands or feet...my hands, feet are swollen" – the respondent woman says.

2.2.2. Persons squatting public and privately owned facilities

Persons living in both public and privately owned facilities participated in the study.

2.2.2.1. *Housing conditions in squatted spaces*

In the mentioned cases, persons squat destructed or depreciated buildings that are under state or private ownership. Similar to the previous case, the persons belonging to this group have to use infrastructure which is inadequate for habitation. They continuously face the risks to personal safety or health. As in cases described in the previous subchapter, the inadequacy of dwelling is also determined by paucity of space and absence of legal guarantees to it.

The facilities occupied without authorization have no adequate water or gas supply systems. Access to electricity is also limited. Families living without authorization in different depreciated facilities have access only to the drinking water of public use in surrounding areas. Due to the absence of adequate water supply infrastructure, unsanitary conditions are permanent.

"There is no sewer system, no electricity, nothing...the conditions are unsanitary outside, you cannot open windows" – one of the respondents says. There is no thermal isolation in the spaces that are used for habitation in such buildings. Certain spaces are only isolated with

fabric. There are no doors or windows. During winter, these persons use wood stoves. Throughout years, spaces built of brick, as well as doors and windows, erected by local residents to improve living conditions, appear in the buildings.

Due to occupation without authorization, the families squatting these buildings also use electricity through illegal, risky and covert ways. This also implies instability in electricity use: “My neighbor gave me electricity. But if her daughter arrives, she shuts it down. Yes, maybe it disturbs her [the daughter]. That woman is my friend and feels sorry for me...” –one of the respondents says.

Squatters are capable of utilizing only a limited amount of spaces, due to weak livelihood strategies. As a result, considering the number of family members, they face the problem of space paucity.

In addition, squatters live in constant fear of eviction. “It is really hard to live in anticipation, you never know what someone will decide tomorrow and you might end up on the streets” –one respondent says.

Furthermore, the research showed that, in conditions of insecurity and instability, the informal or non-institutionalized actions and relations between residents complicates the possibilities of organizing for improving living conditions.

2.2.2.2. Social exclusion among squatters of public and privately owned facilities

The research showed that social exclusion, caused by the absence of adequate housing, is further aggravated by the fact that the efforts to maintain housing are primary, the main precondition, and a barrier, for dealing with different types of social vulnerabilities.

Moreover, transformation of housing conditions among squatters is hindered by the repressive state policies, which, on one hand, inhibit these groups from receiving the targeted social assistance for families under poverty line and on the other, from improving their living conditions.

Escaping the condition of social vulnerability is complicated by the fact that the impossibility to register in the unified database of socially vulnerable families also excludes the chances of receiving additional social benefits from state programs (in cases of education, healthcare, food and other care services). For example, due to the impossibility to register in the database

of socially vulnerable families, one of the respondents having suffered a stroke was unable to benefit from additional allowances for socially vulnerable groups under the universal healthcare program and is only able to receive treatment under the condition of co-financing.

In addition, the respondents belonging to this group are in extreme poverty and have unsustainable livelihood strategies, that manifest itself in chronic unemployment, unstable self-employment or incapacity to work and permanent need for social protection, as described in previous chapters. The only benefits received by families living in poverty are one-time material and humanitarian aids, which also hinder the possibility of trying to improve housing conditions.

The research could not examine cases of stigmatization towards squatters, however, lack of the capabilities to transform or improve living conditions bears the danger of exacerbating the issue of marginalization among this group within densely populated areas.

2.3. Persons living in temporary shelters

This subchapter discusses the group of people who use emergency and transitional temporary housing services in order to avoid living on the streets. Such services provide housing for a period of less than a year and are not considered as a preventive measure against homelessness. They only provide health and safety guarantees to those people for whom the shelter is the only alternative to staying off the streets.¹⁵²

The presented chapter discusses: 1. Cases of homeless persons living in temporary shelters; 2. Cases of victims of domestic violence living in temporary shelters. These groups were studied on individual levels.

The research interviewed persons who lived in the “Lilo Shelter for Homeless” during the research period. Due to the fact that the shelter has been existing for a limited time period only, there have been no precedents of beneficiary discharge due to expiration of time throughout the research period. Therefore, the research does not include discussion on the cases of beneficiary discharge. In the case of transitional shelters, personal stories were recorded of people who had had the experience of living in the shelters for victims of domestic violence in recent past.

¹⁵² Ending Homelessness: A handbook for Policy Makers (2010), European Year for Combating Poverty and Social Exclusion. Accessed 05 August, 2016 <<http://www.kraljulice.org/library/381/ending-homelessness-a-handbook-for-policy-makers.pdf>>

2.3.1. Persons residing in temporary shelters for homeless

The “Lilo Shelter for Homeless” is a service aiming at satisfying the immediate need to housing for persons in roofless conditions in Tbilisi. The given shelter replaced the tents for the homeless on the Moscow Avenue in December 2015.

The shelter provides beneficiaries with 24-hour housing, medical service, nutrition and with basic consumer goods.

The shelter is segregated by sex. In the shelter, living spaces are shared by several beneficiaries. There are shared bathrooms for men and women separately.

The maximum period of using the shelter service is 10 to 18 months. The beneficiary gets to the shelter on the basis of his or her own choice, either by initiative or with the help of patrol police.

Families with more than one member, persons with disabilities in need of special care and persons addicted to harmful substances are not allowed in the shelter. The shelter only serves individual homeless persons with the capacity of self-care.

2.3.1.1. Housing conditions of shelter beneficiaries

Compared to the previous service (provided in the tents on Moscow Avenue), the satisfaction with Lilo shelter is high. The beneficiaries consider themselves in a safe and decent environment. Respondents talk about the successful examples of rehabilitation and medical care in the shelter “For someone leaving that place [the tents], it is like heaven here ... I felt as a decent person” – a respondent says. Another one agrees: “No inebriety, no drunkenness, no uproar, everyone wants peace. There [at the Moscow Avenue tents] it was still street [life].”

When staying in the shelter long-term, beneficiaries are dissatisfied with lack of personal space and the restrictive rules maintained by the shelter. The study shows that these are one of the main reasons why homeless persons chose not to live in the shelter and leave the place after a short period.

Furthermore, beneficiaries can place their personal belongings safely only in small individual cases, which excludes their possibilities to own different larger items. One of the street vendors who was transferred to the shelter from the tents on Moscow Avenue, talks about the confiscation of personal items before admittance to the shelter: “They made us leave the items, I left a lot of stuff [on the street]. 400 pairs of socks, everything was left there, I do not know where they took them, maybe they sold them. I shared one bag [of socks] with these people, everyone here is wearing the socks I knitted.”

Furthermore, living in institutional environments for the homeless in the long term creates risks of social exclusion and stigmatization. For example, regardless of rehabilitating beneficiaries, the shelter does not allow for social integration with the residents of the immediate surrounding environment. When discussing connections with the residential area near the shelter, one of the respondents said: "...going there [out] to meet someone, not yet.

...They still look at us in a different way, the homeless, you know, they look at us differently. It's somewhat hurtful."

2.3.1.2. Social exclusion among persons living in temporary shelters

Research showed that social exclusion among the inhabitants of the Lilo shelter, similar to that of among the roofless persons, is caused by the following circumstances: the incapacity to participate in the labor market, weak networks of social assistance and lack of access to social benefits (besides the assistance guaranteed by the shelter service).

The beneficiaries of the Lilo shelter include both the people with or without the capacities to work. However, the capabilities to findig employment and development of sustainable independent livelihood strategies remain low among them. Temporary satisfaction of housing needs fails to respond to this challenge.

For example, among the respondents were those who had small businesses in the past, were self-employed or had employers, but living in the shelter did not help them continue participating in the labor market. "I do have an outdoor vending space near Vagzali to go and trade" – says one of the elderly respondents, for whom it was impossible to continue outdoor vending far from the shelter, in a territorially inaccessible district, due to living on the Moscow Avenue and later in the Lilo shelter, upon losing own housing near the Vagzali square. "If there was employment, a stable job, one would rent a place" – says another able-bodied man, who has been homeless after leaving a penitentiary institution and has had unsustainable, instable income since then, but is currently unemployed.

In addition, the shelter inhabitants include single persons, whose livelihood strategies are weak due to the fact that their social networks of solidarity and material assistance are weak or nonexistent. "Everyone is hungry, everyone is poor, so who can help me, everyone needs help" – the respondent notes. Some respondents consider that the weakness of social assistance networks is also reflected on the possibilities of their employment.

In addition, respondents also discuss the restrictions for receiving subsistence allowance. The condition of benefitting from shelter service makes the beneficiaries ineligible for receiving state subsistence allowance.

2.3.2. Persons residing in shelters for victims of domestic violence

The shelter for victims of domestic violence provides beneficiaries with 24-hour service. In addition to providing food and basic consumer goods, the shelter also ensures safety for beneficiaries, adequate infrastructure to take care of dependent children and consultations with relevant specialists.

In these shelters, beneficiaries have the possibility to stay for a period of up to 3 months, either alone or with dependent persons.¹⁵³ The shelter has both isolated and shared rooms.

2.3.2.1. Limits of the shelters for the victims of domestic violence and social exclusion among the beneficiaries

Research showed that the beneficiaries of the shelter find themselves in a safe and decent environment. The respondents speak positively of habitation in the shelter and being under necessary supervision. Here, as well as in the cases of shelters for the homeless, the temporary shelter is satisfying emergency needs of its beneficiaries, the period of stay is much shorter.

Social exclusion among the persons belonging to this group is exacerbated by unemployment, which is caused by the need to acquire new livelihood strategies, new skills and knowledge after having cut the links with former networks of employment and assistance. For example, a single, unemployed respondent woman lost the assistance guarantees that would enable her to combine employment and care for the dependent child after leaving the family and changing location. Before coming to the shelter, he respondent used to work and her family members helped her raise her kids.

Furthermore, in this case as well, the condition of using shelter services excludes the people from the possibility of accessing subsistence allowances. During their stay in the shelter, the respondent women participating in this study had no financial resources and, after leaving their families, they had to sustain themselves by selling the personal items they had taken with them.

153 'The Tbilisi Shelter for Victims of Domestic Violence (Regulations), Article 3, Tbilisi Institution for Serving Victims of Domestic Violence, State Fund for Protection of and Assistance for (Statutory) Victims of Human Trafficking. Last date of access: 05.09.2016 <http://goo.gl/twBTCn>

Respondents talk about the incapacity of independently providing alternative adequate housing to themselves (and dependent family members). According to the research participants, the attempts of the shelter administration to work towards providing them with alternative housing is insufficient, since it is limited to the warning related to the expiration of the period available for using shelter service:

“the state should also consider that, after leaving that place [shelter], one doesn’t end up in a void. You have your feet on something, and it is as if this something disappears and you have nothing...what can you do when only being notified [of the due date for leaving the shelter]”

2.4. Persons housed by municipal housing services

This subchapter discusses the cases of the group for which the physical social and legal guarantees to housing were ensured under state services.

Research overviews the cases of homeless persons benefitting from municipal programs, who: 1) Live in apartments allocated for socially vulnerable beneficiaries in social housing; and 2) are beneficiaries of the program for assisting citizens with rent allowance. These groups were studied on household level.

The social housing still falls under the auspices of Tbilisi Municipality. However, the Tbilisi City Hall does not administer the shelter; relevant units and positions are eliminated. This creates risks of the purpose and function of social housing not to be maintained as such. Interviews were conducted at the housing facilities with the families that have been living at these places since 2008.

In the case of rent allowances, the research concerns the one-time allowances administered by certain municipal organs in Tbilisi. A family benefitting from the mentioned program for a year participated in the study through an interview on a neutral territory.

2.4.1. Persons residing at social housing

“Social Housing in a Supportive Environment” is a project implemented by an international donor organization and administered by the Tbilisi City hall. Under the project, homeless persons and families receive apartments for a period of 10 years. Individuals can only use the social housing with family members (it is unacceptable for relatives and/or friends to live in a space allocated for one household); however, the mentioned allows for family additions (marriage, childbirth, etc.).

The residents of social housing are obliged to pay utility fees and comply to internal regulations.

2.4.1.1. Limits of social housing and social exclusion among beneficiaries

The beneficiaries of the social housing have the possibility to live in spaces equipped with furniture and necessary utensils. The apartments are designed for long-term residence and have several rooms, storage facilities and personal cabins in shared spaces.

The social housing is inadequately administered on municipal level. There is no registry of the current residents of the social housing to create possibilities of improving the housing conditions of beneficiaries, register the precedents of people graduating from dwelling at social housing or of admitting new beneficiaries. Common procedures oriented at maintaining infrastructure or inventory are not employed. The services that should guarantee the accountability between beneficiaries and housing administration are abolished.

Respondents state that in social housings, the position of social workers and the practices of "host families," which used to guarantee the execution of internal regulations, are now abolished. According to respondents, the mentioned also led to unauthorized occupation of uninhabitable spaces in the buildings. "There should be control in here. They [a family] broke in and the City Hall found out about it only afterwards. They have 5 children, what can they say about it" – a respondent says. On the other hand, there was a case when one of the beneficiaries left a shared apartment of the social housing, but no new resident was admitted to replace the person.

The needs of the beneficiaries of the social housing are changing, which is not envisaged during the administration of this service. This is exemplified in an interview with a five member family participating in the study who needs an improvement of living conditions as they are expecting an addition to the family. "There are two rooms, but they are so narrow, like train carriages. The fridges are small, the area is small. We are going to have a baby soon" – the respondent says.

The main hindrances for independent transformation of the situation among the residents of the social housing concerns weak livelihood strategies, which, in this case too, is caused by the incapacity to participate in the labor market and extreme poverty due to low-income jobs.

One of the respondents has been living in the mentioned housing after leaving the boarding school. The respondent has received nine years of secondary education and says that she has

the necessary skills for being employed withing service industry, but is still unableto find a job. Another respondent has a large family. The only bread-winner of the family is the spouse of the respondent, who works low-income, unstable jobs by participating in the informal economy: "If he earns 40 Lari, should I buy food or should I pay for gas? When my child is sick, we cannot buy medicine, we have to buy medicine, and I am in a mess" – the respondent woman says.

The liabilities of the beneficiaries of social housing towards micro-financing institutes, as well as the risks related to liquidation of assets in case of using bank services, represent another challenge.

It was impossible to identify cases of stigmatization towards beneficiaries throughout the research. However, limited possibilities to transform and improve the situation within the densely populated zone exacerbate the marginalization of persons there.

2.4.2. Persons benefitting from the rent allowance program

Within the scope of the compensation subprogram for residents of destructed buildings envisaged by the Tbilisi City Hall budget, persons can use the rent allowance when they lose housing in their property due to fire or natural disasters. An exemption from this rule is the special social needs of families that become homeless on other grounds. The duration of assistance is limited to three months, on the conditions of extension for up to 24 months. The amount of assistance is homogeneous for all families and is not based on the size or special needs of the beneficiary household.

2.4.2.1. *Limits of the rent allowance program and social exclusion among beneficiaries*

The inadequacy of housing for current and potential beneficiaries of this program is due to different program limitations.

One of these limitations is the circumstance that the amount of material assistance given as rent allowance is scarce and fixed – it is not determined by the size of the household, its special needs or location of housing.

In addition, within the rent allowance program, the beneficiary is responsible for finding housing area. Operating by the allowance received as state social assistance on the real estate market does not represent a guarantee of access to adequate housing. "So, in fact, I was granted rent allowance in September and I was unable to find an apartment, I was on street, the City Hall would transfer the allowance, but I was unable to find an apartment" – the respondent says.

Moreover, respondents also talk about the negative prejudices existing in the society about the funds administered as social assistance.

Complex bureaucratic procedures and the necessity to enter contractual agreements with the municipality for the property owner is an additional barrier in the renting process for homeless persons.

In addition, the scarcity of allowance amounts leads to living in conditions inadequate for habitations. One respondent discusses the problems of scarcity of space, insufficiency of light, high levels of humidity, insects and rodents in the space rented in one of the suburbs of Tbilisi. The inadequacy of housing conditions among the beneficiaries is also due to extreme poverty among them and lack of material means for improving the situation: “If you just put lights on, there is no way that you pay the electricity bill, they [the owners] won’t pay. We go elsewhere even to take showers” – the respondent says.

Financial assistance is temporary, and the possibility of extension is unforeseeable: “A year has passed already. Sometimes, they pay the allowance for years, and [in our case] I do not know how it will be” – says the respondent who has no opportunity to provide housing for the family through other means.

In the case of the mentioned respondent, the research showed direct causal link between homelessness and social exclusion. The respondent talks about the case of dismissal of her mother, the only breadwinner in the family, from the job, which left the family in extreme poverty: “My mother used to work in a private school as a cook and two years ago, the director dismissed her since she was homeless, had no shelter and lived on the streets. Of course, the director does not admit it now.”

2.5. Persons living in institutions and becoming homeless after being discharged from institutions

This subchapter discusses the issue of homelessness among persons living in medical and residential institutions. The study overviews cases where, due to homelessness, persons are forced to live in medical institutions for an indefinite period or face problems of housing exclusion after being discharged from residential institutions. Regardless of the wide consensus among the field experts, practices of documenting the situation of homeless groups in medical and care institutions are rare throughout the European Union.¹⁵⁴

¹⁵⁴ EU Research on Social Sciences and Humanities - Constructing Understanding of Homeless Populations (2007) European Commission Directorate-General for Research. Accessed 08 August, 2016 <http://cordis.europa.eu/docs/publications/1001/100124281-6_en.pdf>

The research includes the study of issues of homelessness among 1) homeless persons with psycho-social needs; and 2) persons leaving the residential institutions for children. These groups were studied on individual level, through individual interviews at respective institutions and at the workspace of the research organization.

Out of persons belonging to the first category, the interviews were conducted with people having legal capacities and their supporters at the “Center for Mental Health and Prevention of Addiction”. Data collection among persons in the second category took place through recording personal stories of people with the experience of living in the institutions after having reached the legal adulthood age, and before the completion of the deinstitutionalization process of the residential institutions for children.

2.5.1. Homeless persons with psychosocial needs

The “Center for Mental Health and Prevention of Addiction” provides long-term stationary service, food, personal hygiene items and medical and rehabilitation services.

2.5.1.1. Need for independent housing among persons with psychosocial needs

Research showed that psychosocial needs might cause homeless persons to live in institutions for indefinite period. For the mentioned homeless group, there are no housing services, which would enable them to live independently outside the institution.

In exceptional cases, there are practices of transferring persons with psychosocial needs to privately owned community organizations, but in other cases, these persons end up in boarding houses for persons with disabilities or on the streets, since in the case of refusing to live in medical or care facilities, the only alternative for this group is to live on the streets.

One of the respondents of this research is chronically homeless and has been facing the problem of inadequate housing for the past 20 years. The respondent is against living in the institution, but the only alternative is to live on the streets, and the respondent already has that experience. From time to time, the respondent used to be a beneficiary of the mental health center; in other cases, the respondent stays at an unsafe construction on the street. “I used to live in a monastery too, but I could not stay there” – the respondent says.

2.5.1.2. Social exclusion among persons with psychosocial needs

Social exclusion among persons within this group is exacerbated by inaccessibility to the labor market, poverty caused by chronic unemployment and inaccessibility to subsistence allowances due to residing at medical institutions, as well as physical inaccessibility of social spaces.

The respondent is chronically unemployed, has never been self-employed or had an employer and has only survived by begging on streets. “I asked for money, people help me, they give me clothes” – the respondent says. In this case, the exclusion from the labor market is due to lack of skills and education to perform at a paid job.

The social-economic vulnerability of the mentioned group is strengthened by the fact that the only stable monetary income of these persons is the state social assistance package for people with disabilities. Regardless of extreme poverty, the fact of residing at a medical institution excludes people from the possibility of registering at the unified database of socially vulnerable families.

Physical mobility is low among the members of this group. Their social networks are limited to their immediate environment, due to which the location of the housing has decisive importance to them. According to a supporter of one of the research participants, the beneficiary closely communicates with the current and former beneficiaries inside the institution and physical location has decisive importance for the person's social integration: “the person has moved to another hospital and refused to stay there, it is impossible to stay there. So you cannot force anything, the person does not want to go, is used to this place, goes to the doctor, has friends, supporters here, has this right, she has been living in Tbilisi for so long, this is her area of residence” – the respondent says. The person is also a parish of the local church, which also represents the person's social network.

2.5.2. Persons discharged from residential institutions for minors

Within the scope of the reform of childcare facilities, the state de-institutionalized residential institutions for minors. Before foster care was introduced, children used to live in institutions up to the legal adulthood age. When residing in institutions, beneficiaries had no personal space and their upbringing would take place in isolated environment, which often limited the possibilities of social integration.

2.5.2.1. Housing needs among persons discharged from residential institutions for minors

Research showed that until de-institutionalization reforms would take place, homeless persons reaching the age of adulthood would, in certain cases, continue living in facilities for minors, regardless of age limits. After the de-institutionalization process ended, these persons had the obligation to leave the housing, and were forced to leave on the streets or find shelter with acquaintances.

One of the respondents, who is 35 years old, was residing at the children's facility until the age of 32. "I was already well past the age, but I was still there [in the boarding school], since the state had no alternative and could not leave us on the streets" – the respondent says.

2.5.2.2. Social exclusion among persons discharged from residential institutions for minors

The study showed that social exclusion of the former inhabitants of facilities for minors happens due to: the persons affected having had insufficient access to education services, having lacked personal identification documentation, and low possibilities for social integration.

The respondents participating in the study have only 4 to 8 years of secondary education, which limits their possibility of successful integration on the labor market: "They ask me: have you finished the 11th grade? Have you graduated from anywhere? I have absolutely nothing" – says the respondent about the requirements of employers. Another respondent describes own capacities after residing at the care institution as follows:

"When we were thrown out [of the institution], I was not used to this independent life, we had been kept in closed facility all the time" – says the respondent.

Research shows that these persons have the possibility of employment among the immediate circle of acquaintances only, due to insufficient integration in other spaces. One of the respondents says that integration in other spaces is also hard due to the existing social stigma: "If I leave this job, if I just leave it and go to another place, they look at you differently there, while here I feel stability, I feel good. I have worked on construction too, but they look at you differently, they are afraid, that you might steal or something, I felt it, of course, I am not insensitive."

In addition, the involvement of the mentioned respondents in public life, for example by participating in elections, was impossible due to the fact that they acquired personal identification and other necessary documents only at the age of 30 and 33.

Chapter 3.

The Temporal Dimension of Homelessness or Housing Exclusion

Social exclusion is a symptom of changes in economic, political and social processes, rendering the observation of temporal dimension to the housing situation more significant. Homelessness or life in inadequate housing conditions is, in certain cases, a chronic state, and in others, an episodic or reoccurring condition.

This chapter aims at discussing the stagnant as well as often changeable cases of housing forms by observing different aspects of social exclusion and the degree of social protection. Note that the terms “stagnant” and “changeable” refer to the different states of being homeless (e.g. squatting, street dwelling etc.) and how they might or might not change. They do not refer to the condition of homelessness itself, which is permanent in the cases analyzed in this study. Cases where the condition of homelessness was only temporary will not be discussed.

The previous chapter thoroughly discussed the forms of homelessness, while this part discusses the access to formal and informal mechanisms of social protection among homeless persons as the defining factor for the duration of homelessness. For the purposes of this study, informal social protection mechanisms are defined as the possibilities of living together with family and acquaintances. As for formal social protection mechanisms, the study defines those as benefitting from public services.

The first subchapter discusses cases where the weakness of social protection led to reoccurring homelessness. The second subchapter discusses absolute social exclusion, where the inadequacy of housing conditions or homelessness is a stagnant situation. Research includes cases in which the informal mechanisms of social protection lead to a relatively low level of social exclusion and mitigates the risk of a certain condition of homelessness to be chronic. However, the problematic issue here is that in such cases, the need for formal social protection mechanisms is usually neglected.

3.1. Repeated cases of homelessness or housing exclusion

Research showed that repeated homelessness or housing exclusion is caused by the weakness in social protection mechanisms. In such cases, persons leave and then return to a certain form of homelessness or housing exclusion. Research couldn't reveal the cases where the mechanisms of social protection had guaranteed temporariness of homelessness, conditioned the homelessness to be an episodic event and allowed to completely transform the housing situation.

In several cases, revealed by the respondents interviewed during the study, repeated and chronic homelessness are related to the weakness of formal and informal social protection mechanisms after permanent housing is lost as a result of domestic violence, war or release from an institution.

For example, one of the female respondents discussed how she would live with her parents for certain periods of time in cases of domestic violence against her. She would thereafter be forced to return home, back to the spouse, only to leave again because of the domestic violence: “I was forced to reconcile [with my husband], because I had nowhere to go.” The weakness of informal mechanisms of social protection creates the needs for new housing and formal social protection mechanisms.

Another case of repeated rooflessness is exemplified by a respondent who has been roofless for the past three years. At the age of 32, he had to leave the boarding school which was the only permanent housing that was available to him, due to a de-institutionalizing reform. After being released from the institution the respondent says that repeated homelessness has been unavoidable due to exclusion from education and employment opportunities. The respondent stays with friends and acquaintances overnight, and, when the weather allows – on the streets.

In addition, an internally displaced person discusses the fact that after leaving the building of the former hotel “Iveria”, which was occupied by the internally displaced families back then, the respondent had to live with relatives in different episodes. When this was impossible, the respondent stayed in tents at Moscow Avenue, and later in the Lilo shelter.

“12 years ago, we left “Iveria”... When we got to the tent [on Moscow Avenue], [our kid] was three months old. Then I lived there. Then, in winter, we went to my mother-in-law...Mother-in-law, two brothers-in-law, a sister-in-law, son of the brother-in-law – [the flat] has three rooms, but they can barely fit in themselves...we could not fit in. Could I have stayed there?”

Clearly, as demonstrated in these cases, it is important to recognize the housing needs of persons whose formal and informal social protection guarantees are weak.

3.2. Permanent condition of homelessness or housing exclusion

In contrast with the cases described in the previous chapter, certain forms of homelessness or housing exclusion might be stagnant and chronically unchangeable. The study showed that the mentioned is determined by absolute social exclusion, during which persons have no access to social protection mechanisms at all.

For example, roofless living became permanent for one of the research participants, as the respondent had to use a wheelchair due to disability. The respondent says that before the mentioned condition, the respondent used to work as a street vendor and was able to ensure shelter. However, since the time of using wheelchair, the respondent has been chronically unemployed and stably spends nights at one and the same area on the street. In this case, limited mobility and absence of relevant social protection guarantees caused absoluteness of exclusion and permanent homelessness.

Another respondent woman has two dependent children. She made a decision to squat a ruined building after a stroke, loss of independent income and absence of relevant social protection.

“I used to live on rent and I did not disturb the state in any way, I was healthy and I worked, I paid my rent. It’s been 6 months since I moved here. When I had no other option, I intruded in here, I can be called an intruder here” – the respondent says.

Chapter 4.

Causes of Homelessness and Housing exclusion

The following chapter discusses life trajectories that help us determine different causes leading to homelessness or housing exclusion in different groups of people. Observing the issue within the prism of social exclusion enables a discussion of the causes of the mentioned problem on different levels.

The conceptual framework of the study helps overcome the dichotomy between structural and individual reasons behind homelessness. Scientific literature on social exclusion negates unequivocal explanation of homelessness according to personal choice and lifestyle. On the other hand, an approach that interprets homeless groups as passive victims of “objective” circumstances, is likewise negated.¹⁵⁵

The following chapter embarks on the thought discussed in the previous chapter, that the study of the problem of homelessness or housing exclusion requires observation in process and multidimensionally.

In the following chapter, the analysis of empirical data is based on the four consensual analytical categories among researchers, according to which homelessness is an outcome of the complex interrelation between structural, institutional, family and personal factors.¹⁵⁶ Research literature includes cases in which structural changes on housing market create barriers to accessible housing for poor and vulnerable households. The literature also reviews cases of institutional reforms, through which eviction or certain practices of de-institutionalization or the lack of interagency cooperation lead to homelessness. Cessation of family relations or cases of domestic violence are also seen as another life trajectory of homelessness. Finally, homelessness is reproduced by different types of vulnerabilities on a personal level – for example, for example among young people and the elderly.¹⁵⁷

The discussion, divided into subchapters, applies an analysis on single and multiple levels. The analysis of one level does, however, not exclude the existence of causes of homelessness on other levels. The three main subchapters include the analysis of causes of homelessness on structural, institutional and family levels. In order to present the local context on each level, the cases discussed by the respondents of the study are given. Subjective reasons of homelessness (e.g. loss of housing due to gambling or addiction to harmful substances, etc.) have not been revealed throughout the study.

¹⁵⁵ Busch-Geertsema V., Edgar W., O’Sullivan E., Pleace N., ‘Homelessness and Homeless Policies in Europe: Lessons from Research’ (2010) European Consensus Conference on Homelessness, Feantsa Accessed 08 August, 2016 <<http://ec.europa.eu/social/BlobServlet?docId=6442&langId=en>>

¹⁵⁶ Ibid.

¹⁵⁷ European Commission Employment, Social Affairs and Equal Opportunities DG (2007) ‘Measurement of homelessness at European Union level’. Accessed 04 August 2016<http://ec.europa.eu/employment_social/social_inclusion/docs/2007/study_homelessness_en.pdf>

4.1. Study of the causes of homelessness or housing exclusion on the structural level

Observing the causes of homelessness on the structural level revealed the following three circumstances:

4.1.1. Territorial displacement

One of the main structural causes of homelessness is forced evacuation due to war or natural disasters. Victims of such, are forced to leave their native territorial unit and therefore lose their housing.

Some of the interviewed internally displaced persons (IDPs) were individuals who lost their housing due to territorial conflicts between 1992-1993 and in 2008. IDPs say that instead of housing, only the primary needs of the household were managed to be satisfied through the received compensations. “I am being manipulated, as if I have been housed. Yes, of course, everyone had something at some point. I do not have [housing], in reality, I do not have it today” – says a respondent who has been squatting for the past few years. Another respondent lost housing due to the natural disaster that occurred in 2012 in Tbilisi: “11 families became victims of a flood. [We were] severely affected. Out of those 11 families, three of us are here” – says the respondent about the three families occupying a building without authorization.

Of those respondents displaced due to war, there were families that have yet not received such compensation from the state: “yes, I was born in Sokhumi and have been internally displaced since then, I am here [at the homeless shelter] because we have a very nice government [Irony]. During the time when my family and I [lived] in Hotel Iveria and after eviction, my family has not received compensation from there [state], even the computer testified that.”

4.1.2. Access to healthcare services

Research showed that the degree and nature of physical and financial access to health-care services is one of the main structural causes of homelessness.

One participant of the study a 46-year-old man from the Kharaguli region, has a child with disabilities. Years ago, when the child was two years old, the parents were forced to seek treatment in Tbilisi due to lack of relevant health services near their residential area. The inability

to ensure independent housing led to the family occupying land in one of the suburbs of Tbilisi without authorization, residing in an unreliable construction which was built with limited means and their own resources.

In addition, the study showed that in numerous cases, homelessness was due to selling of real estate with the aim of covering healthcare costs. For example, one of the respondents sold her house to cover the expenses of the treatment of her husband.

“I had a nice, two-story house, with 9 rooms, everything, and it all went to debts. My husband was an artist. He became ill with a horrible disease, sarcoma. ... We took debts, again and again. In the end, we lost the house, it was sold and I ended up in the street”

– says a single pensioner, who currently lives in an illegally occupied space. Another homeless respondent talks about the house sold due to the oncological disease of the spouse: “My spouse needed an operation and this is why the house was sold.” The respondent now living in the former building of the Cardiology Institute mentioned how their previous housing was sold to cover the expenses of the treatment of the brother: “When they told me that my brother needed 22,000 GEL to be treated, I sold the apartment in 3 days” – the respondent says.

4.1.3. Unemployment and inadequate employment

The study showed that unemployment and inadequate employment leads to vulnerability of persons on different grounds. These factors, in turn, influence the condition of homelessness. The study interviewed persons who were unable to pay for the rent due to unemployment or low remuneration. In addition, labor exploitation influenced the condition of homelessness for several of the respondents. Respondents also discussed the inability of attempting to improve housing conditions due to the same causes.

One of the squatters says that before the death of the breadwinner of the family, they used to live in a rented apartment: “While mother was alive, we used to rent an apartment. Mom used to work, trade, do something. As we were left alone, we could not even pay the rent.” Another respondent was similarly unable to pay rent after going through a stroke: “I moved here [squatted area] 6 months ago. When I had no other possibility, I intruded here. Now I would be called an intruder in this house. I just could not pay the rent and I prefer to be here. I had always lived in a rented apartment and did not disturb the state in any way. I was healthy then, and I was working.”

Several respondents discussed the possibility of transforming the situation through employment. One of the respondents, living in Lilo shelter, says: "The government is not obliged to do anything for you, it gave you this much warmth, and if you can also do a bit yourself, do something, there should be an opportunity for that, first of all, jobs should exist." Another inhabitant of social housing says the same: "Basically all I am asking is to find me a job, I am not saying, bring me money or food, just employ me."

The study also showed that low remuneration, precarious labor or labor exploitation weaken the possibilities of transforming the conditions of homelessness or housing exclusion.

One of the respondents, who is trying to leave the temporary shelter through obtainment of independent income, has had to leave several jobs in the recent period due to inadequate remuneration. "I was on performance-related pay. I had 40-kilo sacks and I had to fill those in, take them somewhere and put them there. I received 40 tetri for this, for a single sack, and the maximum I got was 20 GEL in a day, when I filled 40 sacks, each of 40 kilos, and dragged them with these shoulders" – says the respondent.

After leaving the children's boarding house, another respondent in a homeless condition earns only 184 GEL per month, which is insufficient for rent expenses.

4.2. Study of the causes of homelessness or housing exclusion on the institutional level

The following subchapters discuss the causes of homelessness that are related to the nonexistence, inadequacy, or insufficiency of different services, or to the administrative limitations to benefitting from them.

4.2.1. Nonexistence of housing services

The study revealed that certain housing services are not intended for different groups of people or for persons with special needs, which limits their right to benefit from public goods and significantly leads to their condition of homelessness.

For example, one such case is the emergency shelter, which determined the inability of self-care due to physical and/or mental condition among homeless persons as an obstacle for offering shelter service.¹⁵⁸ The state does not offer any alternative housing service to this group. One of the homeless respondents with disabilities recalls the case of not being admitted to the homeless shelter: "Here we do not have a hospital, they said, take the disabled to the hospital." The temporary shelter service also excludes the possibility of living together as a family, due to absence of private rooms. The respondent, who is currently using the homeless shelter, has been living there without her child:

"I wrote [to different agencies] several times, saying that we are in the street, with the child, we live in a tent. Not once did they see me, express interest in where I live, what conditions I live in, where my child is, how the child is" – the respondent says.

Analogically, in the absence of registration in a given territorial unit, persons are unable to benefit from emergency shelter services.

Persons with housing needs do not have the opportunity to benefit from temporary/emergency shelters in territories other than the native one. For example, one of the respondents from a village could not live in the Lilo shelter since that person was not registered in Tbilisi, and there are no such shelters in the region.

4.2.2. Inadequacy of the offered service

The study also revealed cases in which respondents refuse to use the municipal housing service because it is deemed as unreliable, inadequate or unsustainable.

For example, one of the respondents living in a crude construction says that leaving the existing conditions to participate in the rent allowance program is not an option: "If I take the rent, they will not give it to me the following month, they will throw me out from there too. I do not even have the energy to wander around."

Another respondent, permanently living in a state property without authorization, opposes the possible placement in the social housing located in Orkhevi, since the proposed housing is considered inadequate for the family due to infrastructure unfit for family life and territorial inaccessibility: "I'd rather have them throw me out in the street, than [live there and] fall in the abyss on my own" – the respondent says.

¹⁵⁸ The Tbilisi Shelter for Victims of Domestic Violence (Regulations), Articles 2, 3 (d).

4.2.3. Transitory nature of housing services

The failure to consider the transitory nature of housing services and lack of the investment for the development of individual capabilities among beneficiaries during the administration of housing services becomes the cause of repeated homelessness.

Another precondition for homelessness is when persons have to leave institutions without any guarantees to housing. For example, one of the respondents who lived in a boarding school tells the story about being discharged from the institution: “I addressed so many people, that I was on streets and I needed help. No response, or I would be receiving one and the same letter saying “this is not under our competence”, “this is not under our competence”, then I got tired and ceased writing, I have submitted up to 400 letters... I have exhausted 34 years of my life in vain. Every day is very depressive for me.”

4.2.4. Shortcomings of one-time allowances

In addition, the shortcomings of the one-time allowances to provide housing were identified among other institutional limitations. Research identified cases of one-time compensations failing to provide families with the housing after territorial displacements due to natural disasters or war conflicts. Due to extreme poverty, with the given services and allowance, the mentioned persons only managed to satisfy their primary household consumable needs in the new environment. As one them, a victim of natural disasters notes: “We received compensation, and [with this money], we bought a washing machine, child clothes and a bed to lie in” – the person now lives in an squatted building. Other respondent, had received 10,000 GEL compensation from the state after the 2008 war, but was homeless nevertheless: “We took some debts. We had to pay for these debts. Then we were paying for rent until we were able to find a house. At this point, the 10,000 was no longer 10,000. I could not buy a house.”

4.3. Study of the causes of homelessness or housing exclusion on the level of family relations

On the family relations level, homelessness and housing exclusion can be resulting from the change in the number of family members, break ups, or unequal relations among family members.

4.3.1. Homelessness due to gender inequality

Research showed that gender inequality on the family relations level is mostly reflected on the housing situation of women. This is related to the unequal distribution of private property in the family, of housework among men and women, and domestic violence towards women.

Gender inequality often becomes a reason for the fact that women have more limited access to goods necessary for providing themselves or their dependent family members with property or adequate housing in cases of divorce, widowhood, singleness and, in cases of consecutive marriages. Women are also discriminated in cases where they do not receive hereditary real estate from their parents. On the question about who to hold responsible for the existing condition of homelessness, one of the female respondents said: "My parents, first of all, of course, and then the City Hall ... well, the parents mostly, but when you have no other solution, the City Hall should calm you down in any possible way." The house, where the respondent grew up, now belongs to her brother.

Domestic violence can be another cause of homelessness and housing exclusion. Research participants included women who, due to domestic conflict and violence, were forced to leave their houses: "[my husband] used to throw me out, of course. He would say, why are you not leaving, you only need shelter from me, what do you want, and so on. He would attack me, instead of allowing me to say something to him. It is my house, he'd say, what are you doing here" – one respondent recalls.

In addition, motherhood in large families, care for infants and other housework decrease the capability of employment to provide for independent housing or adequate housing conditions. In the period of living in the shelter for victims of domestic violence, one of the respondents tried to work, but was unable to, due to her infant: "The employment opportunities were mostly such that you had to be there from nine [a.m.] to 11 [p.m.], or 12. So then, if you had the child in the kindergarten, who would have taken the child home?" – says the respondent. Another woman, illegally living in a building, also discusses the problem of employment and subsequent incapacity to provide for rent independently: "We were unable to pay rent. We, the daughters-in-law, were unable to work, we have children to care for."

On the other hand, limitations set by other family members, in terms of participation in the labour market, lead to the lack of the necessary skills for employment. One of the women in search for a job discussed the hindrances she faced from her husband in the search for a paid job, which was an obstacle for her after she left home and the violent circumstances: "Who would have employed me, how could that person have hired me. How would it be possible for me to work, otherwise I would have graduated from a law school."

4.3.2. The impossibility to live with family members or close acquaintances

On the household level, other circumstances causing homelessness or housing exclusion are related to persecution from family, or inability to live with relatives or other acquaintances due to ethical reasons, which, in their turn, are due to the scarcity of living areas, need for privacy and the impossibility to live with a different household.

Elderly respondents discuss the cases of exclusion from families. One of the elderly respondents was thrown out by the daughter-in-law after the son's death. Another woman was similarly abandoned by her family, when she was placed at a hospital due to a grave illness:

“[My daughter-in-law] thought they would cut my leg off, I would be unable to do anything. They left me at the hospital. Then, they took me to the City Hall, the City Hall took me to the tents, and after that I came here [Lilo shelter]” – the respondent says.

In another case, one of the respondents has been using homeless services for years (the tents on Moscow Avenue, the Lilo shelter) and excludes the possibility of living with close acquaintances: “I just cannot go and live with my uncle, my aunt or anyone else. Yes, I can help with whatever there is to do at home, but I do not want to feel unwelcomed. They are my people, but I still feel alien” – the respondent says.

Another respondent also excludes the possibility of living with relatives, since this form of relations leave no room for privacy: “Even family members do not want to [live together], living with a cousin you feel as a guest, nothing more...”

Research also showed that scarcity of space can lead to the impossibility of living with the nuclear family as well. Respondents mention that in over-crowded situations, they were forced to leave their homes. “When I got married, I entered a family where they are even poorer than me; my husband has 10 siblings and brothers. Why you don't go to your mother-in-law, they ask. There are 10 people living there, and they are going to get married too. 30 people cannot sleep one place, you know...” – the respondent says.

Chapter 5.

Research Findings

The following chapter discusses the main findings of the research regarding the existing forms of homelessness and housing exclusion and, through observation of the duration of homelessness and its causes, highlights the needs of these persons to overcome social exclusion.

5.1. Research findings regarding the forms of homelessness and the needs of the respective groups

Within the study, five forms of homelessness were examined across Tbilisi. The observation of the factors leading to social exclusion revealed different needs, which will be presented in the following subchapters.

5.1.1. Needs of roofless persons

Research showed that the possibility to develop independent livelihood strategies is limited for roofless persons. Furthermore, the absence of basic housing infrastructure, lack of protection from the environmental hazards, lack of resources for food preparation, chronic unemployment and problems of health, physical security and poverty, lead to their social exclusion.

Regardless of the immediate need of assistance, physical, legal and social barriers hinder roofless persons from accessing public goods, more than any other group. Lack of a fixed physical environment in the form of housing creates a barrier for these people, in terms of benefitting from universal and targeted state assistance.

Because roofless persons are not allowed to register in the unified database of socially vulnerable households, they cannot access the preferential treatment given by state to persons living below the poverty line. In addition, the problem of physical accessibility and the lack of information regarding different state programs of social assistance prevent roofless persons with disabilities from benefitting of state assistance.

The study supports the conclusion that the current social policies separate housing from other needs, which represents a barrier for overcoming the situation of social exclusion and homelessness.

The group of roofless persons with special needs only have the possibility to benefit from medical, rehabilitation and care services targeted at them specifically, rather than from housing services. For example, the condition of special needs renders it impossible to be admitted at emergency shelters (for the administrative limits existing in the latter, it is impossible to accept persons who are unable to take care of themselves or who are addicted to harmful substances, to the shelters).

5.1.2. Needs of persons living in inadequate housing

The research showed that persons living in non-conventional or unsafe constructions, or squatting others properties for self-help purposes, use infrastructure unfit for habitation. They are thus unable to satisfy their primary needs or ensure security and hygiene.

In addition, lack of protection from the environmental hazards creates risks to their health, while the scarcity of space limits the possibilities to engage in social relations. Depreciated buildings created from nonresidential purposes or crudely built constructions do not have primary communications, such as water, electricity and gas. Due to the abovementioned, the physical environment also produces unsanitary conditions.

Social exclusion of homeless persons living in inadequate housing is further aggravated by socio-economic vulnerabilities among them, caused by deteriorating health or financial shocks.

In the case of persons living in different facilities without authorization, the lack of legal guarantees to occupancy implies life in permanent fear of eviction, which renders attempts to transform the situation independently or improve it impossible.

This especially applies to cases where the state institutional resource is directed at deliberate limitation of access to social goods for these groups. With the aim of punishment and disciplining, the right to receive subsistence allowance does not apply to these groups, due to the prohibition of registering in the unified database for socially vulnerable families. With the same purpose, persons are deliberately limited in terms of improving their housing conditions, as demonstrated in obstacles to the installation of electricity or gas in squatted facilities.

5.1.3. Needs of persons living in temporary shelters

The study showed that during the period of living in temporary shelters, such as shelters for homeless or victims of domestic violence, the wellbeing of homeless persons was fully provi-

ded for. However, this did not help them to overcome their homelessness and, in certain cases, it even further aggravated their social exclusion.

For example, the isolation of the temporary shelter from the urban center hindered the beneficiaries from intensive participation in the labor market and social integration. Similarly, living in the shelter for domestic violence victims, resulted in the failure to respond to the challenges of social exclusion after the cessation of links with the former networks of employment or assistance.

Living in temporary shelters also exempted the beneficiaries from registering in the unified database of socially vulnerable families, despite monetary poverty and chronic unemployment.

5.1.4. Needs of persons living in municipal housing services

Homeless families benefit from the municipal housing service, which should guarantee the satisfaction of the housing and social needs simultaneously. However, the study has shown that the rent allowance programs and the social housing services fail to respond to this objective. The given programs eased the condition of the mentioned group, but they did not help in the process of ending or improving the situation of homelessness and social exclusion.

For the individual beneficiaries of the program, poverty is an insurmountable condition. The received assistances only have temporary nature. The improvement of conditions or possibilities to overcome the condition do not represent grounds for the cessation of the allowance; it is defined by the amount of financial resources available to the local municipalities at that time.

Due to the mentioned, homeless persons reveal the inadequacy of rent allowance assistance and the administrative limitations to the service.

When the rent allowance amount is low and fixed, it fails to respond to different needs according to the number of household members or location. Beneficiaries are responsible for independently satisfying their housing needs through the received allowance on the real estate market, which leads to difficulties and forces the beneficiaries to live in inadequate housing conditions.

In addition, the respondents also point to the negative prejudices existing in the society towards the funds administered as social assistance and complex bureaucratic procedures that limit the options available to homeless persons in the renting process.

Furthermore, the fact that the City Hall is unable to administer social housing is also reflected on the degree of wellbeing among the beneficiaries of social housing. The current residents of social housing are not registered and their changing needs in the case of natural addition to the family or other circumstances are not being recorded. The infrastructure and inventory maintenance, as well as the accountability between beneficiaries and housing administration are not monitored.

In addition, the social housing is provided as if a one-time humanitarian assistance by Tbilisi municipality, which excludes the possibility of other families benefitting from the social housing service in the future.

On the individual level, the main insurmountable challenge among beneficiaries of social housing is poverty, caused by low-income jobs and dependence on bank credits.

5.1.5. Needs of homeless persons living in or discharged from institutions

The study showed that for homeless persons with disabilities, as well as for homeless persons growing up at residential institutions, continuation of acquiring health or care service is the only option of housing. In this group, the choice is limited between living on the streets or in institutions.

Social assistance mechanisms offered to persons with special needs disregard the need for independent housing among them, and implies risks of paternalizing, segregating and objectifying homeless persons.

Institutionalized services hinder independent, inclusive development of these persons and lead to the weakness of livelihood strategies, thus producing risks of chronic homelessness or housing exclusion.

The study showed that for persons with psychosocial needs, living in mental institutions aggravates social exclusion, as it fails to respond to the challenges of participation in the labor market, poverty due to chronic unemployment, and disintegration from social networks.

The study also revealed that living in boarding schools produced dependence on services and marginalization among homeless children. Inadequate access to education services during the period of living in boarding schools, absence of personal documentation, and low levels of social integration aggravated social exclusion and rendered it impossible for these groups to leave the institutions, even after reaching legal age.

5.2. Research findings about the temporal dimension of homelessness

Observation of the temporal aspect of homelessness or housing exclusion demonstrated that the duration of this condition depends on different factors of social exclusion and weakness of social protection mechanisms.

Research defined informal social protection mechanisms as the possibilities to live together with family and close acquaintances. However, the study also discusses circumstances where scarcity of the dwelling space makes it impossible to have private relations, or conditions of domestic violence which force persons to repeatedly leave these spaces, thus highlighting the weakness of informal protection mechanisms. As for formal protection mechanisms, the study defines those as public services, such as temporary housing services.

The study shows that absolute exclusion and full absence of social protection mechanisms limit all possibilities to transforming homelessness. The existence of formal or informal protection mechanisms mitigate the risk of certain forms of homelessness becoming a fixed condition, but the weakness of these mechanisms causes homelessness to be repetitive.

Specifically, in cases where options of formal or informal protection are absent, the conditions of homelessness are stagnant and the circumstances are unchanged. The factor of disability or health problems has led to the absolute nature of social exclusion during the absence of social protection guarantees. This led to the permanence of living in inadequate housing in a depreciated building in one case, and to roofless living in another.

The study also revealed that examining repeated precedents is as important, as examining the chronic case of homelessness or housing exclusion. The repeated nature of homelessness points to the weakness and inadequacy in social protection, to the situation that creates risks for housing condition to be aggravated or transformed into a permanent state.

5.3. Research findings on the causes of homelessness

During the simultaneous observation of the processes of social exclusion on different levels, the study revealed that homelessness was being reproduced on the structural, institutional, and in certain cases, on household levels. The following subchapters explain the prevalence of homelessness separately on three different levels, but do not exclude the possibility of simultaneity of different factors, even though the research doesn't demonstrate it.

5.3.1. Cases of homelessness with structural causes

The study showed that on the structural level, the predominant causes of homelessness were: territorial displacement, inaccessibility to health services and unemployment or inadequate employment.

Monetary compensations were a response to structurally caused homelessness among victims of territorial conflicts or natural disasters. However, in certain groups, the nonexistence of such assistance or scarcity of monetary compensation leads to chronic homelessness.

Also, it is of great importance that the nonexistence of respective social services in the immediate surrounding environment, and the need for special care or medical treatment, have been forcing persons towards territorial displacement. In cases of grave diseases, the problem of financial access to healthcare led to the necessity of selling real estate.

In addition, the study revealed that, apart from unemployment, the circumstances of low remuneration, precarious labor and labor exploitation significantly weakened the possibility to transform the situation of homelessness or housing exclusion.

5.3.2. Homelessness produced on institutional level

On the institutional level, homelessness is due to: nonexistence of housing services, inadequacy of offered services, failure to consider the transitory nature of housing services or the shortcomings of one-time assistance.

Research showed that certain housing services are not envisaged for certain categories of persons or persons with special needs – for example, for persons with disabilities, for people desiring to live together as a family, etc. The separation of housing needs from other social needs is an important shortcoming in the management of homelessness.

In the process of overcoming homelessness, an important challenge is the determination of the place of registration as one of the criteria for benefitting from a service, which hinders roofless persons with housing needs from being admitted in temporary/emergency shelters in places other than that of origin (including cases when such services are nonexistent at the place of origin).

Shortcomings revealed in the management of homelessness also include the inadequacy of the existing housing services and cases in which respondents refuse to use the municipal housing services as these are deemed inadequate, unsustainable or unreliable.

Furthermore, housing services provide insufficient care for the development of relevant skills for independent living or the possibilities for improvement of housing. Also, the conditions set out in the guidelines of the mentioned services are oriented at disciplining beneficiaries or changing their behavior. Therefore, they ultimately fail to respond to the challenge of transition from the condition of homelessness.

Another institutional limitation is the shortcomings of one-time assistances for the provision of housing. The study revealed that satisfaction of housing needs on the real estate market with the amounts redistributed from state budget is treated as an individual responsibility of beneficiaries even though this is an ineffective method of coping with homelessness.

5.3.3. Homelessness produced on the level of family relations

The causes of homelessness or housing exclusion on the level of family relations imply the weakness of informal social protection mechanisms.

The study showed that the unequal power relations among men and women lead to low possibilities of having independent housing among women. Harassment and violence towards women, as well as unfair distribution of domestic work or private property, lead to the weakness of informal social protection mechanisms among women. Not only do these factors increase the risks of homelessness, but they can also become the main cause of it.

In other cases, the precedents of eviction from family, as well as the impossibility of living with relatives and close acquaintances due to ethical reasons, also point to the weakness of social protection mechanisms and cause homelessness. Scarcity of living space, need for privacy and impossibility of living with a different household is one of the causes of homelessness.

Recommendations

Recommendations to Develop State Policy and Institutional Framework

- A complex research should be conducted across the country in order to study the number of homeless persons, forms and causes of homelessness, conditions of human rights breaches of homeless households, as well as their individual needs, etc.;
- A national strategy against homelessness to be elaborated based on research data on the number of homeless persons and the forms and causes of homelessness. The document should be prepared with the involvement of all stakeholders, including the Public Defender, nongovernmental organizations, service providers and homeless groups;
- A national strategy against homelessness defining the aims, objectives and directions to be formed, covering *inter alia*, measures for preventing homelessness, eliminating homelessness, improving housing conditions of homeless households, and supporting the maintenance of independent housing among accommodated and resettled persons.
- A national strategy against homelessness to be defined, incorporating clear, separated competences and functions of public bodies responsible for homelessness;
- A preventive policy of homelessness based on the research of the causes of homelessness to include the integration of issues for combatting homelessness into other areas of policy, such as employment, labor, education, healthcare, social protection, poverty reduction, fights against domestic violence, and protection of the rights of persons with disabilities, etc.;
- A coherent housing policy to be implemented according to the number and needs of homeless groups, based on the aim of preventing and eliminating homelessness;
- An action plan of the central government to be created on the basis of the national strategy against homelessness with the indication of specific measures for the realization of the right to housing and necessary financial resources, which is to be implemented in the Human Rights Action Plan of the government;
- Based on research data, municipal strategies and action plans to be created on the basis of the national strategy to fight against homelessness;
- Homelessness to be recognized by local municipalities as an important challenge and, prioritized in terms of creating preventive and reactive services as well as mobilizing relevant financial resources;

- A consistent system and methodology for identification and registration of homeless persons to be created to ensure the coverage of households facing the risk of homelessness and invisible forms of homelessness;
- The role of the central government in the elaboration of national policies and their implementation to be strengthened and the legislation defining the authorities of responsible bodies in a clear manner, as well as legislative mechanisms needed for the implementation of such responsibilities to be created;
- An interagency format to be created with the participation of central and local governments to ensure continuous coordination and effective implementation of the strategies against homelessness.

Recommendations for Legal Regulation of the Concept of Homelessness and the Right to Housing

- The legally guaranteed definition of Right to housing should be formulated in national legislation. The definition of adequate housing as well as the criteria to evaluate the adequacy of housing should be created. The national legislation should reflect the minimum guarantees of the protection of right to housing, as established by the International Covenant on Economic, Social, and Cultural Rights;
- The current definition of homelessness to be modified on the basis of national research data, to include different forms of homelessness existing in our reality;
- Clear and fair criteria to establish the condition of homelessness to be defined for the assessment and registration of homeless persons by municipalities;
- Obstacles to accessing the social protection systems and minimal social assistance (livelihood assistance) for roofless persons to be eliminated and mechanisms for the integration of their needs into the social protection system to be elaborated;
- Barriers to registration in the unified database of socially vulnerable families for persons illegally residing in state-owned facilities to be eliminated;
- Reservation regarding Article 31 of the Social Charter, which envisages the right to adequate housing, to be eliminated.

Recommendations for the Development of Housing Services

- A human rights oriented preventive and reactive system of housing services to be created on municipal level, on the basis of description of real scope of homelessness, the number of homeless persons, and their rights;
- Financial resources to be mobilized and international resources to be obtained with the aim of creating preventive and reactive services against homelessness, including housing funds;
- A housing services system to envisage the individual needs and capabilities of homeless persons, to be oriented at complete transformation of the condition of homelessness;
- Long-term services to be created against homelessness, including the development, implementation and effective administration of the social housing system and accessible housing models;
- Temporary services of homelessness to be transformed in a way that ensures consideration of immediate needs of homeless persons and mitigates the risk of institutionalization of beneficiaries;
- Elimination of the legislative basis and practices that exclude homeless persons with different needs from housing and other transitory services in a discriminatory manner to be guaranteed; ;
- Temporary, transitory and long-term services, as well as specialized and other supportive services, to be separated and cooperation and communication mechanisms between those to be elaborated to provide beneficiaries with rapid, effective and needs-oriented service packages;
- The process of administering housing services to be based on the aims of proactive service provision and orientation on individual needs of beneficiaries; in addition, homeless groups to be continuously informed about housing and other supportive services by social services of municipalities;
- With the aim of effective management and monitoring of individual cases of homelessness, and prevention of homelessness, the role of local and central services to be increased and their authorities, working process, and effective management mechanisms to be determined;

- The responsibility of prior assessment of the housing needs of beneficiaries in transitory or specialized services to be determined and a timely and effective system of their transfer to relevant services to be created;
- The practice of using special services in response to housing needs to be eliminated and long-term housing services based on the needs of homeless individuals to be immediately created, including for persons with psychosocial needs and beneficiaries of other services;
- The state to take immediate and special steps in order to identify housing needs of persons over 18 years old who are leaving state institutions, and to thereby offer need-based housing and supportive systems to them;
- The practice of eliminating livelihood assistance to persons entering state service to be changed to ensure the facilitation of independent living among beneficiaries.

Annex 1.

Within the scope of this study, 33 respondents were interviewed and 26 interview transcripts (data given in Table 1) were analyzed. The data analysis stage revealed that the cases of 6 respondents were beyond the research scope; therefore, their data were not reflected in the study (see Table 2).

The selection distribution table below includes information about the number of respondents (26), according to the numbers of locations where interviews were conducted (17) and distribution of participants among 9 different forms of homelessness.

Data analysis was conducted on individual and household levels. According to Table 1, 14 respondents were studied on individual level, and 12 were studied on household level.

Table 1.

Form of Homelessness and Housing Exclusion	Respondent	Analysis Level	Housing/Location
1. Roofless People			
1.1. People Living Rough	Respondent #1	Individual	Location #1
	Respondent #2		Location #2
2. People living in Inadequate Housing			
2.1. People living in non-conventional structures	Respondent #3	Household	Location #3
	Respondent #4		Location #4
	Respondent #5		Location #5
2.2. People occupying edifices without authorization (squatters)	Respondent #6-7		Location #6
	Respondent #8-9		Location #7
	Respondent #10		Location #8
	Respondent #11		Location #9
3. People Living in Temporary Shelters			
3.1. People in accommodation for the homeless	Respondent #12-16	Individual	Location #10
	Respondent #17		Location #11
3.2. People in shelters for domestic violence victims	Respondent 18		Location #12
4. Municipal Housing Services			
4.1. People in Social Housing	Respondent #19-20	Household	Location #13
	Respondent #21		Location #14
5. People Living in Institutions and People becoming Homeless After Leaving Institutions			
5.1. People with Psycho-social Needs	Respondent #22-23	Individual	Location #15
	Respondent #24-25		Location #16
5.2. Persons Leaving Boarding Schools for Underprivileged Children	Respondent #26		Location #17

Table 2.

Form of Homelessness	Respondent	Analysis Level	Housing/Location
2.1. Inadequate Housing	Respondent #27	Individual	Location #18
3.3. Cases of Persecution from Family due to Gender Identity	Respondent #28-29	Individual	Location #19
4.3. People in shelters for older homeless people	Respondent #30-31	Individual	Location #20
	Respondent #32		Location #21
5.2. Persons Discharged from Residential Institutions for Children	Respondent #33	Individual	Location #22

Annex 2. ETHOS - European Typology on Homelessness and Housing Exclusion

Conceptual Category	Operational Category		Living Situation	
ROOFLESS	1	People living rough	1.1	Public space or external space
	2	People staying in a night shelter	2.1	Night shelter
HOUSELESS	3	People in accommodation for the homeless	3.1	Homeless hostel
			3.2	Temporary Accommodation
			3.3	Transitional supported accommodation
	4	People in a women's shelter	4.1.	Women's shelter accommodation
	5	People in accommodation for immigrants	5.1	Temporary accommodation / reception centres
			5.2.	Migrant workers accommodation
	6	People due to be released from institutions	6.1	Penal institutions
			6.2	Medical institutions
			6.3	Children's institutions / homes
	7	People receiving longer-term support (due to homelessness)	7.1	Residential care for older homeless people
			7.2	Supported accommodation for formerly homeless people
INSECURE	8	People living in insecure accommodation	8.1.	Temporarily with family/friends
			8.2	No legal (sub)tenancy
			8.3	Illegal occupation of land
INADEQUATE	9	People living under threat of eviction	9.1	Legal orders enforced (rented)
			9.2	Re-possession orders (owned)
INADEQUATE	10	People living under threat of violence	10.1	Police recorded incidents
	11	People living in temporary / non-conventional structures	11.1	Mobile homes
			11.2	Non-conventional building
			11.3	Temporary structure
	12	People living in unfit housing	12.1	Occupied dwellings unfit for habitation
	13	People living in extreme overcrowding	13.1	Highest national norm of overcrowding