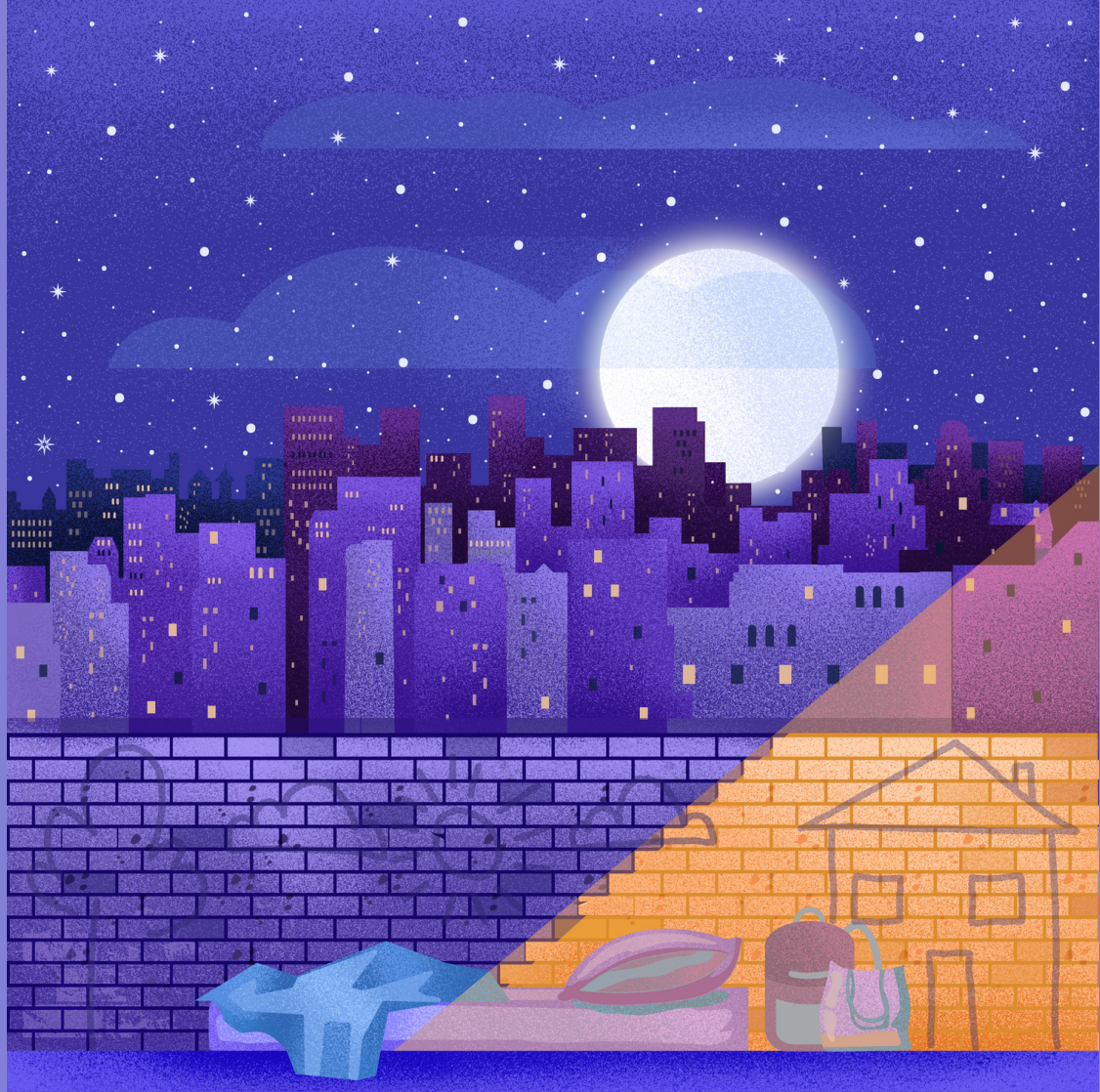


Booklet on combating hate speech

People who
experience
homelessness

Project implemented by



Definitions

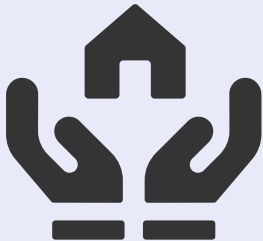
The definitions and elements we need to consider when talking about people who experience homelessness have evolved throughout time. This document represents an inventory of the most important elements, both at a European and national level.

In Romania, the terms that were in use for a long time were: “people of the street” or “children of the street”, but such terminology have pejorative connotations. It affects human dignity and can contribute to the minimization of responsibility the state has towards people who find themselves in such a vulnerable position. It is recommended that we discontinue the use of these terms in everyday language and in official documents, articles etc., replacing them with “people who experience homelessness”, which is the preferred term.

The legal definition of homeless people varies from country to country or amongst different jurisdictions of the same country or region. Those included in the term “people who experience homelessness” aren’t just people who effectively sleep on the streets (rough sleeping).

“Adults without housing” (AWH) constitute a disadvantaged group of people, excluded from public social and health services (social assistance, social meal services, health insurance system, etc).

In Romania, the General Directorate for the Registration of Persons uses the words “missing residence documentation” and “lack of residence” to refer to the situation where a person cannot provide proof of residence or ultimately has no place to live; including when they might have a place to live, but not their host’s approval to establish legal documentation.



The Evaluation and psychological assistance of adult persons without housing, PhD thesis by Victor Badea, University of Bucharest, Faculty of Psychology and Educational Studies, 2008

A more complex definition is provided by the Médecins Sans Frontières Association:

AWH is the person who effectively has no place to live (a personal residence or state provided residence), and if they do however have a place to live they do not have the host's approval to draw up legal forms. Therefore, they are in a situation of social, legal, psychological and physical health crisis, a situation determined by the absence of a shelter or the inability to afford one. This state of crisis may be understood as the inability to mobilize internal resources (to obtain an ID, secure a workplace, reintegrate into the family) and the deprivation of external resources (social and health services).

The Evaluation and psychological assistance of adult persons without housing, PhD thesis by Victor Badea, University of Bucharest, Faculty of Psychology and Educational Studies, 2008



Homeless people are singles or families who, due to one or more social, medical, financial, economic and/or legal reasons or due to an emergency situation:

- a. Are rough living or are living temporarily with friends or acquaintances;
- b. Are unable to pay the required rent or are at risk of eviction; or
- c. Are residing in institutions or penitentiaries, which they are expected to leave within two months, and do not have a place of residence or a stable address.



*Fighting homelessness and housing exclusion in Europe,
A study of national policies, Isabel Baptista and Eric
Marlier, European Social Policy Network (ESPN), 2019.*

What are the elements incorporated in a comprehensive definition of homelessness?

The United Nations Special Report on the Human Right to Adequate Housing highlights the necessity of including the following components when defining the homelessness phenomenon, based on a human rights perspective:

- **THE ABSENCE OF A HOME.** Homelessness refers to the absence of a house, both in a material sense, but also the absence of a home, in a social sense. Homelessness denotes the absence of a safe and optimal physical space, and the absence of a place where one can build a family, form social relationships, and participate in community life.
- **HOMELESSNESS REPRESENTS A FORM OF DISCRIMINATION AND SOCIAL EXCLUSION.** Not only having to deal with the absence of a residence, but **homeless people are also forced to adopt a socially constructed identity** — they are part of a group that is subjected to discrimination, social exclusion, and, in some cases, criminalization.
- **HOMELESS PEOPLE HAVE RIGHTS.** People who experience homelessness have rights, even in their struggle for survival and dignity. While current systems often violate these rights, homeless people must be recognized as agents of the social transformations necessary for implementing human rights.

European Platform on Combating Homelessness: 10 Elements for Consideration. United Nations Human Rights Office, June 2021[1]. **6**

At European level, the lack of a unified definition persists, but in 2009, FEANTSA (the European Federation of National Organisations Working with the Homeless) conceptualized **ETHOS** (*the European Typology of Homelessness and Housing Exclusion*).

In this classification, residential exclusion is identified through 4 criteria:

- Rooflessness
- Houselessness
- Living in insecure housing
- Living in inadequate housing

Within these criteria, 13 subcategories are formulated, from people who are rough sleeping to those who live in overcrowded spaces. These operational categories can have many uses in public policy, such as mapping out the homelessness issue, or developing, monitoring and evaluating existing policies.



In June 2021, the European Commission introduced an EU platform for combating homelessness which was launched in Lisbon[2].

All member states, including Romania, signed the Lisbon Declaration, thereby recognizing that **the absence of shelter is one of the most extreme forms of social exclusion, which negatively impacts people's mental and physical health**. They agreed as a common goal to move towards eradicating homelessness by 2030, and to utilize European cooperation as a means to achieve this.

The European Platform on Combating Homelessness (EPOCH) focuses on:

- mutual learning,
- data collection and monitoring policies,
- accessing EU funding
- as well as identifying financing and research opportunities.

The platform is part of the European Pillar of Social Rights Action Plan[3].



Data and statistics

1

According to the National Strategy for Poverty Reduction (2015-2020), there are over 15,000 homeless adult persons in Romania, approximately 5,000 of which live in Bucharest[4], 350 of them dying each year as a result of their living conditions.

2

The Samusocial Association's database has registered 4,800 cases[5]. Over 65% of them do not have any identification documents, which makes it impossible to obtain a job or access any social aid and public assistance service, or obtain birth certificates for the children they are caring for. Obtaining identity cards and preparing documents to apply for various types of social assistance requires navigating bureaucratic processes that almost no homeless person has access to. In these conditions, people lose their ability to fight their way out of homelessness.

3

The night shelter situation[6]: in 2020 there were 221 vacancies in all 6 sectors of the capital, with an additional 200 spots provided by the Integrated Centre affiliated to the Bucharest City Hall, therefore a total of about. 420 vacancies for homeless people. At the request of SpotMedia.ro, Sector 3 City Hall has confirmed that 379 homeless people are in their database, while the sector's night shelter can only accommodate 36 people.

4

According to NGOs, Romania has a growing number of families with children who live on the streets; in fact, the highest growing homeless population is registered among families with children. In Bucharest, NGOs noted that those who grew up on the streets are slowly replaced by young adults “who were raised on the streets” and have children of their own. A 2014 survey by Save the Children Romania found that 42% of homeless children and young adults under the age of 35 had already been living on the streets for over 10 years.





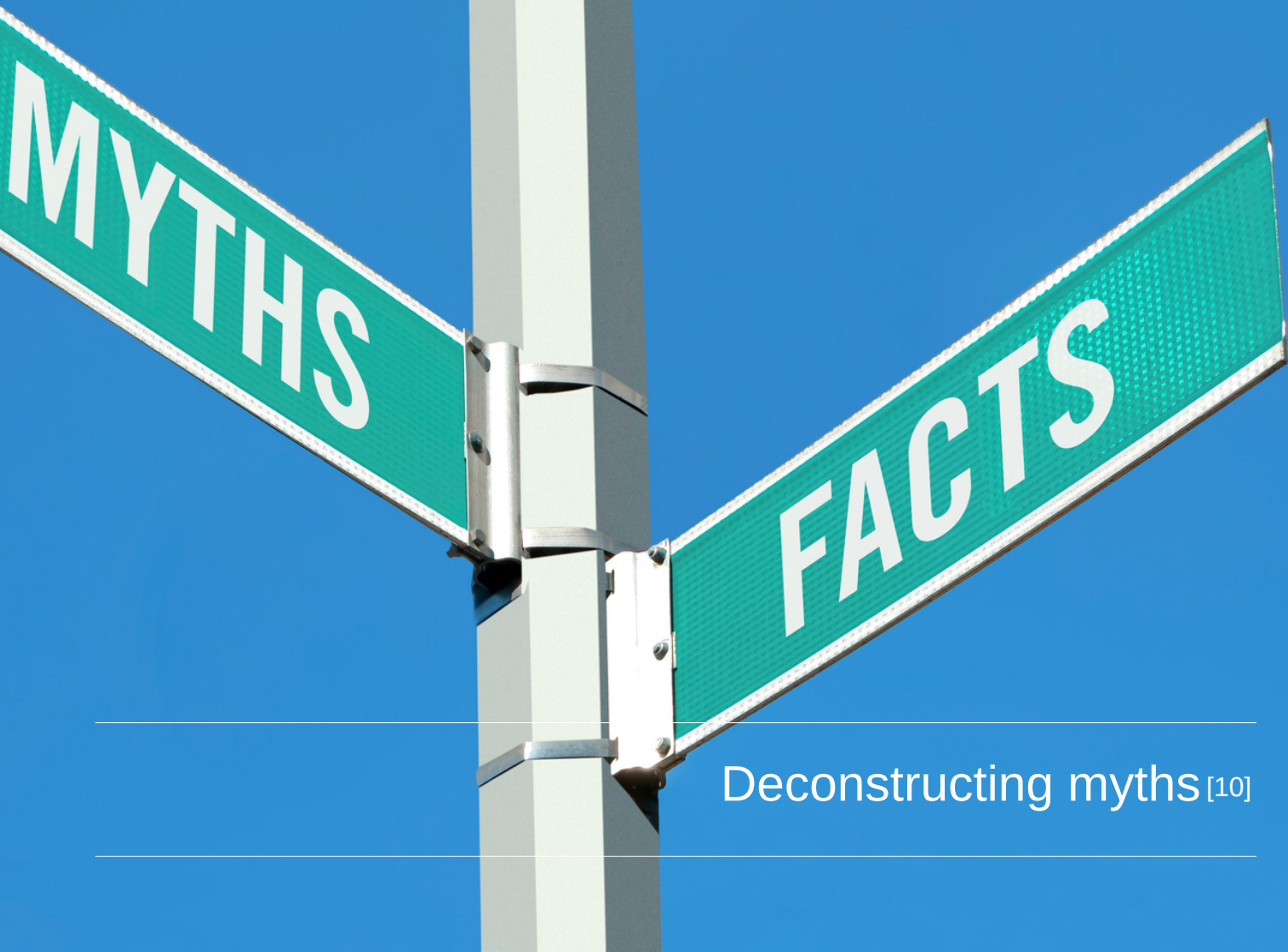
Research published by Save the Children (2014) shows that a number of 1,113 young adults and children (aged 0 to 35) were living on the streets in Bucharest:

- 37% were beaten by police forces and 48% were verbally assaulted by police forces (in the previous year)
- Severe and extremely severe physical abuse: 27% of permanently homeless people confirmed they were, at least once, beaten so badly that they ended up in the hospital.
- 24% of female respondents said they were forced to engage in sexual acts against their will, compared to 1% of male respondents.
- In Romania, 40% of homeless young adults from Bucharest (people over the age of 14) have children of their own.
- Causes: running away from home or from placement centers, leaving home with their parents approval, children or young adults kicked out of their homes (approximately 73%). Another 27% of them are children and young adults who state that they: never had a home; had to leave their placement center after turning 18 and had nowhere to go; were evicted alongside their family or lost their home after their parents died.



On a European level (FEANTSA, 2009):

- It is estimated that each night, 700,000 people sleep on the streets or in shelters across the EU, 70% more compared to 10 years ago.
- In Europe, over 4 million people are affected by the absence of a home each year.
- 24 out of 27 EU member states report an increase in homelessness over the last 10 years; only Finland registered a significant reduction of the number of homeless people over the last 30 years (including the elimination of rough sleeping)[7].
- The number of homeless persons is increasing everywhere, from 21% all the way to 389%, even in economically developed countries such as the Netherlands (71,3%), Denmark (33%), Germany (103%), Sweden (87%) and Ireland (203%)[8].
- Homelessness affects a variety of groups, but the highest increases are registered among **young people**, who are the most affected group. Details on the impact of the COVID-19 pandemic are not yet known, but the homeless population is expected to increase, especially among young people[9].

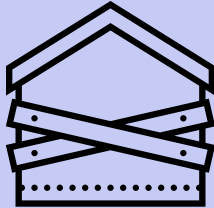


Deconstructing myths^[10]

Myth: People choose to be homeless.

Fact: A variety of factors can contribute to someone losing their home. Oftentimes, people end up in this situation after they have exhausted all other options and/or are facing circumstances which make it difficult to keep their home. Some situations that can lead people to homelessness include:

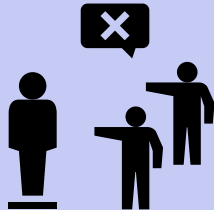
Forced eviction



The affordable-housing crisis



Coping with mental illness and discrimination



Coping with addiction, which makes it difficult to maintain independent housing.



Myth: People experiencing homelessness are lazy.

Fact: In order to survive, many people who experience homelessness are constantly looking to meet their basic needs, such as food, shelter and a source of income. Therefore, due to the barriers they face, many people experiencing homelessness do not have the option of being lazy. Searching for a job becomes even more challenging when an individual does not have access to a phone, computer, or fixed address on a regular basis.



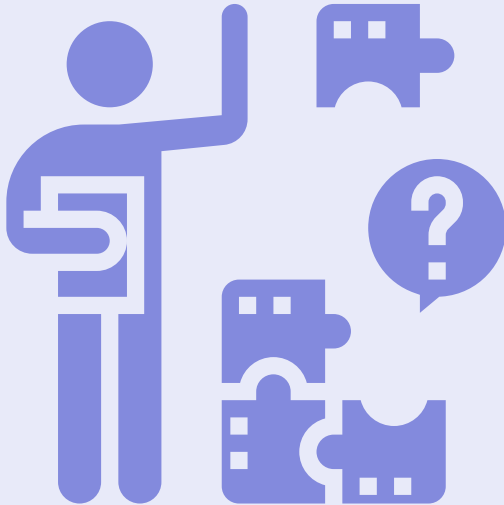
Myth: All people who experience homelessness are addicts.

Fact: Many people who experience homelessness do not struggle with substance abuse problems or addictions. Just like the general population, only a percentage of those who are experiencing homelessness deal with addictions. They may deal with other issues related to their experiences of homelessness, including trauma and mental illness, for example.



Myth: People experiencing homelessness should just find a job and it would solve all of their problems.

Fact: There are already people experiencing homelessness who are employed; however, it is much more difficult to find a job while experiencing homelessness. A number of different challenges, such as: lack of a permanent address, lack of (regular) access to utilities such as running water, hot water, inaccessibility to transportation, and dealing with health (including mental health) issues caused by living conditions, make it difficult to obtain employment. Even when people who experience homelessness find jobs, they are often part-time or minimum wage positions which cannot cover the rising costs of a permanent and adequate residence.



Myth: There are plenty of adequate services and support to help those experiencing homelessness.

Fact: Many of the solutions and support for homeless people have focused on emergency services, such as shelters and food banks. For people who are trying to escape a cycle of poverty and homelessness, emergency services alone are not enough. Solving homelessness requires focusing on the systemic factors, including the lack of affordable housing, criminalization (in some countries) and discrimination against homeless people, which make it difficult for individuals to obtain permanent and adequate shelter.

Myth: Homelessness will always be an issue. We will never be able to solve it.

Fact: There are, in fact, many efficient solutions for the problem of homelessness – many of them were initiated in the United States. Permanent supportive housing – a housing model developed in New York City that combines affordable housing with support services for individuals and families living with mental illness or other disabilities – has been proven to reduce homelessness AND save taxpayer dollars otherwise spent on costly shelters and hospitalizations.

Myth: If people can afford a TV or smartphone, then they aren't really poor.

Fact: Right-wing talking points and ideologies have long tried to deny the existence of poverty by claiming that poor people are not in fact poor, because they have access to typical consumer goods such as mobile phones, refrigerators and TVs. But objects such as TVs and smartphones have gone down in price, while the cost of essentials such as food and housing have steadily gone up. Nowadays people own such devices not only because it's the next big thing after meeting their basic needs, but because it is often the only way to remain connected to the world. Phones and the internet are critical to securing and maintaining employment. With technology constantly evolving, it is imperative that this vulnerable group not be left behind.



Myth: It is wrong to give money to people on the street because it is always a scam or they will use the money for drugs.

Fact: Giving money to people living on the streets or in the subway system is a personal decision. But there is certainly nothing wrong with giving money to people in need. Also, one can also make donations to non-profit organizations that help homeless people.

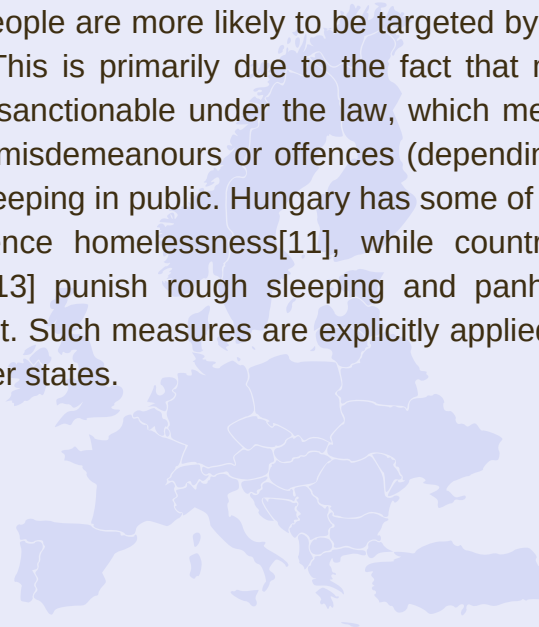


Myth: All homeless people are dangerous and violent.

Fact: People experiencing homelessness are far more likely to be the victims of crimes than the perpetrators. Indeed, some homeless people can commit violent acts beyond self-defense, but these instances are rare.

Myth: People who experience homelessness commit crimes.

Fact: Homeless people are more likely to be targeted by law enforcement and other authorities. This is primarily due to the fact that many of their daily acts for survival are sanctionable under the law, which means they could be fined or arrested for misdemeanours or offences (depending on the country), such as littering or sleeping in public. Hungary has some of the strictest laws for people who experience homelessness[11], while countries like Denmark[12] and Switzerland[13] punish rough sleeping and panhandling with fines or with imprisonment. Such measures are explicitly applied to European citizens from other member states.



Myth: People who experience homelessness prefer the freedom of living on the streets.

Fact: There is no evidence to support the idea that homeless people are “reluctant” towards support services. Ever since the “Housing First” project was initiated in New York City in 1992, it became clear that immediate access to independent housing with support services is welcomed and accepted by the majority of people who experience homelessness. Homeless people often reject the option of overcrowded and unsafe temporary shelters – not the option of housing in general.






Discrimination against homeless people and
crimes motivated by hate

The UN Committee on Economic, Social and Cultural Rights and the UN Human Rights Committee have established that any differential treatment based on socio-economic status, including homelessness, is a form of discrimination which must be banned under internal law[14].

In 2020, the United Nations Economic and Social Council adopted Resolution 2020/7 on Affordable housing and social protection systems for all, to address homelessness, which, among other things: requires member states to combat discrimination and negative stereotypes against people who experience homelessness (paragraph 34).

A 2016 EU Fundamental Rights Agency (FRA) report[15] , based on interviews with legal experts from several member states, evaluates the prevalence of hate crimes (bias-motivated crimes, including incitement to such crimes) motivated by discrimination on various grounds, as follows:



**Rasism and
xenophobia**

**Sexual orientation or
gender identity**

**Islamophobia
or anti-
Muslimism**

Homelessness

Antisemitism

Several experts from Germany, Portugal and Sweden described the violence against homeless persons as an issue of mounting significance. Simultaneously, the FRA report shows that the legislation on hate crimes often covers certain protected characteristics, but overlooks others that would be relevant, such as homelessness or disability. Without such legislation, some hate crimes go unrecognised and hence remain invisible.

Aporophobia is a concept developed by Spanish author Adela Cortina to describe "the rejection of the poor". This concept represents an aversion towards the poor from the non-poor, ranging from antipathy, contempt, disgust, disregard, to fear and hatred. In the most extreme cases, aporophobia can lead to hate crimes against poor people, including people who experience homelessness. Such acts were also committed in Romania against people who experience homelessness (2016[16], 2018[17]).

Types of discriminatory acts:

- ✓ Restrictive legislation/administrative acts
- ✓ Hate crimes
- ✓ Hospital discharges of homeless people and institutionalised people into the streets
- ✓ Lack of access to public restrooms
- ✓ Hostile architecture



Restrictive legislation/ administrative acts

These take the form of seemingly unrelated measures:

- Restricting public areas where sitting, eating, or sleeping is allowed.
- Actions meant to drive homeless people away from certain areas, sanctions on loitering and behaviour deemed as antisocial.

A rising phenomenon in EU countries: people are punished by sanctioning/criminalising their day to day activities in public spaces, and by the introduction of administrative or legal obstacles which obstruct their access to basic rights and services.



Hate crimes

The precise factors associated with hate crimes and violent acts against people who experience homelessness are under-researched and thus not fully understood. Almost half of all homeless people are the victims of violence[18]. A 2007 study from the US found that this number is on the rise[19], and the Romanian press does report attacks on homeless people in recent years. The 2014 Save the Children study confirms physical and verbal attacks towards rough-sleeping youth.



Hospital discharges of homeless people and institutionalised people into the streets

This is the practice of hospitals and emergency services that inadequately release patients who experience homelessness or poverty, from public hospitals straight into the streets, without placing them in a temporary shelter or retaining them, especially when they might need expensive medical care that is minimally subsidised by the government. Similarly, children from institutions exit the child protection system/ social housing without being offered any support past the age of maturity.



Lack of access to public restrooms

The UN Special Rapporteur on the rights to water and sanitation highlights that “Access to water and sanitation must be ensured for homeless people”. It is the Rapporteur’s opinion that local legislation prohibiting public urination and defecation, although constitutional, are often discriminatory in their effects: “Such discrimination often occurs because such statutes are enforced against homeless individuals, who often have no access to public restrooms and are given no alternatives.”[20]



Hostile architecture

Cities' architectural plans can incorporate hostile architecture, also known as anti-homeless architecture or defensive architecture (dark design), in order to discourage homeless people from camping or sleeping in public areas[21]. According to research by UK based organisation Crisis Charity, 35% of the respondents, who were homeless people, said they were unable to find a free spot to sleep as a consequence of dark design[22]. The hostile architecture they mentioned included: anti-homeless spikes placed next to plumbing systems that can provide heat, divided or angled benches, and gated doorways.

Footnotes:

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[12] *Danish Criminal Law, article 197* and Lovbjerg Hansen M., Gadejuristen, *Criminalising rough sleeping in Denmark*, FEANTSA Magazine 2020

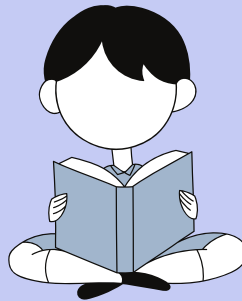
[13] ECHR decision, *AFFAIRE LACATUS c. SUISSE*, 2021, hudoc.echr.coe.int


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[15] Fundamental Rights Agency, *Ensuring justice for hate crime victims: professional perspectives*, 2016, fra.europa.eu

[16] Maria Vlad, *Oameni fără adăpost, incendiați în stradă, la Galați. Nu există suspecti*, translated title: Homeless people set on fire in the street in Galati. There are no suspects, 2016 libertatea.ro.

- [17] Mediafax, Caz cu repetiție la Galați. Bărbat fără adăpost, găsit înjunghiat și incendiat într-un oficiu poștal dezafectat, translated title: Recurring case in Galati. Homeless man found stabbed and set on fire in an abandoned post office, 2018, mediafax.ro
- [18] Meinbresse, M; Brinkley-Rubinstein, L; Grassetto, A; Benson, J; Hamilton, R; Malott, M; Jenkins, D (2014), *Exploring the Experiences of Violence Among Individuals Who Are Homeless Using a Consumer-Led Approach*. Violence & Victims. 29 (1): 122–136
- [19] Lewan, Todd (April 8, 2007), *Unprovoked Beatings of Homeless Soaring*, USA Today. Associated Press.
- [20] OHCHR, USA: from discrimination to accessibility, UN expert raises questions on water and sanitation, newsarchive.ohchr.org
- [21] Projekt Udenfor, Dark Design, udenfor.dk
- [22] Crisis, Research: Homeless people increasingly forced out of public spaces by hostile measures, 2016, crisis.org.uk



A magnifying glass with a black handle and frame is positioned over a piece of white paper. The word "Research" is written in blue ink on the paper and is magnified through the lens. The background is a plain, light-colored surface.

Research

Additional resources

Relevant websites:

- [Young Initiative Association](http://younginitiative.org), younginitiative.org
- [Carousel Association](http://carusel.org/resurse/), carusel.org/resurse/
- [Casa Ioana, A New Beginning](http://casaioana.org/news/), casaioana.org/news/
- [Parada Romania Foundation](http://paradaromania.ro/), paradaromania.ro/
- [Save the Children Romania](http://salvaticopiii.ro), salvaticopiii.ro
- [Samusocial Romania](http://samusocial.ro/media/statistici-cifre/), samusocial.ro/media/statistici-cifre/



Podcasts and webinars:

- FEANTSA, webinar *[Aporophobia: Challenging Hate Crime Against People Experiencing Homelessness in the EU](https://www.feantsa.org)*, 2021 [feantsa.org](https://www.feantsa.org)
- Vodafone Foundation's Good Deeds Podcast: the "Lesson of Respect" by Marian Ursan: *Lecția respectului pentru Marian Ursan: „Mâna de ajutor trebuie dată cu decență. Respectă omul căruia i-ai dat o pâine și o conservă”*, translated title: "A helping hand must be given with decency. Respect the man to whom you have given a loaf of bread and a can of food", republica.ro

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- Daniela Popescu, *Tu știi care sunt poveștile oamenilor fără adăpost și cum trăiesc ei pe stradă?*, translated title: Do you know the stories of people who are experiencing homelessness and what it's like to live on the streets?, 2019, evz.ro
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- Irina Panait, *De la interzicerea deplasării pe stradă, la un acoperiș deasupra capului*, translated title: From being banned from the street to a roof over their heads, 2021, urbact.eu
- Mihai Niculescu, *Persoanele fără adăpost și cele cu handicap, incluse miercuri în etapa a II-a de vaccinare*, translated title: People experiencing homelessness and people with disabilities included in Wednesday's second phase of vaccination, 2021, stirileprotv.ro

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- Samusocial Romania, *Gazeta Străzii, primul ziar scris de adulții străzii*, translated title: Street Gazette, the first newspaper written by adults living on the streets, totb.ro, 2 mai 2011
- Liviu Cojan, *900 de locuri de cazare pentru persoanele fără adăpost. Gabriela Firea: Bucureștenii să ne sesizeze prezența celor care dorm pe stradă*, translated title: 900 accommodation vacancies for rough sleepers. Gabriela Firea: The citizens of Bucharest should inform us about the presence of people sleeping on the streets, 2020, digi24.ro
- Cosmina Ciucă, *Oamenii străzii. O lecție de viață*, translated title: Homeless people. A life lesson, 2017, capitalcultural.ro
- Vlad Marko Tollea, *Oamenii străzii din România s-au săturat să fie gluma proastă a celor cu boală pe săraci*, translated title: Romania's homeless are tired of being the sick joke of people who hate the poor, 2017, vice.com
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- Adrian Hatos, G. Dejeu, Persoanele fără adăpost: șanse și soluții de reintegrare socială, translated title Homeless people: opportunities and solutions for social reintegration, academia.edu

Other links:

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- The Office of the High Commissioner for Human Rights, *Homelessness and human rights*, ohchr.org



About the author: **Simona Barbu** is a human rights activist. She started her work in 2008 with the Roma foundation Romani CRISS where she implemented projects in the field of health and educational rights for and with Roma communities in Romania. Subsequent collaborations have given her the opportunity to learn about migration, the rights of homeless European citizens in countries such as Denmark and Belgium (many of whom are of Roma origin). Simona uses these experiences in her work to contribute to an inclusive, equitable and anti-racist society.



Cover Illustrator: **Bianca Jelezniac**, @palette_box



More about the project **Non-discrimination, beyond words**:
www.crj.ro/en/antidiscriminare/nediscriminarea-dincolo-de-cuvinte/

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