

Questionnaire SR on adequate housing as a component of the right to an adequate standard of living, and the non right to non-discrimination in this context

Subject: Informal settlements and human rights

In Germany, there is no official statistics on the number and structure of housing emergencies which, in addition to homelessness, also include intolerable housing conditions. Concerning the problem of homelessness there are estimates of the Federal Association for Help to the Homeless (Bundesarbeitsgemeinschaft Wohnungslosenhilfe e.V. - BAG W) which, however, do not permit to draw conclusions on persons living in informal settlements. There are, however, estimates regarding the number of persons living on the street without any accommodation at all. According to the estimates of the BAG W, this number amounted to 52,000 persons in 2016.

Housing shortage and homelessness have many very different reasons which are often mutually reinforcing and make it difficult to solve the problem. At a personal level, economic hardship, family problems and addiction are factors potentially leading to homelessness. According to recent findings, however, mental health problems play an important role, too. Structural reasons for homelessness can also be attributed to rents that in some regions are significantly rising due to the lack of housing. This applies in particular to small flats which is a problem especially affecting low-income earners. In many cases, housing emergencies are caused by a general inability to cope with life's ordinary demands. It is a problem that homelessness itself is a barrier preventing people from tackling and overcoming these problems. A specific difficulty is caused by the fact that the persons concerned often have not responded to rent reminders and overdue notices and only turn to the authorities when deadlines have already been set and evictions or the deactivation of the energy supply are imminent.

For Germany, it is important to emphasize that the statutory health insurance guarantees comprehensive social protection in the event of illness. Insured persons receive all the necessary medical services, irrespective of their economic productivity. In recent years, a subordinate compulsory insurance for persons who have no cover for illness in the statutory health insurance has been introduced as well as obligatory follow-on insurance schemes, an insurance obligation and a basic tariff for private health insurance. These measures have led to a significant reduction in the estimated number of persons without health insurance cover.

Furthermore, it is important for Germany to stress that according to public order law municipalities are obliged to eliminate homelessness by at least providing temporary yet

humane shelter. This ensures a basic emergency provision of shelter, usually in the form of collective shelters.

The main approach of the German government is to prevent homelessness and housing emergencies. In keeping with the principle of human dignity enshrined in Germany's Basic Law in connection with Germany's social state principle, Germany grants assistance to persons and households that - for whatever reason - find themselves in a situation of need they cannot overcome on their own. Those in need of assistance are entitled to comprehensive support. The existing basic support system consisting of social assistance under Book XII of the Social Code and basic income support for jobseekers under Book II of the Social Code protect persons in need from the worst effects of poverty. These include the risk of potential or actual homelessness which the basic support system prevents in many instances.

In addition, Book XII of the Social Code provides for individual support in case of special situations of need which are unrelated to basic living expenses in a narrow sense in order to overcome these situations. This support includes assistance to overcome special social difficulties (Chapter 8 of Book XII of the Social Code). These benefits can be an option for persons entitled to benefits under either Book XII or Book II of the Social Code. The assistance comprises all measures necessary to surmount the special difficulties which hinder integration into society, especially those that occur in connection with homelessness. These measures especially include counselling and personal support for those seeking help and their relatives, help with finding an apartment, measures to find work and help coping with daily chores.

A special challenge regarding homeless persons or persons at risk of becoming homeless is that it is difficult to gain access to them. For example not every person concerned wants to accept the help that is available from government institutions or non-state providers.

The Fund for European Aid to the Most Deprived (FEAD) also provides support to homeless persons and those at risk of becoming homeless. FEAD's aim in Germany is to promote social cohesion and the social integration of persons at risk of poverty and social exclusion by making the services of the regular assistance system available for the target group. In this context, the FEAD acts as a "bridge" to social integration. At the individual level, the programme provides outreach assistance and coaching for the target group. At the structural level, assistance is provided through linking the FEAD projects with municipal structures and existing local services. The FEAD has a financial volume of some 93 million EUR. Since November 2015, 83 projects have been supported in a first

FEAD funding round all over Germany. The first round will finish at the end of 2018. In January 2019, a second FEAD funding round will start, running until the end of 2020.