**Greece’s reply to the letter from the Special Rapporteur on extreme poverty and human rights and the Special Rapporteur on adequate housing, dated 21 June 2021**

***Question 1:***

Legislation criminalizing begging and vagrancy in Greece has been repealed.

More specifically, on the relevant dispositions of the Penal Code:

Article 407, Begging: “Anyone who beggars out of sloth or avarice or out of habit is punished with detention up to six (6) months or with a fine of up to three thousand (3.000) euros. The fine may also be imposed along with detention.”

This article was repealed by the provision of Article 23 of the Law 4571/2018 (Government Gazette A' 186/30.10.2018).

Article 408, Vagrancy: “Anyone who is deprived of the means of maintenance due to sloth or because of his/her inclination to mischievous life and wanders the country or constantly wanders in a place without having permanent accommodation is punished with imprisonment of up to three months.”

This article was repealed by point b of par. 12 of Article 1 of the Law 2207/94 (Government Gazette A' 65 / 25.4.1994).

***Question 4***

**Α. SOCIAL PROTECTION OF THE HOMELESS**

**1. DEFINITION OF THE HOMELESS**

Pursuant to article 29 Law 4052/2012 (Official Gazette A’ 41), as amended by sub-paragraph A.2. Law 4254/2014 (Official Gazette A’ 85), the homeless is established as a vulnerable social group to which social protection is provided.

Specifically, the Law provides as follows:

«1. The homeless are recognized as a vulnerable social group, to which social protection is provided. Αll individuals legally residing in the country, who are deprived of access or have insecure access to an adequately owned, rented or conceded house that meets the necessary technical specifications and has the basic water and electricity services, are defined as homeless. 2. The term homeless includes in particular those living on the streets, in homeless shelters, those who are temporarily housed out of necessity in institutions or other closed structures, as well as those living in inadequate accommodation. 3. By decisions of the Minister of Labour, Social Security and Welfare and the relevant Minister, published in the Official Gazette, the terms and conditions for the implementation of the programs for the homeless, the extent and time of social protection are determined. Similar decisions determine the framework of operating specifications of Homeless Day Centers, Social Homeless shelters or other structures and in particular the implementing bodies, the staffing, the building specifications, the licensing and control process, the homeless registration bodies and other issues of application of the present".

**2. HOUSING ALLOWANCE**

Pursuant to article 3 Law 4472/2017 (Official Gazette A’ 74) and the Joint Ministerial Decision with ref. no Δ13οικ.10747/256/2019 (Official Gazette B’ 792), a housing allowance is provided to households living in rented primary residences, in order to ensure access to a suitable house for all citizens. The program is centrally financed and organized by the Ministry of Labour and Social Affairs and entitlement is based on subjective right (to be eligible to the program, households must simultaneously meet all income, assets and residency conditions laid down by the law).

The amount of the allowance is fixed at €70 per month for a single-person household, while for each additional household member is increased by €35 per month. The total amount of the allowance cannot exceed the amount of €210 per month, irrespective of the composition of the household.

If the actual amount of the rent paid by the household is lower than the amount of the allowance, the total amount of the subsidy paid is equal to the actual rent. The amount received is not related to the location of the residence.

**3. "HOUSING AND WORK FOR THE HOMELESS" PROGRAM**

The program "Housing and Work for the homeless" was instituted pursuant to article 15 Law 4756/2020 (Official Gazette A’ 235) and the Joint Ministerial Decision with ref. no Δ13οικ./42815/2021 (Official Gazette B’ 2788). The program aims at strengthening the possibility of social reintegration of individuals and families living in homeless conditions.

The program is a continuation and improvement of the first two successful programs for the reintegration of the homeless that have been implemented since 2015 and is now becoming a permanent public policy with the provision for its biennial implementation from state budget resources. In its new phase, it aims at reintegrating 600 households / 800 beneficiaries.

The program is being implemented in collaboration with the Municipalities, Legal Persons under Public Law (NPDD) and certified Legal Persons under Private Law (NPID) and includes three pillars:

a. Rental subsidy for a 24-month period, as well as covering expenses for household goods and other operational needs of the household.

b. Provision of psychosocial support services and interconnection with complementary social benefits and services, including the guaranteed minimum income and the housing allowance.

c. Activation, training and promotion to labour services, including labour subsidy, coverage of non-wage costs, business start-up subsidy, vocational training and skills acquisition, scoring for participation in community service programs and job counseling by Manpower Employment Organization (OAED), enrollment in Second Chance Schools.

**4. HOMELESS STRUCTURES**

The homeless structures operate on the basis of the Joint Ministerial Decision with ref. no. Δ23/ οικ.19061−1457/2016 (Official Gazette B’ 1336) "Defining a framework of minimum specifications for Service Providing Structures for the Homeless", which defines the terms and conditions of operation of Dormitories, Open Day Homeless Centers, Homeless shelters of Transitional Hospitality and Supported Living Apartments for the Homeless. The total capacity of the housing structures amounts to 1,144 seats.

**5. ACCESS TO THE GUARANTEED MINIMUM INCOME**

The Guaranteed Minimum Income (GMI) [Law 4756/2020 (Official Gazette A’ 235)] is a tax financed welfare program that is addressed to households living in extreme poverty and complements the policies to tackle poverty and social exclusion. The program combines:

I. Income support: cash benefit to a recipient unit.

II. Complementary social services, benefits and goods for the members of the household, if they meet the criteria for inclusion in each program:

•free medical treatment of persons not entitled to health benefits by a social security institution;

•referral and inclusion in social care and support structures and services;

•inclusion in programs and social structures for tackling poverty;

•inclusion in programs implemented under the Fund for European Help to the Most Deprived;

•social tariff of power providers;

•social tariff of water providers;

•social tariff for Municipality fees and Municipal Enterprises fees.

III. Activation services: promoting beneficiaries, provided they are able to work, to actions aiming at the integration or reintegration into the labour market, including inter alia:

•acceptance of proposed employment position;

•participation in community work programmes;

•participation in vocational training programmes;

•participation in traineeship and internship programmes;

•integration or reintegration into the educational system and in second-chance schools.

The guaranteed amount varies according to the household situation (i.e. number and age of household members). The calculation method is based on an amendment of the modified OECD equivalence scale with a special provision for disabled household members and single-

parent families. Specifically:

•for single-person households: €200 per month;

•for each additional adult of the household: €100 per month;

•for each additional minor of the household: €50 per month;

•in single parent household, i.e. where one parent (unmarried, widowed or divorced, or due to detention of the other parent in prison) exercises exclusively or by court decision the parental care of one or more minor children: the older minor member is counted as an adult;

•in households with unprotected child(ren): each unprotected child is counted as an adult.

The maximum guaranteed amount is €900 per month, regardless of the composition of the household.

**6. ELECTRONIC HOMELESSNESS APPLICATIONS**

In the framework of the co-financed project «Tools Creation and Definition of Procedures for the Registration of the Homeless», three IT sub-projects have been implemented with the aim of creating a mechanism for monitoring and recording the population of the homeless.

The projects are in the process of configuration in order to issue the required relevant institutional framework for their productive operation.

• Electronic Platform for the interconnection of homeless structures and the registration of housing requests (<https://www.astegoi.gov.gr/referral>). Through the electronic platform, the bodies that provide services to the homeless shall be interconnected electronically, shall submit and manage housing requests through on-line monitoring of the availability of beds compatible with the profile of the housing applicants. The platform will enable:

- Recording the number of housing requests and their faster service through online referrals,

- Export data on the profile of individuals requesting housing and are served by homeless structures,

- Export data on the type and quality of the provided services in homeless structures (such as, for instance, the plenitude of each structure, the average duration of individuals staying in each structure, the average length of waiting for service, etc.), in order to better monitor and evaluate the provided services and their redesign.

• Electronic platform for the registration of homeless people on the street and in structures (https://astegoi.gov.gr/survey/ ) through structured questionnaires and an observation form. The platform enables electronic research on-the-spot and registration of homeless individuals on the street and in structures, through a mobile phone application, with the aim of exporting statistics on the number and profile of homelessness in our country.

• Homelessness website (www.astegoi.gov.gr ), with the aim of providing information on the institutions and the service structures for the homeless, the homeless reintegration programs, the housing allowance, the shelters during the winter, the current institutional framework, studies and statistics on homelessness, as well as the announcements from relevant institutions and civil society.

**7. CREATION OF A SOCIAL / AFFORDABLE HOUSING NETWORK**

A pilot project entitled "Creating a social / affordable housing network" is in the process of being designed.

The aim of the proposed intervention is the design and implementation of an innovative social protection policy in the field of housing, complementary to the available tools and its implementation in cooperation with the Local Government. It aims at preventing and addressing the housing exclusion of vulnerable groups of the population who are threatened by or are experiencing homelessness through the integration of a part of the inactive private and public housing reserve in a scheme of affordable rental housing. At the same time, it supports the maintenance, restoration and improvement of part of the existing housing reserve.

The keystones of the intervention include, indicatively:

•The recording of inactive private and public housing reserve (houses that remain empty for a long time) in localized intervention areas in the Municipalities of Athens and Thessaloniki,

•Call to owners in order to join a pool of social rental housing and provide incentives. Indicatively, through a subsidy for repairs, energy upgrades, rent guarantee and good use, in combination with tax incentives, such as reduction or exemption from rent tax or municipal fees under income criteria,

•Providing these houses in the context of the implementation of housing assistance programs by the Ministry of Labour and Social Affairs, with long-term lease contracts with special conditions (lower rent) for vulnerable groups.

**8. MEMBERSHIP IN FEANTSA**

The Ministry of Labour and Social Affairs, through the General Secretariat for Social Solidarity and Fighting against Poverty, was registered in 2021 as a member (affiliate membership) in the European Federation of National Organizations Working with the Homeless (FEANTSA). Joining FEANTSA will enable the Services of the General Secretariat for Social Solidarity and Fighting against Poverty to expand their expertise in housing issues, as well as their respective international contacts.

**9. CHARTER OF HOMELESS RIGHTS**

FEANTSA has launched a campaign to sign the "Charter of the Rights of the Homeless". The Charter is a summary of basic rights, as derived from European and international texts, specified in the case of the homeless. The aim of this campaign is to encourage European cities to reaffirm their commitment to respect the rights of homeless people. In order to strengthen the initiative, a relevant information letter has been sent to all Municipalities and several Municipalities have already signed the relevant declaration.

**10. CORONAVIRUS PROTECTION ACTIONS / EMERGENCY MEASURES**

The following measures have been taken in response to the coronavirus:

1. Joint Ministerial Decision with ref. no. 20036/2020 (Official Gazette B’ 986), article 2 of which provides for the movement of the homeless living on the street in appropriate municipal accommodation with the care of the relevant Municipality and the provision of feeding, care and social care services.

2. Pursuant to the Legislative Act of 13-4-2020 (Official Gazette A’ 84), the possibility of joint operation of homeless structures by local authorities of the first degree and the Bodies of article 51 Law 4139/2013 (Rehabilitation Bodies) is provided, as well as the possibility of temporary accommodation of homeless individuals in tourist accommodation whose operation has been suspended, following a decision of the relevant municipal council. 3. In addition, the General Secretariat for Social Solidarity and Fighting Poverty has undertaken actions for the protection of the homeless and the reduction of the spread of coronavirus, by providing and organizing new temporary accommodation, managing the existing structures, as well as providing street work services.

4. Relevant instructions have been given to the structures for dealing with poverty, with the attached instructions from National Public Health Organization (EODY).

5. The Municipality Police or the Social Service of the Municipality are notified, when controls on the application of traffic measures are being conducted so as to prevent the imposition of fines on homeless individuals, with the aim to safely move them to places of accommodation.

6. A standard certificate of movement for the street work volunteers has been sent out to the Homeless Service Providers, in order to serve the needs of homeless individuals living on the street.

7. The Municipalities have been given directions for the protection of the homeless during the winter.

**Β. PROTECTION OF THE ELDERLY**

**1. HOUSING ALLOWANCE**

Housing allowance is a program, which provides a non–contributory benefit paid to elderly over the age of 67, who live alone or in a couple, in a rented residence, are indigent, uninsured, cannot cover their housing needs and meet the further criteria described in the articles 24-30 of the of the law 4756/2020 (Official Gazette A’ 235). The benefit amounts up to 362 € per month and the program is implemented by the competent authorities of the Organization of Welfare Benefits and Social Solidarity (OPEKA). For the payment of the allowance the budget of OPEKA is funded by the state budget.

**2. SOCIAL SOLIDARITY BENEFIT FOR THE UNINSURED ELDERLY**

The Social Solidarity Benefit for the Uninsured Elderly is paid to elderly over the age of 67 who are uninsured or ineligible for a pension. The full amount of the benefit is 360 € and beneficiaries must meet the criteria described in the article 93 of the law 4386/2016 (GG A’ 85). The benefit is granted by the competent authorities of the Organization of Welfare Benefits and Social Solidarity (OPEKA). For the payment of the benefit the budget of OPEKA is funded by the state budget.