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## DEVELOPING THE PROTECTION SYSTEM FOR HOMELESS PEOPLE IN UKRAINE

*The paper highlights the situation with the homelessness in Ukraine and provides analysis of existing legal framework. Specific consideration is given to the support and benefits for homeless people ensured by the country's welfare system. In addition, a description is given of some social services for homeless provided by both local governmental and non-governmental organizations, as well as some aspects of social work with this group.*

**Keywords:** homeless people in Ukraine, homeless legislation, homeless support and assistance in Ukraine, shelters for homeless people, reintegration of homeless people.

### Introduction

Ukrainian society faced homelessness issues at the beginning of 90s in the period of transformation to capitalist system with market relations and hard social-economic crisis which has been accompanying that period, and which, with different intensiveness and manifestations, has been lasting until present.

In the times of Soviet Union enterprises, collective farms and organizations have been put on not only economic, but a large number of social functions too. Providing with dwelling had a special place in this system as most of dwelling in cities was owned by the state, and the enterprises where people worked had a function to register and to provide information to local housing departments. Part of housing fund was built by enterprises themselves and was managed by them. Enterprises and organizations owned the specific housing fund, so called hostels where a sufficient part of urban population of the country lived.

Therefore, if a person was employed than the housing issue was automatically solved. Housing was clearly connected with existence of the 'residence permit' institute, i.e., compulsory registration in militia of a certain person's domicile. To implement their civil rights, to obtain privileges, treatment etc, availability of residence permit for a specific address was obligatory.

In the transformation period in the country there has been a reformation of a housing sphere launched which resulted into the situation when most of dwelling that was owned by the state, local authori-

ties, enterprises and organizations was transferred to the private ownership to its habitants. Market price of dwelling exceeds the population incomes in thousands times. Thus, for instance, the cost of a one-room apartment was equal to the total amount of an aggregate average income that a person can obtain during 20–30 years. (It's worth noting that situation is left to be the same by present).

Popularization and encouraging by the state of a private entrepreneurship during this period led to the situation when many people, so as to launch their business, have been selling their own and their relatives' apartments or were engaged into mortgage borrowing. However, in the conditions of a 'wild market' not everyone was able to set a business going and many people in such a way were losing their apartments and found themselves (often along with a family) in the street.

Therefore, the first wave of homeless people appeared in the streets at the beginning of 1990s. The main reasons for the above homelessness are structural changes in the society (Kabachenko N., 2006). Since that time, despite the efforts by the state and civic organizations being put during the recent years, the number of homeless people is not being substantially decreased.

### Legal framework

During the Soviet times the Criminal Code included an article according to which those individuals engaged in vagrancy (a homeless way of living), mendicancy or antisocial behaviour could be brought

to a court's responsibility. In the 90 this article has been withdrawn from the Criminal Code. But only after ten years of facing a massive homelessness the authorities started developing new legislation on homeless. The important contribution of this legislation was presenting the concept of "homeless person or homeless citizen". In previous times the authorities used the definition 'a person with not determined place of living'. Equivalent concepts are used as follows: 'vagrancy' and 'mendicancy'.

At present there are a lot of different state documents regulating services for homeless in Ukraine. The following ones set up some legal framework to support homeless people:

- The Law of Ukraine on Basics of Social Protection of Homeless Persons and Uncared Children of December 21, 2010, No 2823-VI;
- The Law of Ukraine on the Housing Stock of Social Purpose of 12.01.2006 No 3334-IV;
- The Resolution by the Cabinet of Ministers of Ukraine No. 404 of 30.03.2006 'On the approval of the Model Regulations on a centre for recording homeless';
- The Executive Order by the Cabinet of Ministers of Ukraine No. 54-r of 14.02.07 'On the approval of an action plan to secure social protection of homeless persons for 2007';
- The Ministry of Labour and Social Policy (MLSP further in the text) Order No. 31 of 14.02.06 'On approval of the Model Regulations on social protection facilities for homeless persons and persons released from places of confinement';
- The MLSP/Ministry of Health Order No. 28/26 of 24.01.07 'On approval of regulatory legal acts for provision of socio-medical services to homeless persons and persons released from places of confinement';
- The MLSP Order No. 274 of 27.04.06 'On approval of a job description for the 'social worker' position';
- The MLSP Order No. 275 of 27.04.06 'On approval of job descriptions for the positions 'director of a social protection establishment for homeless persons' and 'director of an institution for persons released from places of confinement'.

To produce this amount of documents MLSP tries to fully identify all the scope of activities for different homeless institutions. This includes possible services for homeless people, their organizational structure, the number and qualification of personal, the list and shape of a lot of documents and reports; job descriptions for all are unified too. It means that social services for homeless people are not sensitive to the needs of homeless and not flexible with regard to the local budget. Moreover, the number of administrative staff is very high, while the number of social workers is very low.

Thus, the special feature of this system is a strong state regulation, that, from one side, incites to crea-

ting the system of support and assistance to homeless, and, from the other side, has a negative impact on the local authorities' possibilities to solve issues independently on service provision according to the local resources, specific and needs of the local population of homeless.

### **The system of support and assistance for homeless**

It is impossible to further quantify the extent and structure of homelessness because there is a lack of research on homelessness in Ukraine. In many countries data on the homeless' number is obtained from the organizations providing services to homeless. In Ukraine such institutions are only in some cities, therefore true information is almost lacking. Thus, based at the data of the Main Department of the Ministry of Interior of Ukraine in L'viv Oblast in 2007 there have been nearly 3 000 homeless. Their number is sufficiently larger in southern and eastern cities, and in such cities as Kyiv, Kharkiv, Dnipropetrovsk. That is why it is possible to state that the number of homeless (those who most of the day spend in the street and spend nights in unadapted for sleeping premises make no less than 100 000 persons). People living in overcrowded or inadequate habitation are not supposed to be homeless in Ukraine.

In terms of characteristics of homeless, it's possible to have an idea about them based on the outcomes of survey conducted in 2009 in L'viv. Most of homeless people are men (70%), there are 30% of women. Age: 18–29 years (8%), between 30 and 49 years – 55%. Homeless aged starting from 50 and up make 38%. Most respondents have specialized secondary education (39%) or secondary education (28%). 18,5% of respondents have higher education. While studying family situation it was found that most homeless are divorced (56%) or non-married (19%), there are 15% of married amongst them, and 9% are widows or widowers.

Most homeless earn their living by collecting paper, metal tins, glass bottles (52%). Work at building, work as loaders ensure 27% of earnings, begging – 10,5%, 11% of them receive pension.

68,5% of homeless respondents have never referred anywhere for assistance, as they do not know anything about such an opportunity ('The Day' newspaper, 2009).

A separate problem is homeless' health condition, as a range of diseases is extremely widely spread amongst them, like tuberculosis, hepatitis, infectious skin and venereal diseases, alcoholism and drug addiction, HIV/AIDS etc. Most homeless are invalids for health reasons. But there is no true data on different diseases prevalence amongst homeless.

According to the reports of regional Departments for Labour and Social Protection of Population, the Registration Centres in 2009 identified around 6 000 homeless. The situation with homeless / street chil-

dren is different; the problem is better studied in Ukraine. More than 129 000 children are registered in the services on minority.

According to the state documents, social welfare services for homeless persons provide various types of social services depending on the persons' problems: socio-domestic (provision of a place for night's lodging; temporary stay; catering; shower and laundry; custody of things and documents); psychological (counseling by a psychologist, psychological diagnostics, psychotherapy); socio-pedagogical (assistance in acquiring education; development of individual reintegration plans; teaching to solve difficult life problems; organization of leisure, development of appropriate skills and competencies; positive self-perception); socio-medical (first aid; primary medical examination; organization of physician counseling; referral to local health care services); socioeconomic (delivery of clothes and footwear, etc.); legal (assistance in restoration of passports; explanation of laws in force; consultations on prevention of homelessness, etc.); job placement services (assistance in job searching); information services (dissemination of information about accessible services; reference and educational services).

Unfortunately, in reality homeless have a very limited access to such services because of a lack of services, inconvenient place of location, numerous bureaucratic requirements for obtaining the above services, irrelevance of services to homeless' needs, lack of qualified staff, lack of subsidiary services etc.

- According to the Law of Ukraine on Basics of Social Protection of Homeless and Uncared Children of December 21, 2010, No 2823-VI, such institutions for social protection of homeless citizens are:
- night stay house/ night shelter;
- centre for reintegration;
- social hotel and other establishments which provide social services for homeless people.

Based at the MLSP data, in Ukraine in total there are only 71 different organizations providing services to homeless, 9 of them are non-governmental organizations, and 56 of them are in municipal property. Only 9 of them are the so called houses (units) for night stay, and 13 of them are centers (units) for rehabilitation, the rest of them are centres for homeless' registration.

Moreover, if most centres for homeless' registration are in municipal property, i.e., created and financed by local authorities, than only 7 reintegration centres have similar subordination, and the rest 6 are created and maintained by non-governmental organizations (mainly by religious).

Therefore, the above listed services remain to be mainly declarative as they are available only to a

very limited number of people. Thus, the most widespread kind of institutions aimed to provide assistance and support to homeless are registration centres. Their basic function is to register homeless. As in Ukraine there was a replacement of residence permits by registration upon notice (all the citizens should have in their passports a mark on registration of their domicile). For instance, a person can not have any bank account, it's difficult for him to obtain free medical services, to register for voting, to obtain social assistance and benefits for which he has the right for; he can not buy any car etc without a special mark in the passport about registration. The staff of the Ministry of Interior departments – of the so called 'passport offices' – is entitled to put this mark. This mark can only be obtained in case a person has a place to live.

Registration centres ensure homeless person's registration by providing a special certificate on a homeless' status. Its availability allows submitting documents for obtaining passport and having there the centre address as the place of registration.

Availability of a passport is a condition for obtaining services both in most night shelters and in the centres for reintegration, and it helps to be employed legally. But for absence of passport, a barrier for obtaining shelter is a condition of narcotic or alcohol intoxication, signs of infectious diseases, in particular, skin, mental diseases etc. Thus, so as to have an opportunity to spend night in the shelter of L'viv city, it's necessary to provide X-ray photography and a reference from the sexually transmitted disease clinic.

Economic and medical approaches are dominating in developing assistance and support system for homeless. MLSP supports and promotes the so called complex approach to providing services to homeless. This means that in one institution there will be a night shelter functioning, the centre for homeless' registration, the reintegration centre and a social hotel. According to the staff lists in these institutions a sufficient number of medical personnel works, whereas there are only 50 social workers, and part of them do not have relevant education.

By the way, there is no training module 'social work with homeless' in any higher education institution of Ukraine where social workers are trained. Only in the School of Social Work at the National University of Kyiv-Mohyla Academy such course has been introduced two years ago.

Such an approach can be obviously relevant in terms of the institution maintenance, but in such a way clients will be lacking their motivation to changes; they will be further stigmatized, and, besides, a large accumulation of homeless in one place will lead to the community negative attitude.

The example of accumulation of services in one place concerns a religious organization 'Stefania'.

By the active support of a former Kyiv City Major who was a religious community member, it organizes catering, provision of sanitary-and-hygienic services for the city homeless.

A large number of homeless people (up to one thousand) have been permanently accumulating and staying in this place, which spend nights on the steps of houses, sleep anywhere, occupy playgrounds, use parks and territories with green plantations for relieving nature etc. Part of homeless often commits thefts, use alcohol and drugs in the streets. As a result, the region where the services to homeless are provided has turned to be a depressive one; there is a high level of crime here; it's dirty here; the prices for housing has been rapidly decreased; many institutions which are placed here lost their clients as the latter are afraid to leave their cars here, to become victims of rowdy attack, to get infected with skin diseases etc.

This region inhabitants are permanently complaining for living conditions and very negatively treat homeless.

The other problem is that the city authorities prefer to locate homeless shelters and centers of reintegration outside the city, whereas homeless themselves are mainly staying in central areas of cities where there are markets, shops, tourists etc. While not having necessary costs for transport, they are not able to use such services.

Most of the centres for reintegration use 8-steps model in their work.

The following issues of a client's life are taken into account and providing some support:

- status (assistance in obtaining passport, status of a disabled person, documents for obtaining pensions);
- financing (availability of debts, pensions, social payments);
- acquiring of pro-social behaviour (improving psychological condition, establishing relationships with relatives, improving self-advocacy skills);
- place of living (assistance in finding housing, processing documents for employment);
- job (assistance in job finding including temporary work, underemployment work, placing at the professional training courses);
- physical and psychological status (assistance in obtaining necessary treatment and support during rehabilitation period);

- practical skills for independent life (training skills on keeping house and planning, participation in self-help groups);
- occupation /organisation of leisure (assistance in organizing leisure, involving into the activities of societies, participation in volunteer activities etc).

At the same time, the main problems creating barriers for reintegration are remained to be lack of organizations able to provide free treatment for people addicted to psychoactive substances and lack of accessible housing. As even provided the client has successfully passed a reintegration process and has been employed, there is a very high risk that he will be again on the street. The main reason of such a situation is discrepancy of salary payments and the housing cost.

Therefore it is evident that the core problem is lack of housing including the one aimed for temporary living, transition housing and housing with support. There are no existing projects of such kind in Ukraine. Recently the programs have been launched on social housing construction but they are aimed, first of all, for invalids, large families, other representatives of vulnerable groups of population. Homeless are still at the last place in this list.

### Conclusion

Therefore, the system of support for homeless in Ukraine is only at the beginning stage and is characterized by a high level of state regulation in the situation of lack of any financing by the state. Providing social services for homeless, including creating the network of shelters, is ensured by local authorities and civic organizations, and their number and resources are very limited. There are few social workers working in those institutions, and those who work are lacking relevant training.

Such a situation requests conducting studies to explore best practices in service provision for homeless, coordination of different ministries' efforts that would enable creating programs for housing construction, encouraging providing housing for homeless for rent; and to provide more independence to local authorities in developing their own models and design of services based on the needs assessment and local resources availability.

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## **РОЗВИТОК СИСТЕМИ ПІДТРИМКИ БЕЗДОМНИХ ЛЮДЕЙ В УКРАЇНІ**

*Стаття висвітлює ситуацію щодо бездомності в Україні та презентує аналіз чинної законодавчої бази. Особлива увага приділяється підтримці та допомозі бездомним людям, яка надається системою соціального захисту. На додаток описуються соціальні послуги для бездомних, які надаються як державними, так і недержавними організаціями.*

**Ключові слова:** бездомні люди в Україні, законодавство щодо бездомності, підтримка та допомога бездомним в Україні, притулки для бездомних людей, реінтеграція бездомних.

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