

Question no. 1:

Please explain how your government defines homelessness in various contexts, for example, when measuring the extent of homelessness or determining eligibility for programmes and services. Please explain why the definition was chosen, and whether it is formally referred to in laws, policies or programmes.

Homelessness is in Norway part of the definition of *disadvantaged in the housing market* (housing needs and housing exclusion), who are people and families who are unable to find and/or maintain a satisfactory housing arrangement on their own. They find themselves in one or more of the following situations: (see Question no. 8 for reference)

- Without their own home (homeless)
- At risk of losing their home
- Living in unsuitable housing or living environment

In 2014 Statistics Norway estimated 122 000 persons in 45 000 households as “disadvantaged in the housing market” (housing needs), totally 2.5 per cent of the population in Norway, and 5.6 per cent in Oslo. In addition, 6 200 people who are homeless, and approx. 5000 people with residence permits who live in asylum centres past the established deadlines for settlement in a municipality, are also considered disadvantaged in the housing market.

The definition of homelessness was adopted in the White Paper, St. meld. nr. 50 (1998-99) “The Equalisation report” in the chapter on homelessness. Homelessness is described accordingly to the first national survey form 1996. This White Paper makes homeless people a target group and initiates the first national project to reduce or eliminate homelessness in 2000. The evaluation report concludes: “The project has created acceptance for the right of homeless people with substance misuse or combined diagnosis substance misuse/psychiatric problems to have access to housing and services”. <https://www.regjeringen.no/globalassets/upload/kilde/krd/prm/2005/0048/ddd/pdfv/253099-skriftserie-7-05.pdf>

The following definition of homelessness used in the surveys in Norway is similar to the definition used in Sweden and Denmark:

A homeless person defined as a person who does not own or rent a home, and left with coincidental or temporary housing arrangements, who temporarily stay with close relatives, friends or acquaintances, or is under the care of the correctional services or an institution, due for release within two months and without a home. People without arranged accommodation for the next night also considered as homeless.

The Norwegian definition is based on the FEANTSA (the European Federation of National Organisations working with the Homeless) European Typology of Homelessness and housing exclusion (ETHOS). ETHOS was developed through a review of existing definitions of homelessness and the realities of homelessness which service providers are faced with on a daily basis. ETHOS categories therefore attempt to cover all living situations that amount to forms of homelessness across Europe: <http://www.feantsa.org/spip.php?article120>

- Rooflessness (without a shelter of any kind, sleeping rough)

- Houselessness (with a place to sleep but temporary in institutions or shelter)
- Living in insecure housing (threatened with severe exclusion due to insecure tenancies, eviction, domestic violence)
- Living in inadequate housing (in caravans on illegal campsites, in unfit housing, in extreme overcrowding).

The ETHOS approach confirms that homelessness is a process (rather than a static phenomenon) that affects many vulnerable households at different stages in their lives. The definition and the typology or adaptations, are widely used in Norway by Government, the municipalities and other organisations. We here refer some key documents:

The Norwegian Government's official reports (Norges Offentlige Utredninger, or the NOU series) 2011:11 Bolig for velferd: (Norwegian only)

<https://www.regjeringen.no/contentassets/ddf3c180c0a74170b7a2f7ac515c1afc/no/pdfs/nou201120110015000dddpdfs.pdf>

White Paper: Meld. St. 17 (2012-2013) Melding til Stortinget Byggje – bu – leve. (Norwegian only)

<https://www.regjeringen.no/contentassets/6d2180c992804d719a287e02b1e04a2f/nn-no/pdfs/stm201220130017000dddpdfs.pdf>

Housing for welfare - National strategy for housing and support services (2014-2020)

https://www.regjeringen.no/globalassets/upload/kmd/boby/housing_for_welfare_national_strategy_for_housing_and_support_services_2014_2020.pdf

Question no. 2:

How is homelessness measured in your country? What criteria and indicators are used and how is data collected and systematically updated for this purpose? Please provide available data over a period of time on the extent of homelessness in general and among particular groups (for example: children and youth, women, indigenous peoples, persons with disabilities, and others).

The Norwegian Data Protection Authority protects the right to privacy and strives to prevent misuse of personal data. It is an independent administrative body under the Ministry of Local Government and Modernisation. The purpose of the Personal Data Act is to protect persons from violation of their right to privacy through the processing of personal data. See: <https://www.datatilsynet.no/English/>

The regulation is very strict and effects data collection and measurement of homelessness in Norway. Norway does not have a national client recording system concerning homelessness. The social services in the municipalities (NAV) will make an annual client report to Statistics Norway, but information about their housing situation was first reported in 2014. In addition to the client report, the municipalities reports the numbers of persons/households and length in shelter and homeless accommodation. The quality of the data is quite good, but errors do occur.

The data reported from the municipalities show that 5 438 households were provided homeless accommodation in 2014. Of all households 73 per cent stayed in for less than three months. In addition 561 people were in overnight shelter. The data includes information about families, and in 2014, 363 families were in homeless accommodation provided by the municipalities. The number of households

provided homeless accommodation has increased from around 3 000 in 2009 to 5 438 in 2014, while, in the same period, the use of overnight shelters was reduced by 1 000 persons.

From 2014 the municipalities also report the housing situation for the households that receive financial assistance (social assistance) from the social services in the municipalities (NAV). Of a total of 125 000 households, 4 % (or 5 000) was reported as homeless.

The main source for the measurement of homelessness in Norway is the national survey that takes place every 4th year. The next survey will be performed in November 2016, and the result will be published in the summer of 2017. The fifth national survey showed that there were 6,259 homeless people in Norway in 2012, which corresponds to 1.26 per 1,000 pop. Compared with 2008, the number had grown slightly, but the population of Norway has also increased, and the 2012 percentage of homeless people is close to the level of 2008, 1.27 per 1,000 pop. Most homeless people are male, only three out of ten are female. Homeless people are younger than the general population. A large group, one in four, is under 25. Over half of the homeless people are between 25 and 45.

The most common alternative is living with friends, acquaintances and relatives on a temporary basis (39 per cent). Next comes temporary accommodation, which covers a number of alternatives from residential shelters and housing provided specifically for homeless people, to camping sites, hotels and bed and breakfasts aimed primarily at the tourist market. Fifteen per cent live in some form of institution and 7 per cent are in prison or under the care of the correctional services. People in institutions or prisons are counted as homeless if they are to be discharged/ released within two months and have no place of their own to go to. A small group (5 per cent) stay in overnight shelters and spend the whole or parts of the day outside, or have no accommodation at all (i.e. live rough).

In total, 54 per cent of all homeless people in the survey are said to be dependent on drugs or alcohol, while 38 per cent are said to have mental health problems. Two out of three people with mental health problems are also said to be dependent on drugs or alcohol. In this survey, this amounts to 1,611 people.

As regards people who are homeless for more than six months, as many as 79 per cent state that they are addicted to drugs or alcohol. Twenty-two per cent of long-term homeless people are waiting to be admitted to treatment, while the proportion is 15 per cent for all homeless people. For summary of the 2012 survey see: http://www.nibr.no/filer/tekstfiler/2013_5_English_summary.pdf

Question no. 3:

What population groups are most affected by homelessness in your country? How have their experiences been documented and by whom (whether officially by national or subnational governments, National Human Rights Institutions, or by non-governmental or other organisations, charities, etc)? If studies exist, please indicate or share a link, a reference or a copy.

Of all homeless people 54 per cent are reported drug dependent; 38 per cent suffer from mental health problems. Another large group is young people under 25 years (23 per cent) also among this group 49 per cent is dependent on drugs or alcohol, and for 40 per cent mental health problems is a dominant challenge. Migration poses a growing challenge to efforts to combat homelessness at the European

level and challenges already our understanding of homelessness. The proportion of non-Norwegian born homeless persons has been increasing since 2003. 20 per cent of the homeless population were born outside Norway, while the immigrant population in Norway is 14.5 per cent of Norway's population.

A total of 363 families were in homeless accommodation in 2014, and compared with other countries is this a minor problem in Norway. Housing allowances and social assistance ensures households with none or low income to cover rent and prevent eviction. Only a small number of families are evicted from their homes, and the dominant problems for homeless families are connected to domestic conflict and violence.

The situation for homeless is well documented in research:

Evelyn Dyb, Katja Johannessen, Camilla Lied and Torunn Kvinge: Explanations of homelessness

NIBR Report: 2013:6

<http://www.nibr.no/filer/2013-6.pdf>

Anders Vassenden, Nils Asle Bergsgard og Terje Lie: «Rumour says where you live», International Research Institute of Stavanger AS IRIS rapport – 2012/316.

<http://biblioteket.husbanken.no/arkiv/dok/FOU/Ryktet%20forteller%20hvor%20du%20bor.pdf>

Arnild Taksdal, Jan-Kåre Breivik, Kari Ludvigsen og Bodil Ravneberg. «On the edge of having a home» «På randen av å bo» - University of Bergen, Rokkansenteret, 1-2006

<https://www.regjeringen.no/globalassets/upload/kilde/krd/tid/2006/0017/ddd/pdfv/284339-randen.pdf>

Question no. 4:

Please provide information and details on the primary systemic and structural causes of homelessness in your country and explain how these are being addressed.

It has been a common convention to see homelessness either as a structural or a personal problem. "Personal traits" have historically been understood in terms of aversion, laziness and immorality. Homelessness is understood normally as "personal traits" in terms of illness, addiction to drugs, other personal problems and insufficient social, cultural and/or financial capital to succeed in the Norwegian housing market.

The typical homeless person in Norway is a male in his mid-30s, living off benefits or other public support, with low education and being unemployed, has drug/alcohol problems and/or mental health problems. Structural explanations, i.e. homelessness causally explained by reference to dominant social structures such as unemployment and housing shortages, do not necessarily exclude explanations based on personal traits. The prevalence of homelessness in mature welfare states like Norway, with low poverty rates, relatively small differences between social classes, high redistribution between groups and a well-developed safety net is lower compared to other forms of welfare state.

In Norway, preventing and combatting homelessness take place in a system of home ownership where publicly owned social rented housing amounts to a very small proportion of the housing stock. A second characteristic of the housing market is a limited and volatile private rental market, which is a

necessary, although unreliable, supplement to the municipally owned housing in covering the needs of homeless clients. The average rent paid by private tenants has reached a high level in parts of the country and house prices has increased 43 per cent from 2010. For marginalized groups this causes problems to enter the housing market. A particularly challenging issue for housing is how to meet the needs of homeless people who have complex problems, such as those with poor mental health or who are misusing drugs. Homelessness, mental illness and addictions are associated in complex ways, each having underlying causes in common, while contributing to and exacerbating each other.

In 2014 the Government released the strategy “*Housing for welfare. National strategy for housing and support services (2014-2020)*”. The Government has established national goals and prioritised focus areas for the housing and support services. The goals will help put housing and support services on the agendas of the central government, municipalities and partners. The strategy is long-term and will be in effect from 2014 to 2020. The strategy will unify and target public efforts for disadvantaged in the housing market. It provides an overview of the policy area, where responsibility is divided between multiple sectors and administration levels. Experience shows that broad-based cooperation across sectors and administration levels are essential in order to succeed. Good collaboration requires the participants to be familiar with their own role, as well as the roles of others. The strategy must therefore contribute toward clarifying responsibilities, duties and expectations in the housing and support services. The strategy will also ensure a more coordinated use of central government policy instruments so that they contribute, to a greater extent, toward securing a stable and lasting housing situation for the disadvantaged in the housing market. For further reading:

<https://www.regjeringen.no/no/dokumenter/Housing-for-welfare---National-strategy-for-housing-and-support-services-2014-2020/id2351089/>

Question no. 5:

Please provide any information available about discrimination and stigmatization of people who are homeless, including laws or policies that may be used to remove homeless persons from public spaces or to prohibit activities in public spaces such as sleeping, camping, eating, sitting, or asking for money. Please explain whether such discrimination is prohibited by law at national and/or local levels.

Since 2007, we have seen an increase in the number of foreign citizens begging in Norway. Many of the people begging lived on the streets or in public places or established camps in the forests, without proper sanitary conditions. In May 2013, the municipality of Oslo introduced a ban against sleeping rough in public places in Oslo. Parliament adopted legislation in July 2014 allowing municipalities to ban begging in public places. Currently, only one municipality has introduced such a ban. The Ministry of Justice and Public Security handles a grant scheme that provides humanitarian organisations and municipalities with more than 1 million euros per year in order to provide temporary shelter and food for beggars. In August 2015, a report from the National Institution for Human Rights stated that the ban in Oslo was enforced by the police in a discriminatory manner.

Question no. 6:

Has homelessness been recognized as a human rights violation by courts or by national human rights institutions in your country, and if so, on the basis of which human rights (for example: right to adequate housing, right to life, etc)?

Under Norwegian law, there are no legal provisions laying down the right to housing. In principle, all adult persons in the country are assumed to be capable of acquiring a suitable dwelling for themselves and their family. Parents have a duty to provide their children with a suitable dwelling for as long as they are minors.

It is the duty for the municipal authority under the Social Service Act to provide temporary shelter and dwelling to people who are unable to obtain a dwelling for themselves. The Norwegian Human Rights Act has made the provisions of the International (UN) Covenant on Economic, Social and Cultural Rights directly binding Norwegian law. The right to housing is described in the covenant.

Homeless people often have plural needs. The Social Service Act also gives individuals with need of long-term, coordinated health care and/or social service, a right to an individual plan to outline their needs and ensure cooperation between different public service providers. A suitable dwelling will be an important part of the plan if this is lacking. Norway's health and care policy emphasises universal welfare schemes, rather than special measures aimed at selected groups.

Health and Care Services Act and the Social Service Act – has guidelines that imposes the municipalities to offer and ensure that the people who are homeless or living in inadequate housing in the municipality are provided with necessary services or housing.

Question no. 7:

What legal or administrative procedures are available to challenge actions or inaction by governments or private actors on the grounds that they lead to or fail to address homelessness?

The Norwegian Board of Health Supervision is a national public institution organized under the Ministry of Health and Care Services. Public supervision in Norway is about ensuring that health and social services are provided in accordance with national acts and regulations. In Norway, there is comprehensive legislation regarding child welfare, health and social services, that:

- lay down requirements about the services that shall be offered to the population
- lay down requirements about the quality of services
- regulate the work of health care personnel who have authorization
- give users of the services rights, for example, according to the Patients' Rights Act

Supervision applies to all statutory services, irrespective of whether they are provided by municipalities, private businesses, publicly owned hospitals or health care personnel who run their own practice. This supervision includes shelter and homeless accommodation in accordance with The Social Service Act, and services for homeless people in accordance with Health and Care Services Act) <https://www.helsetilsynet.no/no/Norwegian-Board-of-Health-Supervision/Introduction/>

The Parliamentary Ombudsman supervises public administration agencies. Supervision is carried out on the basis of complaints from citizens concerning any maladministration or injustice on the part of a public agency. The Parliamentary Ombudsman processes complaints that apply to government, municipal or county administrations. The Ombudsman may also address issues on his own initiative.
https://www.sivilombudsmannen.no/?lang=en_GB

Parliament has decided that there should be *Health and Social Services Ombudsman* in each county who can help patients and clients who do not get the help or treatment they are in need of, to express their views on matters that they believe should be changed to provide patients and users better health services. All ombudsmen are to act with authority, identify and summarize the challenges and be visible and active in the public debate. The system of Health and Social Services Ombudsman is statutory in Health & Rights Act Chapter 8. (Pasient- og brukerrettighetsloven)
<https://helsenorge.no/pasient-og-brukerombudet/health-and-services-ombudsman>

In addition, NGOs as the City Missions “Gatejuristen” provides free legal aid on a seek-out basis to people with drug problems, the main focus being on those with particularly grave drug problems.
<http://www.bymisjon.no/Virksomheter/Gatejuristen/English/>

Question no. 8:

Please provide information about any strategies or legislation in place at the national, sub-national or local levels to reduce or eliminate homelessness, explain any goals or timelines that have been adopted for this purpose, describe how progress is monitored and provide information on results to date.

Housing for welfare - National strategy for housing and support services (2014-2020)

The strategy and the initiative is described here;

https://www.regjeringen.no/globalassets/upload/kmd/boby/housing_for_welfare_national_strategy_for_housing_and_support_services_2014_2020.pdf

In Norway, homeless people have been an important target group for two key initiatives, namely” the Homeless people project” (2000–2004) and the strategy “Obtaining housing for oneself” (2005–2007). In 2014, The Government launched a new strategy that unified homelessness, Housing Exclusion and disadvantaged in the housing market.

Target groups and objectives concerning housing and support services is on the agendas for the central government, municipalities and partners in the years to come. The strategy is long-term and will be in effect from 2014 to 2020.

The strategy will unify and target public efforts for disadvantaged in the housing market. It provides an overview of the policy area, where responsibility is divided between multiple sectors and administration levels. “Housing for welfare is at initial phase, and results is to come.

The Government has established the following national goals and prioritised focus areas for the housing and support services:

1. Everyone should have a good place to live
 - assistance from temporary to permanent housing
 - assistance in obtaining a suitable home
2. Everyone with a need for services, will receive assistance in managing their living arrangement
 - prevent evictions
 - provide follow-up and services in the home
3. Public efforts shall be comprehensive and effective
 - secure good management and goal orientation of the work
 - stimulate new ideas and social innovation
 - planning for good living environments

National target groups are families with children and young people up to 25 years:

1. Rental housing for families with children must be of good quality and in a safe living
2. Temporary housing must only be used in exceptional circumstances for families with children and young people, and such arrangements must not exceed three months
3. Homelessness among families with children and young people must be prevented and reduced

The decentralised system of local government in Norway enables municipalities to develop local responses to homelessness, which raises the question of how to ensure that national policies of increasing and targeting services anchored and implemented on a local level.