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**Master's degree in  
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"Homeless women's path towards social inclusion: an  
analysis of social housing models in Italy."

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## *Abstract*

Homelessness represents a growing phenomenon and a serious violation of the right to adequate housing. The recent urban modernisation, the organisation of sporting events and the frequent migration flows have worsened the housing situation, which have become one of the main obstacles hindering the enjoyment of other fundamental human rights. The permeability of human rights is relevant in this context, where the right to a decent standard of living, the right to life, the right to health and the right to social security are threatened if the right to adequate housing is not guaranteed. Housing deprivation disproportionately affects women, who because of their gender suffer from multiple marginalisation. The study analyses the specific conditions of women whose right to adequate housing is violated. Focusing on the main patterns identified in female homelessness, the research aims at understanding which are the housing solutions that can trigger a meaningful change in terms of social inclusion. First, an analysis of the legal framework protecting the right to adequate housing at the different levels of governance is proposed to give a background on the existent instruments and whether they are correctly implemented. Secondly, the main profile of homeless women is identified using intersectionality theory, which implies the manifestation of multiple marginalities affecting the subjects studied, among which a migration background, gender-based violence and motherhood. The argument of the research, namely the need of solutions promoting housing autonomy and discouraging a welfarist rhetoric, is stated in the last chapter. Here, the focus on the Italian case is corroborated using semi-structured interviews to social workers conducted in the city of Padova, representing a small but relevant sample for the sake of the thesis.

*Keywords:* Right to housing, Intersectionality, Social inclusion, Women's rights.

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## List of Abbreviations

<b>CAS</b>	Centro Accoglienza Straordinaria
<b>CoE</b>	Council of Europe
<b>DALO</b>	Droit au Logement Opposable
<b>ECHR</b>	European Convention on Human Rights
<b>ERP</b>	Edilizia Residenziale Pubblica
<b>EU</b>	European Union
<b>FAMI</b>	Fondo Asilo Migrazione e Integrazione
<b>FEANTSA</b>	European Federation of National Organisations working with the Homeless
<b>FGM</b>	Female Genital Mutilation
<b>GBV</b>	Gender-based Violence
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social, and Cultural Rights
<b>ISEE</b>	Indicatore della Situazione Economica Equivalente
<b>NGO</b>	Non-Governmental Organisation
<b>PNRR</b>	Piano Nazionale Ripresa e Resilienza
<b>SAI</b>	Sistema di Accoglienza e Integrazione
<b>SDG</b>	Sustainable Development Goal
<b>STD</b>	Sexually Transmitted Disease
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UN</b>	United Nations
<b>UPR</b>	Universal Periodic Review
<b>US</b>	United States

## INTRODUCTION

The present research intends to investigate the crucial issues connected to the phenomenon of homelessness and which are the implications of being homeless in modern times, especially when experiencing multiple vulnerabilities. The concept of home is one of the most ancient and widespread notions since when human beings started to follow a sedentary way of living. The etymology of the English term relates to its affective significance, which differentiates it from the mere idea of house as a shelter. 'Home' suggests a sense of security, of belonging, of family and community, while 'house' is connected to the material side of being housed.<sup>1</sup> For this reason, the phenomenon of homelessness takes a different connotation from houselessness intended as the lack of a shelter or the loss of it. While houselessness implies the physical absence of an accommodation, homelessness refers to the loss of a place reflecting the identity of the individual and his/her belonging to a community. Therefore, from a theoretical point of view, the correct term to use would be 'houseless' or 'unhoused'. However, the present research employs the terms 'homelessness' and 'homeless' because it is the official wording of the 1948 UN Declaration on Human Rights and of the following United Nations documents.

The former UN Special Rapporteur on the Right to Adequate Housing Leilani Farha identifies three human rights-based dimensions determining homelessness, which are the material absence of a home, the stigmatization and social exclusion related to housing deprivation, and the right-holder character of people experiencing homelessness.<sup>2</sup> If homelessness exists since when the concept of home was born, the phenomenon became particularly relevant in the last decades. Farha defined homelessness as "a global human rights crisis that demands an urgent global response."<sup>3</sup> First, the growing migratory trends triggered an increase in the number of unhoused people and of people living in precarious housing conditions.

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<sup>1</sup>Lorna Fox, "The meaning of home: A chimerical concept or a legal challenge?", *Journal of Law and Society* 29.4 (2002): 593.

<sup>2</sup> UN General Assembly, *Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context*, A/HRC/31/54, December 2015: 5.

<sup>3</sup> *Ibid.*, 3.

The number of people who are forced to leave their countries of origin because of environmental factors, armed conflicts, and persecutions in different areas of the world is rising.<sup>4</sup> Moreover, the extension of urban centres and the lower affordability of the housing market is translating in a growing number of evicted people which reflects a worrying increase in global poverty.<sup>5</sup> The Covid19 pandemic also contributed to the criminalisation of homelessness, which was already carried out by different governments in the form of ‘urban regeneration’ or ‘beautification’ of urban areas.<sup>6</sup>

Homelessness does not affect all the segments of the population in the same way. Social groups that are discriminated because of their “race, ethnicity, place of origin, socioeconomic status, family status, gender, mental or physical disability, health condition, sexual orientation and/or gender identity and age” are doubly impacted by their homeless condition. The former UN Special Rapporteur Leilani Farha recognised women as one of the most marginalised groups within the homeless population. The double discrimination is not only driven by the leading causes of homelessness, but also reflects in the consequences of having their own right to adequate housing violated. Indeed, homeless women are more exposed to the risks associated to street life compared to men, including violence, sexual abuse, rape, and murder.<sup>7</sup>

The scientific literature tackling homelessness and the right to adequate housing highlights the lack of attention devoted to doubly marginalised groups, including women, children, and people with mental and physical disabilities. Reviewing the studies conducted on homelessness, what emerges is a gap in the identification of solutions tailored on homeless women needs, which are diverse and distinct from the ones of homeless men. Most of the research on gendered homelessness were conducted by Marpsat, Baptista, Bretherton and Pleace, who emphasised its hidden nature, and the strong correlation existing with motherhood and with gender-based violence.

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<sup>4</sup> Ibid., 9.

<sup>5</sup> Ibid., 8.

<sup>6</sup> Ibid., 7.

<sup>7</sup> Ibid., 10.

The lack of interest devoted to the causes and consequences of homelessness is mainly driven by a scarce political engagement in social issues that affect the most vulnerable segments of the population. The “lack of compassion for the full scale of deprivation and loss of dignity associated with being homeless”<sup>8</sup> is added to the State complicity in the housing market corruption. For this reason, the main problems identified are the disregard of public authorities towards the implementation of housing solutions and the neglect of the multiple marginalities experienced by homeless women who often comes from backgrounds of violence, migration, and motherhood.

To explore the problems posed below, the following research question will guide the thesis work: “*How can housing solutions positively impact the recovery and social inclusion of homeless women?*”. The evaluation of the housing solutions specifically designed to address women homelessness is important to understand which are the obstacles that are still hindering the enjoyment of the right to adequate housing for this segment of the homeless population. Also, the study of homelessness through a gender lens is relevant considering the promotion of Sustainable Development Goal n. 5 on Gender Equality and Women’s Empowerment, and the influence that it has on the other SDGs, including SDG11 on Sustainable Cities and Communities.

The argument of the research work is that the multiple marginalities of homeless women can only be addressed when gender-tailored housing programs and policies are implemented. Nonetheless, the higher percentage of male individuals officially registered as homeless causes a disregard in the planning of housing solutions specifically devoted to women.

Throughout the thesis, intersectionality will be used as a conceptual framework to read the research problem, as developed in the first chapter. Moreover, the thesis follows a human-rights based approach, in the sense that it analyses the right to adequate housing taking into consideration both the rights-holders, namely homeless people, and the duty bearers, including international

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<sup>8</sup> Ibid., 20.



organisations, regional institutions and local institutions.<sup>9</sup> Also, the HRBA uses the instruments and principles of human rights such empowerment, equality, and international human rights law to achieve development.<sup>10</sup>

The research question will be answered thanks to the findings collected and analysed in the last chapter. The argument is tested through an in-depth case study, namely the services devoted to homeless women in the city of Padova. The choice is mainly driven by a practical reason, which is the geographical location of the city. Living in the territory is convenient in terms of collection of data and useful information for the sake of the research. Furthermore, Padova has a strong tradition of cooperation and associationism, rewarded by its declaration of 2020 Capital of Volunteering.<sup>11</sup> The personal involvement in the work of volunteering associations and social cooperatives in the city area also triggered an interest in deepening the challenges experienced by social workers and beneficiaries of the services in the field.

The purpose of employing a case study method is the identification of gaps and/or best practices that can serve to improve policies in the field of gendered social housing. The strength of the case study method in a narrow geographical context is the possibility to enter in detail on the different aspects of the studied phenomenon. Also, investigating a specific case in the field of human rights and social work can give insights and positively influence similar contexts, which could replicate the model. On the other side, focusing on a restricted study context is limiting and may pose the risk of generalising.<sup>12</sup>

The sources used to realise the research work is heterogenous and include legal sources such as UN and UPR reports, regional and national legal documents dealing with the right to adequate housing, municipality documents, and investigations conducted by NGOs, both at a regional level (European Federation of National Organisations Working with the Homeless), and

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<sup>9</sup> Sakiko, Fukuda-Parr, "Human rights and politics in development." Human rights: politics and practice, 3rd edn. Oxford University Press, Oxford (2016): 175.

<sup>10</sup>Ibid., 172.

<sup>11</sup> Padova EV Capital 2020, 2022, URL <https://www.padovaevcapital.it/>.

<sup>12</sup> Khairul Baharein Mohd Noor, "Case study: A strategic research methodology." American journal of applied sciences 5.11 (2008):1604.

at a local level in the city of Padova. The network with social cooperative and volunteering associations working with homeless people in the city area, as well as the contact with the social services has been relevant to obtain further information on the topic studied. For this reason, the research was corroborated by semi-structured interviews with social workers from different realities of the third sector. Since information and data specifically referring to the condition of homeless women in the city of Padova may be limited, the use of qualitative interviews aims at filling the gaps and having a wider perspective on the subject.

The thesis is structured in four chapters. The research problem is identified in the first chapter, where a literature review highlights the gaps existing in homelessness studies. Also, the chapter presents the conceptual framework used to analyse the research problem, that is intersectionality theory.

The second chapter is devoted to the legal analysis of the right to adequate housing. Starting from the concept of homelessness and the different leading causes, the chapter reviews the international, regional, and national documents protecting the right to adequate housing, and considers the violations of the latter and the challenges met in implementation.

The gender perspective is introduced in chapter three, which analyses the most recurring profiles of homeless women, and identifies the differences existing between male and female homelessness both in legal protection terms and in practical terms. The concept of social inclusion is also tackled, starting from a general definition, and then trying to understand which are the drivers for the inclusion of homeless women.

The last chapter aims at addressing the practical solutions enforced to protect the right of adequate housing for homeless women. Social housing in its different declinations is analysed, also considering the gender component in social housing projects. Since the chapter is based on the case study of the city of Padova, a background on the Italian legal framework on social housing is provided. After having presented the work carried out at the local level to assist people experiencing homelessness, the chapter focuses on the housing solutions designed to help homeless women.

# Chapter I

## Research Problem and Conceptual Framework

### Introduction

The present chapter aims at providing the conceptual framework necessary to read the problem identified in the research and put the basis for the development of the following chapters. It is fundamental to first understand which is the precise research problem that is raised in order to proceed with the analytical part of the work.

To meet this objective, the chapter will be divided in three parts, which are respectively the identification of the problem, the literature review and the presentation of the conceptual framework used for the research. The first paragraph is devoted to the exposition of the problem outlined, namely the gendered aspect of homelessness and the respective housing policies implemented. The second paragraph consists in a review of the literature divided per macro areas. The three clusters proposed respectively concerns the gender nature of homelessness, the legal aspect of homelessness, and the solutions provided to protect the right to housing. Last, the third paragraph will focus on intersectionality as a conceptual framework used to read the problem.

The chapter draws from legal sources, reports realised by associations and institutions working with homeless people, and scientific papers from different areas such as gender studies and sociological studies.

### 1.1. Identification of the problem

In the last two years, the urgency of homelessness became increasingly evident, having consequences also on other aspects of society. The spread of the Covid pandemic made visible a phenomenon that already existed and have been existing for decades.<sup>13</sup>

Progressively, the rhetoric used to describe homelessness also changed and evolved taking different shapes. The dichotomy between ‘good’ homeless and ‘bad’ homeless is now more pronounced: while the first category is associated with the

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<sup>13</sup>Daniela Leonardi, *La colpa di non avere un tetto*, Torino 2021, 12.

idea of simple people, full of humanity, the latter is connected to the idea of deviant and opportunist people.<sup>14</sup> The increase in the use of the second connotation is also linked to the higher criminalisation of homelessness from the authorities.

After the 2015 migration crisis, the number of people living in the street increased in the European continent. In countries like Italy, this caused the adoption of legislative measures such as Law 48/2017 on urban security. This legal text provided a definition of urban security, seen as an element that contributes to the liveability and decency of cities, which should be pursued through requalification interventions, elimination of marginalised situations, and promotion of legality.<sup>15</sup> The contraposition between degradation and decency is relevant in this context because it exploits the concept of security and public order to criminalise people sleeping rough.

Another problem connected with homelessness in modern societies is the transition from seeing the phenomenon as a social one to seeing it as an individual one.<sup>16</sup> The tendency to identify a person for his/her homeless status causes a depersonalisation of the individual.<sup>17</sup> For some homeless people, the negative connotation associated with the status also provokes a willingness of taking the distance from this definition, that needs to be demonstrated giving proofs of a former 'normal' life.<sup>18</sup> On one side, questioning about who are the homeless gives them back their individual identity as persons regardless of their homeless condition. On the other side, it is important to give the adequate attention to homelessness as a wider problem that is not the product of single individuals but reflects a general condition of society.<sup>19</sup> For this reason, homelessness can also be considered as a political phenomenon, both for the causes of its development and for the difficulties in erasing it. From a linguistic and theoretical point of view, the rhetoric used to tackle social questions can be useful to bring about a change, although in the public debate there is still a gap in terms of how homelessness is

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<sup>14</sup> Ibid., 20.

<sup>15</sup> Ibid., 34.

<sup>16</sup> Ibid., 13.

<sup>17</sup> Ibid., 45.

<sup>18</sup> Ibid., 44.

<sup>19</sup> Ibid., 13.

presented.<sup>20</sup> From a practical point of view, the elements currently used to combat homelessness are inadequate and discriminatory. Among them, it is possible to identify the so-called anti-homeless or hostile architecture, such as benches and structures built with the aim of impeding the permanence of homeless people, the exploitation of the law to condemn homeless people, and the tightening of immigration law.<sup>21</sup>

On the contrary, effective and sustainable measures that should be implemented with this scope are the fight of discriminations in the private housing market, prevention measures including anti-eviction provisions, interventions aimed at limiting rent prices, the occupation of abandoned buildings and the inclusion of homeless people themselves in the decision-making process.<sup>22</sup>

Thus, one of the main challenges in combating homelessness is precisely the lack of political engagement in discussing housing solutions that directly address the kind of housing demand that must be satisfied.<sup>23</sup> In fact, the provisions designed to address homelessness until now consist in social solutions and services such as soup kitchen, public dormitories, and clothes donation that are mainly managed by civil society. While these measures are fundamental to support people living in the street, they should be integrated with concrete housing policies and plans.<sup>24</sup>

In a context characterised by the marginalisation and the invisibility of homeless people as a social group, there is an additional element that should be analysed. The homeless condition is variable depending on the profile of the individual considered. Although it is possible to verify a variation in age, ethnicity, and occupation of homeless people, the most relevant variable in this context is gender. The belonging to the male or female sex completely changes the trajectories of homelessness and the channels that lead to live in a homeless condition.

While many scholars acknowledged the peculiarity of female homelessness and the existence of divergences between the latter and male homelessness, there are still

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<sup>20</sup> Ibid., 41.

<sup>21</sup> Ibid., 32.

<sup>22</sup> Ibid., 52.

<sup>23</sup> Ibid., 50.

<sup>24</sup> Ibid., 40.

few research that deals more in the depth with the issue.<sup>25</sup> Most of the analyses focus on the causes of female homelessness, but there is not a real willingness of creating answers to prevent the problem or to fight it. If it is already difficult to achieve the respect and promotion of the right to adequate housing for men and boys, the path is still abrupt for women and girls.

The first problem identified in the homeless literature, namely the lack of political engagement and interest towards homelessness and housing policies, is combined with the problem of discriminations depending on gender. Starting from these two premises, the present research work poses a question on the nature of housing solutions that have been developed until now. Should a housing solution be merely directed to provide a roof for those who do not have it? Or is the right to adequate housing more articulated and connected to the enjoyment of other rights? The different terminology used to define people who sleep rough and people who live in refuges, reception centres or other emergency structures proves that having a bed to sleep is not a synonym for having the own right to adequate housing guaranteed.

Since gender equality and women's rights are going through a mainstreaming process, analysing a problematic such as the housing question in a gender perspective is relevant. Investigating about the quantity and the quality of housing solutions targeting female individuals is important not only to understand the steps that have already been made, but especially to delineate the direction in which we are going.

## **1.2. Literature review**

The present section is devoted to the analysis of the existent literature on homelessness that will be useful to identify the elements that are already developed and studied in the field, and the points on which more attention should be drawn.

As mentioned in the previous paragraph, homelessness is not only a social phenomenon, but it also has a political and legal character. For this reason,

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<sup>25</sup> Ibid., 41.

homelessness studies range from sociology, to psychology, to architecture and urbanistic, to the human right field.

The scope of the present paragraph is to review the literature that have already been realised around the topic, to determine the main trends that will guide the project, and to outline the gaps that should be filled. Therefore, the decision of conducting a literature review of a thematic type derives from the need of collecting and categorizing homeless studies in clusters, each of which is about a different macro topic important to structure the following chapters.

The first cluster mainly includes sociological and gender studies that focus on the intersection between homelessness and gender, thus investigating women homelessness.

One of the first scholars specialised in how women experience homelessness differently compared to men is the French sociologist and statistician Marpsat. With the publication “Le risque moindre pour les femmes de se trouver sans abri” (1999), Marpsat introduced the concept of invisibility of female homelessness. The research, based on surveys conducted by the Institut National d’Etudes Démographiques in Paris and other French cities, exposed the main characteristics of female homelessness and the reasons why there is a lower risk for women to experience homelessness. The study of different patterns among homeless women, such as the family composition, the background, and the age, was useful to understand their trajectories of homelessness.<sup>26</sup>

The concept of invisibility has lately been reiterated by Bretherton (2017), who identified four main gaps in the literature. According to the author, not enough attention is devoted to the invisible character of women homelessness, nor to family homelessness, nor to the importance of domestic violence. Also, it is more frequent that women homelessness is merely recognised but is not analysed.<sup>27</sup> Baptista (2010) also recognised the under representation of women in the homeless population, and she verified a change in the profile of homeless women population compared to the past century, with an increase in the percentage of migrant and

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<sup>26</sup> Maryse Marpsat, "An advantage with limits: The lower risk for women of becoming homeless.", *Population: An English Selection* (2000).

<sup>27</sup> Joanne Bretherton, "Reconsidering gender in homelessness.", *European Journal of Homelessness* 11.1, (2017): 14.

young people registered in Europe.<sup>28</sup> The main scope of Baptista's research is then to analyse the main developments occurred after the studies conducted in the 1990s and "to discuss the importance of developing consistent theoretical frameworks in order to increase our understanding of homelessness, encompassing both the diversity of women's experiences of homelessness and the underlying social structures".<sup>29</sup> Baptista et al. (2017) also tackled family homelessness as a gendered issue, subject that has been at the centre of the 2017 FEANTSA study. The main points developed are the characteristics of family homelessness, and the different responses in terms of services.<sup>30</sup>

Most of the research on women homelessness in Europe were also developed by Bretherton and Pleace (2018), who devoted a particular attention to women sleeping rough. After having defined the individuals that can be considered rough sleepers according to the ETHOS terminology, the research provides both statistics and qualitative data concerning the extent and the quality of women sleeping rough.<sup>31</sup> The theme of rough sleeping was equally developed by Reeve (2018), who described different methods used by women to hide their homeless status and in some cases to survive as it is the case of survival sex.<sup>32</sup> Also, the causes of homelessness for women are exposed by Reeve (2018), among which sexual abuse, a difficult familiar background, traumatic experiences related to reproduction and children, violence, and grief.<sup>33</sup>

Although all these contributions were fundamental for the development of theories on gendered homelessness, one of the most comprehensive documents in this context is the publication edited by Mayock and Bretherton (2016), in which experts such as Pleace, Baptista, Mayock and Sheridan gave their contribution. The topics contained in the research range from the relationship between migrations and

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<sup>28</sup> Isabel Baptista, "Women and homelessness.", *Homelessness research in Europe* 4.1 (2010): 165.

<sup>29</sup> Ibid.

<sup>30</sup> Isabel Baptista et al., "Family homelessness in Europe: 7 EOH comparative studies in homeless." (2017).

<sup>31</sup> Joanne Bretherton and Nicholas Pleace, "Women and rough sleeping: A critical review of current research and methodology." (2018).

<sup>32</sup> Kesia Reeve, "Women and homelessness: putting gender back on the agenda." *People, Place and Policy Online* 11.3 (2018): 171.

<sup>33</sup> Ibid., 167.



women homelessness, to motherhood in relation to homelessness, to the role of domestic violence in homelessness.<sup>34</sup>

In the second cluster it is possible to collect research that tackle homelessness from a legal point of view. Homelessness corresponds, indeed, to a violation of the right to adequate housing. For this reason, many scholars examined the subject considering which are the legal provisions protecting the mentioned right.

One of the first authors studying homelessness from a legal perspective is Kenna. In Kenna (2005) an international and European overview of the right to adequate housing is provided. Starting from the conception of homelessness as a violation of the right to housing, the author examined the implementation of the latter at different levels of governance and affirmed the need to find a concertation between the international, the national and the local sphere.<sup>35</sup>

The same type of research was conducted by Ozden and Golay (2007), who tried to provide a comprehensive definition of the right to housing drawn from both the Committee of Economic, Social and Cultural Rights contents, the statements by the Special Rapporteur on the Right to Adequate Housing, and the definition given by the UN Commission on Human Settlements. Moreover, the paper analyses the mechanisms that are implemented at the different levels to fight the violation of the right to housing suffered from marginalised groups.<sup>36</sup>

Another author who gave a significant contribution in the field is Leckie (1992). Although the publication is outdated, the content is useful also for current analysis and deals with different aspects of the right to housing. First, the relation between international human rights law and housing is studied, together with the identification of the protagonists of the right to housing protection, both the beneficiaries and those responsible for the implementation. The character of the right to housing is seen as necessarily preventative, remedial, corrective, and easily

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<sup>34</sup> Paula Mayock and Joanne Bretherton, *Women's homelessness in Europe*, London, England: Palgrave Macmillan, 2016.

<sup>35</sup> Padraic Kenna, "Housing rights—The new benchmarks for housing policy in Europe?," *The Urban Lawyer* (2005).

<sup>36</sup> Melik Özden and Christophe Golay, "The right to housing: a fundamental human right affirmed by the United Nations and recognized in regional treaties and numerous national constitutions", Geneva, CETIM, (2007).

understandable.<sup>37</sup> The author also deconstructed the right to adequate housing starting from the concept of ‘adequate house’ that is outlined through six criteria about the characteristics of the house such as location, cost, and physical structure. Also, Leckie introduced the concept of ‘permeability of rights’ to express the interconnection between different human rights, and the way in which the violation of the right to housing also falls on the violation of other rights.<sup>38</sup> This idea is also introduced by Lynch and Cole (2003), who base their research on the relation existing between the right to housing and other human rights such as the right to life, the right to freedom from discrimination, the right to privacy, the right to health, the right to adequate standard of living and the right to social security.<sup>39</sup> The six criteria exposed by Leckie to define a housing adequate were institutionalised by the United Nations in the General Comment n. 4, where they become seven. Oren and Alterman (2020) take these seven criteria as a theoretical filter to assess how national constitutions include them.<sup>40</sup> From a more philosophical point of view, Byrne and Culhane (2011), and Fitzpatrick and Watts (2010) pose questions about the approach that should be used when dealing with the right to adequate housing. The former research considers the effectiveness of applying a human rights-based approach to discuss homelessness<sup>41</sup>, while the latter question the universal applicability of the right to housing.<sup>42</sup> According to Fitzpatrick and Watts, human rights should not be considered as assumed, but they should be as potentially dangerous if interpreted by courts in the wrong way.<sup>43</sup>

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<sup>37</sup> Scott Leckie, “From housing needs to housing rights: An analysis of the right to adequate housing under international human rights law”, London: International Institute for Environment and Development, (1992): 71.

<sup>38</sup> Ibid.

<sup>39</sup> Philip Lynch and Jacqueline Cole, “Homelessness and Human Rights: Regarding and Responding to Homelessness as a Human Rights Violation.”, *Melb. J. Int'l L.* 4 (2003).

<sup>40</sup> Michelle L. Oren and Rachel Alterman, “The right to adequate housing around the globe: Analysis and evaluation of national constitutions.”, Sandeep Agrawal, Ed (2022).

<sup>41</sup> Thomas Byrne and Dennis P. Culhane, “The right to housing: An effective means for addressing homelessness.”, *U. Pa. JL & Soc. Change* 14 (2011).

<sup>42</sup> Suzanne Fitzpatrick and Beth Watts, “The “right to housing” for homeless people.” *Homelessness research in Europe* (2010).

<sup>43</sup> Ibid.

The last and third cluster is focused on housing policies and social housing projects. The most implemented and widespread kind of social housing is Housing First. For this reason, the literature that have been reviewed partly focuses on Housing First projects and partly on social housing in general.

Most of the studies on Housing First are conducted by the experts in the homelessness field mentioned in the previous paragraph. A consistent part of the research deals with the description of Housing First as a model and its main characteristics, as it is the case for Pleace (2011) and Busch-Geertsema (2013). The latter focuses on the implementation of Housing First Europe, a regional network connecting housing first projects throughout Europe, but also on similar projects that do not belong in this network. One of the main points stressed is the difference between Housing First and the traditional housing models. While the so-called staircase models provided the accommodation to the user only after a series of steps, Housing First models want to overcome this limitation and base their existence on providing housing in the first place.<sup>44</sup> A relevant contribution on the comparison between the two models is given by Greenwood (2020). In the study conducted in seven European countries, the participants are asked about their perception of the programs they took part in, following different criteria such as the quality of the housing and of services.<sup>45</sup> Three indicators were also considered to assess the effectiveness of the housing projects, which are the amount of time that participants spent in the accommodation, the health condition, and the level of community integration.<sup>46</sup>

A subset of studies focused on the evaluation of Housing First identifying the main limitations of the model. For example, Bretherton and Pleace (2015) research conducted in England aims at verifying whether Housing First represents a valid solution to reduce chronic homelessness and the benefits that Housing First has in terms of costs. The economic aspect is important because the projects must be

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<sup>44</sup> Volker Busch-Geertsema, "Housing First Europe: Final Report.", Bremen/Brussels: European Union Programme for Employment and Social Solidarity (2013).

<sup>45</sup> Ronni Michelle Greenwood et al., "Homeless adults' recovery experiences in housing first and traditional services programs in seven European countries.", *American Journal of Community Psychology* 65.3-4 (2020).

<sup>46</sup> *Ibid.*

sustainable in financial terms to be backed by governments and decision makers.<sup>47</sup> Also, Pleace (2011) evaluates whether Housing First projects have effective outcomes for people suffering from chronic homelessness.<sup>48</sup>

A negative perspective on the ambiguities of Housing First projects is given by Lancione (2017), and Pleace and Bretherton (2012). The first research criticises the fact that Housing First is progressively becoming a catch-all definition for social housing projects that are different one from each other. The rapid growth of Housing First projects in the Western world mainly depends on the scientific validation received, on the political use made of them, and on the concrete outcomes in terms of physical well-being of the user.<sup>49</sup> However, this rapid expansion brought with it two main problems. First, Housing First has been considered as a best practice that can be put in practice also in social and geographical contexts different from the United States where it had birth, but there are approaches that it is impossible to transplant without consequences. Secondly, as just mentioned, there is the risk that the label Housing First becomes an “assemblage of policy”<sup>50</sup>, causing a loss of credibility.<sup>51</sup>

The other subgroup of studies reviewed here focuses on social housing more broadly. In Whitehead (2007) a definition and an overview of social in Europe is provided. Furthermore, the author identified the main trends, among which emerges a fall in the number of the social housing stock available, a growth in demand for social housing,<sup>52</sup> and a decline in affordability<sup>53</sup>. Scanlon (2015) also identifies the main trends that are arising in European countries implementing social housing projects. On one side, the public fundings coming from governments are

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<sup>47</sup> Joanne Bretherton and Nicholas Pleace, “Housing First in England: an evaluation of nine services.”, (2015).

<sup>48</sup> Nicholas Pleace, "The ambiguities, limits and risks of Housing First from a European perspective.", *European Journal of Homelessness* 5.2 (2011).

<sup>49</sup> Michele Lancione, Alice Stefanizzi, and Marta Gaboardi, "Passive adaptation or active engagement? The challenges of Housing First internationally and in the Italian case.", *Housing Studies* 33.1 (2018).

<sup>50</sup> *Ibid.*, 6.

<sup>51</sup> Nicholas Pleace and Joanne Bretherton, "What do we mean by Housing First? Categorising and critically assessing the Housing First movement from a European perspective.", *Housing: Local Welfare and Local Markets in a Globalised World* (2012): 5.

<sup>52</sup> Christine Whitehead and Kath J. Scanlon., “Social housing in Europe”, London School of Economics and Political Science, (2007).

<sup>53</sup> OECD, "Social Housing: A Key Part of Past and Future Housing Policy.", *Employment, Labour and Social Affairs Policy Briefs* (2020): 15.

decreasing, also because of cuts in public investments. On the other side, there are countries that considered social housing as a tool to foster economic growth.<sup>54</sup> Moreover, the spread of social housing caused a variation in the relationship between public and private, with a large number of owners entering in the social housing world.<sup>55</sup>

The literature review presented was important to understand the points that have already been studied and tackled by scholars in the field of homelessness. It was divided in three main clusters to make the review smoother and clearer. The first cluster included studies from Marpsat, Baptista, Bretherton and Pleace, and it focused on the main aspects of female homelessness such as motherhood and migration, highlighting the invisibility of homeless women. The second cluster collected research from Kenna, Leckie, and Ozden & Golay. It included legal studies that dealt with the definition of the right to adequate housing and the main criteria needed to consider a housing as such. In the third cluster, containing contributions from Pleace, Whitehead, Greenwood and Busch-Geertsema, information about the implementation of social housing and Housing First implementation were provided.

### **1.3. Conceptual Framework**

#### **1.3.1. Origins of Intersectionality**

To understand the use of intersectionality as a conceptual lens to the present research project, it is important to first introduce the notion of intersectionality and how it progressively spread in the social science literature.

The term was first coined by the American civil rights advocate and scholar Kimberle Crenshaw in 1989, when she published her research on the intersection between race and gender in the context of Black women living in the US. In particular, she focused on the legal evidence of discrimination of those women, basing her argument on court cases presented by them.<sup>56</sup> According to Crenshaw,

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<sup>54</sup> Kathleen Scanlon, Melissa Fernández Arrigoitia, and Christine Whitehead, "Social housing in Europe.", *European Policy Analysis* 17 (2015).

<sup>55</sup> *Ibid.*

<sup>56</sup> Kimberlé Crenshaw, "Demarginalizing the intersection of race and sex: A black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics." *u. Chi. Legal f.* (1989).

it was possible to identify a recurrent element in the court cases. The Black women received legal protection only in cases in which their background was comparable to those of white women or black men.<sup>57</sup> Therefore, individuals falling into the subgroup women and black suffered from a double discrimination caused by their belonging to a specific gender category and 'race' category.<sup>58</sup> The discrimination context of Black women, thus, is exacerbated by the impossibility of tackling at the same time racial and gender marginalisation.<sup>59</sup> As stated by Crenshaw herself, "because Black females' claims are seen as hybrid, they sometimes cannot represent those who may have "pure" claims of sex discrimination."<sup>60</sup> As a consequence, legislations and public policies hitting all women because of their gender will be significantly discriminatory for Black women.<sup>61</sup>

To make her argument even more evident, Crenshaw compares Black women discrimination with a car accident in a four-street intersection. If one of the cars in the intersection is hit, there can be one or more guilty actors in the accident. At the same time, when a Black woman is hit by a discriminatory law, the discrimination can be based on gender, or it can be based on race.<sup>62</sup> The multiple discrimination from which Black women are affected results in the invisibility of the latter, and not in a further attention to the problem.<sup>63</sup>

Although Crenshaw is considered the founder of intersectionality, the latter is a fluid concept that moves throughout time. The idea that different social categories could be interlinked because of some common characteristics already existed before 1989.<sup>64</sup> At the same time, intersectionality assumed different shapes and declinations after its development and explanation in reference to Black feminism. The literature is not homogenous for what concerns the willingness of extending the concept of intersectionality from how was initially elaborated by Crenshaw. As

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<sup>57</sup> Wendy G. Smooth, "Intersectionality from theoretical framework to policy intervention", Palgrave Macmillan, New York, (2013): 17.

<sup>58</sup> Floya Anthias, "Intersectional what? Social divisions, intersectionality and levels of analysis.", *Ethnicities* 13.1 (2013): 5.

<sup>59</sup> Hajer Al-Faham, Angelique M. Davis, and Rose Ernst, "Intersectionality: From theory to practice.", *Annual Review of Law and Social Science* 15 (2019): 269.

<sup>60</sup> Crenshaw, "Demarginalizing the intersection of race and sex", (1989): 145.

<sup>61</sup> *Ibid.*

<sup>62</sup> *Ibid.*, 149.

<sup>63</sup> Smooth, "Intersectionality from theoretical framework to policy intervention", (2013): 18.

<sup>64</sup> Anthias, "Intersectional what? Social divisions, intersectionality and levels of analysis.", (2013): 5.

suggested by Lewis and García Bedolla, a theory designed to analyse Black women's discrimination can also be directed to White women to better understand dynamics of justice and power.<sup>65</sup> On the same line, Hancock believes that intersectionality is not only applicable to Black women's experience but is a theoretical framework that propose interesting inputs to analyse differences between other social groups.<sup>66</sup> Bose recognises that, since when it was coined, the concept of intersectionality has been transplanted in other research fields studying subordination and discrimination such as access to citizenship, religion, and sexuality.<sup>67</sup> Also, according to Bose, intersectionality can be crucial to develop policies protecting women's rights and gender equality.<sup>68</sup>

On the other side, some scholars question themselves on the possible consequences of a broader application of intersectionality. Al-Faham wonders if using intersectionality to tackle different areas of study can be "conceptually ambiguous"<sup>69</sup>, while Salem believes that using it as a passepartout for all feminist discourses "has undermined its radical potential".<sup>70</sup> She is convinced that the spreading of intersectionality as a theoretical framework in the Western world reflected Eurocentric principles and assumed a different connotation depending on this transposition, devaluing the original concept.<sup>71</sup>

### 1.3.2. Definitions and approaches

After having delineated the genesis of intersectionality, it is important to provide a definition based on the existent literature. As the term itself suggests, the theory of intersectionality is based on the concept of intersection. One of the meanings for 'intersection' proposed by the Cambridge dictionary is "the point where two things come together and have an effect on each other".<sup>72</sup> According to Anthias, the

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<sup>65</sup> Al-Faham et al., "Intersectionality: From theory to practice.", (2019): 250.

<sup>66</sup> Smooth, "Intersectionality from theoretical framework to policy intervention", (2013): 20.

<sup>67</sup> Christine E. Bose, "Intersectionality and global gender inequality.", *Gender & Society* 26.1 (2012): 67.

<sup>68</sup> *Ibid.*, 68.

<sup>69</sup> Al-Faham et al., "Intersectionality: From theory to practice.", (2019): 251.

<sup>70</sup> Sara Salem, "Intersectionality and its discontents: Intersectionality as traveling theory.", *European Journal of Women's Studies* 25.4 (2018): 406.

<sup>71</sup> *Ibid.*, 407.

<sup>72</sup> Cambridge Dictionary, Cambridge University Press 2022, "Intersection".  
<https://dictionary.cambridge.org/dictionary/english/intersection>

concept of intersection is close to the idea of ‘mutual constitution’, where the latter represents the influential relationship of one factor such as race or gender on another.<sup>73</sup> From the intersection derives the theory of intersectionality, according to which people may suffer from a discrimination because of the combination of two or more factors.

One of the first definitions of intersectionality is provided by Hancock, who sees it as “a justice oriented analytic framework for examining socio-political problems that emerge from race, gender, class, sexual orientation and other socio-political fissures as interlocking, process-driven categories of difference.”<sup>74</sup> Simien defines intersectionality as an instrument to examine inequalities through the combination of so-called different “identity categories”.<sup>75</sup> The identification of categories of vulnerable individuals and their interaction is crucial in the frame of intersectionality. Smooth recalls the idea of social identities as mutually constitutive and ever changing, trying to avoid generalisations that can be reductive to one single sphere. According to her, these social identities can take different shapes depending on the impact that they have one on each other.<sup>76</sup>

At the same time, it is important to analyse the social categories as distinct entities regardless of the intersection happening between them.<sup>77</sup> This is important because the categories can be mutually constitutive but also contradictory, in the sense that the belonging to a particular social group can both represent a cause of marginalisation and a reason of privilege. The clearest example is that of the male working class, who can be privileged because of his gender and at the same time marginalised because of his belonging to a lower social class.<sup>78</sup>

Anthias underlines that categorisation can be dangerous because it is often operated by researchers and not by the protagonists of the marginalisation themselves. Therefore, there is a high risk of including an individual in a social group in which

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<sup>73</sup> Anthias, "Intersectional what? Social divisions, intersectionality and levels of analysis.", (2013): 12.

<sup>74</sup> Al-Faham et al., "Intersectionality: From theory to practice.", (2019): 251.

<sup>75</sup> Evelyn M. Simien, "Doing intersectionality research: From conceptual issues to practical examples.", *Politics & Gender* 3.2 (2007): 269.

<sup>76</sup> Smooth, "Intersectionality from theoretical framework to policy intervention", (2013): 21.

<sup>77</sup> Anthias, "Intersectional what? Social divisions, intersectionality and levels of analysis.", (2013), 14.

<sup>78</sup> *Ibid.*



he/she does not identify with.<sup>79</sup> Moreover, categories can be extremely reductive, and some intersectionality research end up proposing broad dichotomised social groups as black and white, or male and female, excluding a large number of nuances in between.<sup>80</sup>

Intersectionality is widely used by the social science scholarship, thus it is necessary to understand when and how it should be employed. The following paragraph will summarise the main approaches to use intersectionality developed by researchers.

Intersectionality is considered as an “academic tool” aimed at addressing disparities between social groups.<sup>81</sup> In fact, different kinds of oppressions exist in modern societies, and when they overlap one with each other there is an increase of social injustices. One of the elements highlighted by scholars in the field is that the discrimination is not necessarily produced *by* the intersection, but it is produced *within* it. Thus, the discrimination may emerge in the intersection, but it is not the product of the intersection.<sup>82</sup> As an instrument of analysis, intersectionality allows to shed light on invisible inequalities among social groups and to reinvent the rhetoric used to report those inequalities.<sup>83</sup> At the same time, intersectionality is considered by some scholars as “a political concept” having as final objective the willingness of achieving justice for the oppressed social identities and changing the actual dynamics of power.<sup>84</sup> In this sense, it is not only an academic tool, but also a practical tool that can be used to design new policies and plans both at a local, national, or regional level.<sup>85</sup>

The main intersectionality paradigms tackled in this section are the ones developed by gender and sociology scholars Collins, McCall, and Choo and Ferree. Collins suggests three declinations of intersectionality, which are respectively “a

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<sup>79</sup>Ibid., 7.

<sup>80</sup> Simien, "Doing intersectionality research", (2007): 266.

<sup>81</sup> Al-Faham et al., "Intersectionality: From theory to practice.", (2019): 250.

<sup>82</sup> Anthias, "Intersectional what? Social divisions, intersectionality and levels of analysis.", (2013): 13.

<sup>83</sup> Smooth, "Intersectionality from theoretical framework to policy intervention", (2013): 16.

<sup>84</sup> Ibid., 24.

<sup>85</sup> Bose, "Intersectionality and global gender inequality.", (2012): 68.

field of study [...], an analytical strategy [...] and a critical praxis.”<sup>86</sup> In its first declination, intersectionality is a subject itself of research and studies. The second declination corresponds to the concept described in the previous paragraph, which views intersectionality as a methodological instrument to analyse social problems. The third declination introduced, defined as critical praxis, corresponds to the practical use of intersectionality to implement projects aimed at reducing social injustice.<sup>87</sup> For this reason, this approach is particularly useful for social workers, civil society, human rights advocates, and people working in grassroots organisations who usually have a direct contact with people affected by “violence, homelessness, hunger, illiteracy, poverty, sexual assault, and similar phenomena.”<sup>88</sup> An important digression in the area of critical praxis illustrated by Collins regards the relationship between human rights and intersectionality. Considering the Universal Declaration of Human Rights, its article 2 is an interesting demonstration of how the belonging to a social identity such as an ethnic, sexual, linguistic, religious or political group can intersect.<sup>89</sup>

According to McCall, three different approaches can be used in intersectional theory, which are the anti-categorical approach, the intra-categorical approach and the inter-categorical approach.<sup>90</sup> The first approach rejects the idea of fixed categories, and for this reason deconstructs them through a case-by-case analysis of the individual taken into consideration. It is mostly employed when there is a need to tackle complex questions that cannot be solved using categories.<sup>91</sup> The second approach represents a compromise between the anti-categorical and the inter-categorical approach. On one side, the intra-categorical approach recognises the existence of categories and the existence of a link that connects them. On the other side, there is a critical position towards traditional categories, and the

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<sup>86</sup> Patricia Hill Collins, "Intersectionality's definitional dilemmas." ,*Annual review of sociology* 41 (2015): 3.

<sup>87</sup> *Ibid.*, 15.

<sup>88</sup> *Ibid.*, 16.

<sup>89</sup> *Ibid.*

<sup>90</sup> Anthias, "Intersectional what? Social divisions, intersectionality and levels of analysis." , (2013): 8.

<sup>91</sup> Leslie McCall, "The complexity of intersectionality." , *Signs: Journal of women in culture and society* 30.3 (2005): 1773.

willingness of going beyond them focusing on the complexity of “particular social groups at neglected points of intersection”.<sup>92</sup>

Lastly, the inter-categorical approach accepts the idea of categorization, and uses categories that already exist to examine the disparities between social groups.<sup>93</sup> In other words, the anti-categorical approach opposes to categorization; the intra-categorical approach analyses the differences inside every single category; and the inter-categorical approach analyses the relationships that connect the categories.<sup>94</sup>

Choo and Ferree developed the concept of intersectionality under three declinations, which are the group-centred, the process-centred, and the system-centred.<sup>95</sup> In the first declination, the emphasis of the research is put on social groups suffering from multiple and diverse discriminations. The process-centred approach focuses on the relationships existing between the groups, more than on the groups themselves. It conceives intersectionality as an actual process and examines the “unmarked categories”<sup>96</sup> such as being white or being male that are usually neglected by researchers. The system-centred approach tries to combat the association of inequalities with a respective institution, as it happens for example with the identification of economy with social class, the identification of ethnicity with a specific country, or the identification of family with gender.<sup>97</sup>

Different critics have been made by researchers on the conceptualisation of intersectionality. First, scholars have disapproved the excessive emphasis put on the theoretical description of intersectionality over the effective use that should be made of it and the outcomes that could emerge.<sup>98</sup> Critics have been made to research that “recognise and describe intersectionality but do not develop the

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<sup>92</sup> Ibid., 1774.

<sup>93</sup> Ibid., 1773.

<sup>94</sup> Anthias, "Intersectional what? Social divisions, intersectionality and levels of analysis.", (2013): 8.

<sup>95</sup> Hae Yeon Choo and Myra Marx Ferree, "Practicing intersectionality in sociological research: A critical analysis of inclusions, interactions, and institutions in the study of inequalities.", *Sociological theory* 28.2 (2010): 130.

<sup>96</sup> Ibid., 131.

<sup>97</sup> Ibid., 135.

<sup>98</sup> Sara Salem, "Intersectionality and its discontents.", (2018): 405.

concept empirically.”<sup>99</sup> This leads to the absence of a precise methodology<sup>100</sup> and to a heterogeneity for what concerns the way in which intersectionality should be analysed and put into practice.<sup>101</sup>

Moreover, intersectionality consistently changed over time, and the alteration of the original concept has been criticised by some scholars. Collins deems that the problem of intersectionality is constituted by intersectionality studies themselves. This is because in the modern literature there are more studies trying to deconstruct intersectionality and analysing it than studies encouraging its actual use.<sup>102</sup> Similarly, Salem reports some critical views on the evolution of the concept, and she highlights the elasticity assumed by intersectionality with the attempt of using it for the most different scopes. According to her, an excessive stretching of the term can result in a loss of the original sense, for which intersectionality is a synonym for resistance, and a shift towards “a neoliberal approach that erases inequality”.<sup>103</sup> On the same line, Smooth condemns scholars using intersectionality as a “buzzword”<sup>104</sup> and those who highlight the relevance of intersectionality but do not use it as a paradigm. For instance, the theory has been used to address the violence perpetrated by the state against women. As suggested by Roberts (2014), it is clear when “government institutions and actors use racialized stereotypes of Black women to justify punitive intervention policies, such as coercive birth control, and to explain away inegalitarian social conditions.”.<sup>105</sup>

### **1.3.3. Sustainable Development Goals**

In the human rights framework, the 2030 Agenda on Sustainable Development is one of the most innovative and comprehensive documents that has been drafted at the international level. Adopted by the United Nations in 2015, the Agenda represents a pledge of member states to take action with the aim of ending poverty,

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<sup>99</sup> Smooth, "Intersectionality from theoretical framework to policy intervention", (2013): 16.

<sup>100</sup> Salem, "Intersectionality and its discontents.", (2018): 406.

<sup>101</sup> Bose, "Intersectionality and global gender inequality.", (2012): 68.

<sup>102</sup> Collins, "Intersectionality's definitional dilemmas.", *Annual review of sociology* 41 (2015): 11.

<sup>103</sup> Salem, "Intersectionality and its discontents.", (2018): 404.

<sup>104</sup> Smooth, "Intersectionality from theoretical framework to policy intervention", (2013): 16.

<sup>105</sup> Al-Faham et al., "Intersectionality: From theory to practice.", (2019): 252.

promoting peace, and encouraging a development that is sustainable.<sup>106</sup> The introduction of the principle of ‘leaving no-one behind’ is fundamental to reduce inequalities and the marginalisation of more vulnerable social groups.

The agenda is constituted by 17 Sustainable Development Goals which are integrated, in the sense that the activities and plans put in practice in one of the 17 areas can have an impact on the others. The 17 SDGs are meaningful not only for the legal protection of human rights, but also and most importantly for their realisation in an operational sense through the implementation of policies and plans in a multilevel perspective.

The interdependence of the SDGs is relevant in this context because it suggests the existence of an intersection between them. Some of the intersections suggest a positive outcome deriving from it, since the actions undertaken to achieve one Goal reinforce the objective of others. However, it also happens that the overlapping of different SDGs results in a trade-off in which one of the two Goals is not satisfied.<sup>107</sup> Since the research focuses on the enjoyment of the right to adequate housing of homeless women, it is important to examine the intersection existing between the SDG5 on Gender Equality and Women’s Empowerment, and the SDG11 on Sustainable Cities and Communities.

The approach that women and men have towards the urban environment is not the same, mostly because of the divergences in the role acquired by each of the sexes both in private life and in society. Gender equality in the urban space is jeopardised by the lack of attention devoted to the specific needs of women in different areas such as transportations, infrastructure, healthcare, and employment.<sup>108</sup>

A report on the relationship between gender and environment published by the OECD identified three main aspects derived from the gendered analysis of urban development sectors, which are “user patterns [...], labour market participation, [...]

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<sup>106</sup> Danish Institute for Human Rights, "Human Rights and the 2030 Agenda for Sustainable Development-lessons learned and next steps." (2018).

<sup>107</sup> Luis Miguel Fonseca, José Pedro Domingues, and Alina Mihaela Dima, "Mapping the sustainable development goals relationships.", *Sustainability* 12.8 (2020): 3.

<sup>108</sup> OECD, “Gender and the Environment: Building Evidence and Policies to Achieve the SDGs”, OECD Publishing, (2021): 23.

and spillover effects.”<sup>109</sup> The first aspect concerns the degree of access to services, how safe women are, and how affordable is the life for a woman in the urban context compared to men. The second aspect refers to the access to employment, while the third looks at the gender inequalities from an environmental point of view.<sup>110</sup>

Data and forecast on hypothetical future trends show that the number of people who live in a urban setting is consistently increasing and will continue to increase, representing a positive step for women<sup>111</sup>. In fact, the ‘performance’ of women living in rural areas in terms of educational attainment, sex education and leadership in the family context is much worse compared to that of women in urban contexts.<sup>112</sup> At the same time, not all women living in urban areas are able to enjoy this upgrade in social terms. Many of them live in slums and belong to economically lower social classes, lacking the basic living conditions such as the access to hygienic services and decent housing.<sup>113</sup>

Although it is possible to identify a point of intersection between SDG5 and SDG11, only few studies focused on it. This is probably because the gender component is not present in all Goals and Targets of the 2030 Agenda. A OECD study aiming at analysing the 2030 Agenda through a gender lens provided some data drawn from the UN Global Indicator Framework and labelled as “gender-related” all the indicators having in their phrasing a word connected to gender such as ‘man’ or ‘woman’.<sup>114</sup> The study reported that only 104 out 246 indicators recorded in the UN Global Indicator are ‘gender-related’.<sup>115</sup> Moreover, there are not gender data available for the SDGs focusing on Energy and Cities, among which SDG11 on sustainable cities.<sup>116</sup>

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<sup>109</sup> Ibid.

<sup>110</sup> Ibid.

<sup>111</sup> UN Women, “SDG 11: Make cities and human settlements inclusive, safe, resilient and sustainable”, URL <https://www.unwomen.org/en/news/in-focus/women-and-the-sdgs/sdg-11-sustainable-cities-communities>.

<sup>112</sup> Ginette Azcona et al., "Harsh Realities: Marginalized Women in Cities of the Developing World." (2020): 8.

<sup>113</sup> Ibid.

<sup>114</sup> Guillaume Cohen and M. Shinwell, "How far are OECD countries from achieving SDG targets for women and girls? Applying a gender lens to measuring distance to SDG targets", OECD Statistics, Working Papers, No. 2020/02, OECD Publishing, Paris: 2.

<sup>115</sup> Ibid.

<sup>116</sup> Ibid., 3.

Also, feminist studies highlighted the lack of a gender perspective in the 2030 Agenda. The main criticisms addressed in this context are the “neglect of economic and social structures; [...] the promotion of traditional economic models and prioritization of growth; [...] and the overall failure to address structural power relations.”<sup>117</sup>

A further analysis realised by Fonseca et al. aiming at mapping the links between the different SDGs basing on the existing literature confirmed how stated above. According to the authors, the connections between the Goals are not enough articulated and show that the positive use of intersections in the 2030 is still immature.<sup>118</sup>

The present section introduced the concept of intersectionality, starting from its development in the 1980s to denounce Black women marginalisation, and following the evolution that it had in the last decades. The approaches and different declinations that it assumed have been exposed, together with the weak points and challenges to which intersectionality is still subject.

Since both the right to adequate housing and women’s rights are subjects of the 2030 Agenda SDGs, the last paragraph also focused on the intersection between SDG5 on gender equality and SDG11 on sustainable cities. The scarcity of analyses on this specific intersection proves how governments and decision-makers still neglect the importance that gender has in the process of making cities and urban areas more sustainable.

## **Conclusion**

There are several methods and theories used by scholars to analyse violations of human rights depending on the scope of the research conducted.

The present thesis project starts from the idea of investigating the condition of homeless women. As exposed in the last paragraph, human rights are interdependent and permeable, in the sense that they have an influence one on each other. While different aspects of women homelessness could be studied, such as the

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<sup>117</sup> Consortium on Gender, Security, and Human Rights, “Feminist Critiques of the Sustainable Development Goals: Analysis and Bibliography”, Feminist Roadmap for Sustainable Peace and Planet (FRSPP) project, (2017): 3.

<sup>118</sup> Ibid.

enjoyment of the right to health, the right to social security, or the right to family, this research wants to focus on the enjoyment of the right to adequate housing.

The literature review showed that studies on the gendered aspect of homelessness are increasing in number, but there is still a paucity of them. In particular, most of them are focused on the mere recognition of the phenomenon, or on the main characteristics and trends related to it. It is possible to affirm that there is a gap in the literature on the possible solutions that could be implemented to face women's homelessness. The lack of political and institutional engagement in promoting and protecting women's rights also emerges from the 2030 Agenda on Sustainable Development, where gender-related targets and indicators are few.

The present chapter has been fundamental to introduce the problem that will be tackled in the following chapters, namely the evaluation of social housing services from a gendered perspective and their impact on the social inclusion of marginalised women. After having identified the research question and produced a literature review based on the three main subjects dealt with in the thesis, the chapter exposed the main theories of intersectionality. Since intersectionality will be the conceptual framework used for the analysis of the problem, definitions and developments of intersectionality theories in the literature have been presented.



## Chapter II

### Homelessness as a violation of the human right to adequate housing

#### Introduction

The study of the social dimension of homelessness is relatively new. For centuries, poverty has manifested itself under different forms. However, the change of the urban demography occurred in the last decades has resulted in the exacerbation of the average standard of living, making homelessness a reality for a high number of people.

Being the aim of the chapter to provide an overview of the homelessness phenomenon, it is useful to begin with a definition of the term. From a sociological point of view, the evolution of the expression used to refer to people living in the streets over the centuries corresponds to an evolution in the perception of the individual itself. The French term ‘clochard’ has often been used in other languages to substitute pejorative words as tramp or vagrant, that suggest a negative connotation connected to the identity of the person living in the street. Progressively, the stereotype of the inactive, wandering persons who deliberately find themselves in the situation of begging because of their laziness in finding a job<sup>119</sup> and building a normal life has been abandoned.

However, analysing the etymology of the French word ‘clochard’, or the Italian word ‘barbone’, it is evident how another type of negative implication is attributed through these expressions. The former comes from the verb ‘clocher’, whose meaning is ‘to limp’, while the latter literally refers to the physical stereotype of the homeless person as an unshaven and dirty man.

The arise of the concept of ‘politically correct’ among academia, journalists, and social workers, has led towards the introduction of the term homeless (‘senza dimora’ in Italian, ‘sans domicile stable’ or ‘SDF’ in French). Even though the change of vocabulary is a purely formal matter, it is crucial for the consequences that it has in terms of human dignity and on how the society is reacting towards

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<sup>119</sup> Lindsay Phillips, ‘Homelessness: Perception of Causes and Solutions’, *Journal of Poverty*, 9 February 2015, 13.

homelessness.<sup>120</sup> The perception that society has about homeless people, in fact, is strongly related to the willingness of the citizenship to actively participate in the eradication of the phenomenon, and consequently on the measures that can be implemented at the institutional level.

Response to homelessness is heterogenous. On one side, mendicants trigger in the population a feeling of pity for the situation in which they find themselves and a sense of duty towards the less privileged that result in charity as the most immediate solution. On the other side, people living in the streets are seen as architects of their own fate<sup>121</sup>, not deserving to be supported and ‘aesthetically unappealing’<sup>122</sup>. In both cases, discomfort prevails, often causing a further distancing from homeless individuals. Generally, it happens to be more concerned by events that occur in proximity of our own daily lives, while there is a tendency to under evaluate circumstances having place in further geographical realities. Homelessness represents a curious exception of this theory, and it proves how easy is to ignore a close reality, even though it manifests itself daily.

The aim of the present chapter is to deepen and discuss the concept of right to housing. To do so, it is necessary to understand the legal nature of the right to housing, how it developed through the decades, and its declination depending on the context in which is analysed.

The chapter will be divided respectively in three parts. In a first paragraph homelessness as a concept and the different causes leading to it are addressed. The second paragraph analyses the legal framework protecting the right to housing taking into consideration the international, regional, and national level. The third paragraph is devoted to the analysis of violations and enforcement of the right to housing.

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<sup>120</sup> Michele Lancione, ‘How Is Homelessness?’, *European Journal of Homelessness*, 7 (2), 1 January 2013, 239.

<sup>121</sup> Deb Batterham, ‘Public Perceptions of Homelessness – a Literature Review’, Research Team, Launch Housing, (May 2020): 13.

<sup>122</sup> Jo Phelan et al., ‘The Stigma of Homelessness: The Impact of the Label “Homeless” on Attitudes Toward Poor Persons’, *Social Psychology Quarterly* 60, no. 4 (1997): 324.

## 2.1. Root causes of homelessness

During the 1990s, the literature studying homelessness intensified due to an increase in the number of homeless people, and to a greater interest in addressing question of a social kind. Most of the studies focus on the identification of both the sources and the consequences of the phenomenon. The two elements are fundamental: on one side, understanding the causes of homelessness provide the instruments to tackle the problem at its root and improve preventive measures; on the other side, analysing the consequences is useful to design solutions for the recovery and the reintegration.

Since homelessness is a global phenomenon that is present in a variety of geographical areas around the world, it is not easy to universally identify its causes. Although urban realities favour the growth of homeless scenarios, rural areas are also hit by it. Moreover, even comparing urban areas, the underlying social context varies extremely from a city, a country, or a continent to another.<sup>123</sup>

Most of the existent literature comes from the north of the world, especially from the United States. Clearly, it would be interesting to investigate the causes of homelessness in its entirety around the globe. However, for the sake of the present research, it is necessary to narrow the focus area to exclude those contexts that would move far from the scope of the following chapters. While the second paragraph tries to maintain an approach as comprehensive as possible, the first paragraph will mainly draw from the European and North American context. This choice depends on the higher number of research on the topic published in these two continents compared to other geographical areas.

Another aspect that should be considered is the temporal variable. The causes of homelessness that could be outlined twenty years ago are not necessarily the same as the ones outlined today. On the contrary, changes in the geopolitical situation, but also in public policies, society, labour market, and housing market have an impact on the development of homelessness. For this reason, it is important to distinguish different temporal trends and how the phenomenon evolved along the

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<sup>123</sup> Marybeth Shinn, 'International Homelessness: Policy, Socio-Cultural, and Individual Perspectives', *Journal of Social Issues* 63, no. 3 (2007): 657.

past decades.<sup>124</sup>

Lastly, the demography of homeless is heterogenous under different aspects. The factors bringing to a lack of housing can vary according to gender, ethnicity, and age.<sup>125</sup> Aware of the limitations that such a generalisation represent, the following paragraphs expose the main root causes that, in recent years, have brought people to homelessness in urban areas in Europe and North America.

Research on homelessness usually distinguish between two main groups of causes, that are individual causes and structural causes. The first macro group includes factors that depend on the personal history of the individual, while the second group comprises factors depending on the functioning of society. A minority of studies also considered the public perception of specific categories of people (drug or alcohol addicted, persons belonging to an ethnic group) as an element leading to homelessness.<sup>126</sup> The last paragraph takes into consideration external factors that developed lately as natural disasters connected to climate change, conflicts, and mega events as the Olympic games.

### **2.1.1. Individual factors**

A high percentage of people living in the street owes their condition to factors related to their psychological, physical, and family background. Often, the three aspects are interrelated and overlap one with each other.

The family background plays a central role since it can both act as a direct and indirect cause. In the second case, a harsh domestic environment can favour the emergence of a mental disorder.<sup>127</sup> Mental health is a delicate matter when analysing the profile of people experiencing homelessness, because it can represent a cause but also a consequence.<sup>128</sup> It is difficult, then, to discern whether the pathology developed prior to the loss of a home, or as an effect of the marginalised

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<sup>124</sup> Isobel Anderson et al., 'European Observatory on Homelessness - Review of Statistics on Homelessness in Europe', FEANTSA - European Federation of National Organisations Working with the Homeless, November 2002, 9.

<sup>125</sup> Ibid., 12.

<sup>126</sup> Marta Elliott and Lauren J. Krivo, 'Structural Determinants of Homelessness in the United States', *Social Problems* 38, no. 1 (1991): 314.

<sup>127</sup> Staci Perlman et al., 'Youth Homelessness: Prevalence and Mental Health Correlates', *Journal of the Society for Social Work and Research* 5, no. 3 (September 2014): 372.

<sup>128</sup> Jennifer Perry and Tom K.J. Craig, 'Homelessness and Mental Health', *Trends in Urology & Men's Health* 6, no. 2 (2015): 20.

context and social exclusion.<sup>129</sup>

Data show how the percentage of people with mental illnesses as depression, and post-traumatic disorders is much higher in the homeless population than in the housed population.<sup>130</sup> This can be said for adults, but also for young people.<sup>131</sup> Affective disorders are the most widespread among people living in the street, even though they are less serious than psychotic disorders.<sup>132</sup> Also, the lack of access to healthcare exacerbates even more the already fragile situation. In fact, the absence of assistance and services for mental ill people who are not able to take care of themselves and live unaccompanied is a relevant issue.<sup>133</sup>

Mental disorders are not the only factors leading to homelessness. As mentioned above, the family background can directly have an impact on the members. First, youth growing in a distressing household or growing as homeless themselves are more inclined to inherit this condition from their parents, struggling to escape from it.<sup>134</sup> <sup>135</sup> Furthermore, parents who are marginalised and troubled themselves will have difficulties in giving the right instruments to their children to develop their skills, and they will fail to invest in their human capital. Domestic violence is also one of the major factors triggering homelessness, especially violence against women. Nonetheless, women homelessness will not be deepened at this point since there will be room for an in-depth analysis in the third chapter of the research. In general, negative dynamics as the rejection of one member by the family itself, events as divorce and separation, or a rupture with social connections can contribute to the house loss.<sup>136</sup>

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<sup>129</sup> Pierre Philippot et al., 'Psychological Research on Homelessness in Western Europe: A Review from 1970 to 2001', *Journal of Social Issues* 63 (1 September 2007): 493.

<sup>130</sup> Robin A. Kearns and Christopher J. Smith, 'Housing, Homelessness, and Mental Health: Mapping an Agenda for Geographical Inquiry', *The Professional Geographer* 46, no. 4 (1 November 1994): 419.

<sup>131</sup> Perlman et al., 'Youth Homelessness', 365.

<sup>132</sup> Catherine Robinson, 'Understanding Iterative Homelessness: The Case of People with Mental Disorders', Australian Housing and Urban Research Institute, (28 March 2003).

<sup>133</sup> Elliott and Krivo, 'Structural Determinants of Homelessness in the United States', 115.

<sup>134</sup> Shinn, 'International Homelessness', 670.

<sup>135</sup> Christian G. Schütz, 'Homelessness and Addiction: Causes, Consequences and Interventions', *Current Treatment Options in Psychiatry* 3, no. 3 (September 2016): 308.

<sup>136</sup> Gary A. Morse, 'Causes of Homelessness', in *Homelessness: A National Perspective*, ed. Marjorie J. Robertson and Milton Greenblatt, Topics in Social Psychiatry (Boston, MA: Springer US, 1992), 12.

A third individual element leading to homelessness is the addiction to alcohol or drugs.<sup>137</sup> As it was for mental disorders, dependence can either precede or follow the homeless life, even though in several cases the subjects were already making use of alcohol or drugs.<sup>138</sup> It also happens that the use of substance worsens once in the street, “exacerbating their substance use [...] in an ongoing cycle”.<sup>139</sup> According to some research, use of substance would even represent the first cause of homelessness among other mental disorders as psychotic or affective disorders.<sup>140</sup>

Although psychotic disorders, affective disorders, substance use, and family environment are considered as individual factors leading to homelessness, it is important to consider that in turn they can depend on social patterns and on the structure and functioning of society. Therefore, some authors believe it is imprecise to define them as individual factors.<sup>141</sup>

### **2.1.2. Structural factors**

Once identified which are the personal life events that can lead people to lose their home, it is necessary to also linger on factors that people cannot control. These factors depend on the institutional structure and services provided, on the labour market, and on the housing market.

First, it has been noted that there is a correlation between people released from jail and homelessness because of the distancing from family and acquaintances who could provide a shelter once out.<sup>142</sup> In fact, not all the released can rely on a safe household, and some of them are rejected from the family itself because of their criminal history. Also, the lack of a safe accommodation can trigger a relapse into criminality and reincarceration.<sup>143</sup> Some authors outline the role of

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<sup>137</sup> Robinson, ‘Understanding Iterative Homelessness’, 19.

<sup>138</sup> Philippot et al., ‘Psychological Research on Homelessness in Western Europe’, 492.

<sup>139</sup> Carol C. McNaughton, ‘Transitions through Homelessness, Substance Use, and the Effect of Material Marginalization and Psychological Trauma’, *Drugs: Education, Prevention and Policy* 15, no. 2 (1 January 2008): 182.

<sup>140</sup> Schütz, ‘Homelessness and Addiction’, 307.

<sup>141</sup> McNaughton, ‘Transitions through Homelessness, Substance Use, and the Effect of Material Marginalization and Psychological Trauma’, 186.

<sup>142</sup> Stephen Metraux and Dennis P. Culhane, ‘Homeless Shelter Use and Reincarceration Following Prison Release\*’, *Criminology & Public Policy* 3, no. 2 (2004): 151.

<sup>143</sup> Morse, ‘Causes of Homelessness’, 8.

judicial system in this issue, denouncing the poor training of judges on homelessness questions.<sup>144</sup> In order to overcome this problem, it would be necessary to establish reintegration program specifically designed for released people which allow a restoration of social connections and make available free housing according to the needs.<sup>145</sup>

Secondly, labour market is responsible for the dimension of homelessness rate, since unemployment represents one of the reasons that force people to renounce to housing among other basic and daily expenses. The possibility of obtaining an employment does not only depend on the individual profile, namely on the education and curriculum of the person seeking a job, but also on the labour supply of a specific country. A change in the professional landscape was already visible in the last decade of the past century<sup>146</sup>, where different workers lost their job, as reported in the United States.<sup>147</sup>

Moreover, the global economy certainly suffered from the 2008 financial crisis, resulting still today in repercussions on the job supply. In the European Union, the years following the crisis saw an important increase in the unemployment rate (especially in the 2007-2013 gap), being Greece and Spain the leading countries with a rise in the unemployment rate of 18.2 and 19.1%.<sup>148</sup> If the situation seemed to progressively improve from 2014, the Covid-19 pandemic brought back the situation to the starting point and provoked a sudden and drastic reduction of employment all over the world.<sup>149</sup>

When analysing unemployment in relation to homelessness, it is important to consider that finding a job and not having a home are mutually reinforcing in a vicious cycle. The lack of available employment can cause the loss of a place to

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<sup>144</sup> Ibid.

<sup>145</sup> Metraux and Culhane, 'Homeless Shelter Use and Reincarceration Following Prison Release\*', 154.

<sup>146</sup> Elliott and Krivo, 'Structural Determinants of Homelessness in the United States', 115.

<sup>147</sup> Shinn, 'International Homelessness', 661.

<sup>148</sup> Isfol - Istituto per lo Sviluppo della Formazione Professionale dei Lavoratori, Baronio, Guido, et al., *ISFOL Rapporto di Monitoraggio del Mercato del Lavoro 2014*, ed. Guido Baronio (Isfol, 2014), 64.

<sup>149</sup> Şahin, Ayşegül, et al., 'The Unemployment Cost of COVID-19: How High and How Long?', *Economic Commentary*, no. 2020-09 (7 May 2020): 1.

stay, and at the same time the homeless condition and the consequent impossibility to have a shower or wear clean clothes hinders the likelihood of being hired.<sup>150</sup>

The housing market and public policies devoted to social housing are the third element outlined as a structural cause of homelessness. The progressive increase of rents and cost of houses<sup>151</sup>, that in turn depend on inflation and on the higher demand of low-income houses<sup>152</sup>, has produced significant obstacles for households in need. The victims of this increase have been both people seeking a new house and people unable to afford the increase in prices. This leads to the emerging question of evictions.

Research on the topic underline the necessity to avoid evictions through preventive mechanisms which prevent vulnerable people to put themselves in economically risky circumstances.<sup>153</sup> Additional solutions might be a reduction of house prices and rents, the introduction of subventions for low-income households, and legal assistance for indebted people.<sup>154</sup>

In general, the role of the institutions is crucial in the management of homelessness. The lack of coordination between national governments and local governments causes shortcomings in the implementation of strategies to address homelessness. It is not conceivable to eradicate the phenomenon at its origin without appropriate measures that can take care of the structural problems mentioned above.

### **2.1.3. Public perception**

Individual and structural factors are responsible for most of the cases of homelessness. However, it is interesting to mention a third element that has not been deepened as the first two by researcher in the field, that is the public perception of marginalised people. Although it does not represent a cause in itself, the social

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<sup>150</sup> Morse, 'Causes of Homelessness', 13.

<sup>151</sup> Elliott and Krivo, 'Structural Determinants of Homelessness in the United States', 115.

<sup>152</sup> Morse, 'Causes of Homelessness', 6.

<sup>153</sup> Maureen Crane and Anthony M. Warnes, 'Evictions and Prolonged Homelessness', *Housing Studies* 15, no. 5 (1 September 2000): 769.

<sup>154</sup> Padraic Kenna et al., 'Pilot Project - Promoting Protection of the Right to Housing - Homelessness Prevention in the Context of Evictions', European Commission, Directorate General for Employment, Social Affairs and Inclusion (Luxembourg: Social Science Research Network, 2016), 9.



stigma towards people with addiction disorders, people living in the street and people belonging to ethnic minority groups has an impact on the chronic nature of the phenomenon.<sup>155</sup> Individuals who are temporarily homeless can see their condition exacerbated if the society they live in perceive them as a burden and reject them.<sup>156</sup> Authors reported how “cultural prejudices against persons with psychiatric and alcohol problems also decrease social opportunities”<sup>157</sup>. This can also be applied to people that are discriminated because of their ethnicity, who will encounter more difficulties in finding an employment, and consequently in affording an accommodation.<sup>158</sup>

#### **2.1.4. External factors**

The last macro group of causes eventually leading to homelessness is composed by elements that do not depend neither on the individual background nor on the society intended as local community. For this reason, the group has been categorised in the present research under the name of ‘external factors’.

In recent years, a special attention for the protection of the environment and climate change has risen among the global community, due to manifestations of natural hazard, to scientific evidence reported by experts, and to young activism. Events as droughts, flooding, and sudden change of the global temperature have made many inhabited areas of the world unfit for habitation.<sup>159</sup> Therefore, it is possible to identify a connection between climate migrations and homelessness<sup>160</sup>, due to the emergence of a new category of refugees, known as environmental refugees.

Even though unofficial definitions of what is an environmental refugee have been developed, as the one from the International Organisation of Migrations<sup>161</sup>, there

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<sup>155</sup> Phillips, ‘Homelessness’, 11.

<sup>156</sup> Shinn, ‘International Homelessness’, 666.

<sup>157</sup> Morse, ‘Causes of Homelessness’, 5.

<sup>158</sup> Ibid.

<sup>159</sup> John Adlam, ‘No Room at the Inn? Re-Imagining Social Inclusion at the Intersections between Climate Change, Globalisation, Homelessness, and Human Migration’, *Journal of Social Work Practice* 34, no. 4 (1 October 2020): 384.

<sup>160</sup> Marcia Rosalie Hale, ‘Fountains for Environmental Justice: Public Water, Homelessness, and Migration in the Face of Global Environmental Change’, *Environmental Justice* 12, no. 2 (1 April 2019): 36.

<sup>161</sup> Adlam, ‘No Room at the Inn?’, 384.

are still few official documents protecting this category. The 1951 Convention Relating to the Status of Refugees, the milestone in the refugee status determination, recognizes refugees as persons “persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion”<sup>162</sup>, thus excluding environmental refugees. In the United Nations Framework Convention on Climate Change of 1992 there is a recognition of climate-induced displacement, even though there is no clarification on the definition of the latter. The New York Declaration represents an innovative instrument in the field, and it mentions climate change as a factor leading to migration.<sup>163</sup> However, it does not represent a legally binding document, and it does not include solutions or precise commitments for signing states. The consequence is that more and more people around the globe will find themselves homeless in the next future because of climate change.

Migrations, however, are not caused solely by environmental factors. One of the oldest factors leading to migration are armed conflicts. The latter can lead people both to leave their country of origin, or to internally displace in order to flee the conflict. For this reason, International Humanitarian Law have included clauses devoted to the protection of the right to adequate housing for people who lost their home because of a conflict.<sup>164</sup>

Another external factor that has a role in causing homelessness is the organisation of mega sporting events as the Olympic games, or the Football World Cup. According to a report of the Special Rapporteur on the right to adequate housing about the impact of mega sporting events on the right to housing, the organisation of such events can have a double consequence on the inhabitants of the hosting city. If on one hand there is a requalification of degraded areas and an increase in the housing resources due to the creation of new infrastructures and buildings, on the other hand the spaces needed to host the athletes and the staff

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<sup>162</sup> UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, United Nations, Treaty Series, vol. 189, art. 1 ¶ A (2).

<sup>163</sup> UN General Assembly, *New York Declaration for Refugees and Migrants*, 3 October 2016, A/RES/71/1, p.22 ¶ 7.

<sup>164</sup> OHCHR, UN-Habitat, May 2014, *The Right to Adequate Housing*, Fact Sheet No. 21/Rev.1, United Nations, Geneva, 14.

working around the events are stolen from local people who are evicted and must find a new home.<sup>165</sup> Also, mega sporting events indirectly cause a rise of the housing prices due to the fact that regenerated areas and buildings acquire a different value, and real estate investors push towards wealthier buyers, reducing the affordability of housing for poor households.<sup>166</sup>

Through this section it has been possible to identify which are the main sources of homelessness, dividing them in four macro categories, which are individual factors, structural factors, public perception, and external factors. While people live in the street because of individual and structural factors since centuries, climate migration is a relatively recent phenomenon. Understanding the causes of homelessness is fundamental to develop possible strategies to cope with the problem.

## **2.2. Legal Framework**

Whereas the first paragraph has been devoted to the analysis of the root causes of homelessness, this paragraph aims at presenting the main legal instruments, policy initiatives and political frameworks of cooperation that have been implemented to protect the human right to adequate housing.

When analysing the right to adequate housing, it is important to highlight the role of the adjective ‘adequate’. It happens that subjects are not recognised as homeless because they effectively have a place where to sleep, even though the place cannot be considered as a decent accommodation. In this case, the subject actually has an accommodation, but the latter is not ‘adequate’, therefore his/her right to housing is violated.<sup>167</sup>

To have a comprehensive overview of the existing instruments protecting the right to adequate housing, it is necessary to undertake the analysis under a multi-level governance perspective. Multilevel governance develops both vertically and

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<sup>165</sup> UN General Assembly, *Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context*, Raquel Rolnik, A/HRC/13/20, 18 December 2009, 4.

<sup>166</sup> UN General Assembly, *Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context*, Raquel Rolnik, A/HRC/13/20, 18 December 2009, 7.

<sup>167</sup> CESCR, *General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant)*, 6<sup>th</sup> Session, adopted 13 December 1991, ¶ 7.

horizontally: the vertical dimension refers to the cooperation and coordination of different governments at the international, regional, national, and local level; the horizontal dimension, on the other side, covers the interaction between actors within each single level.<sup>168</sup> Approaching a question through a multi-level governance lens is important because it allows to assess how different authorities and entities collaborate to reach the same objective and elaborate a common response.<sup>169</sup>

The following section will proceed with a vertical analysis, exploring the international legal framework protecting the right to adequate housing, then considering the regional level, which will be followed by the national level, corroborated by the presentation of relevant case studies.

### **2.2.1. International level**

During the second half of the past century, the safeguard and protection of human rights has progressively acquired relevance in international politics, especially after the creation of the United Nations and the adoption of the Universal Declaration of Human Rights. Being the United Nations the main organ protecting human rights at the international level, the present paragraph focuses on the measures implemented by the UN General Assembly concerning the right to adequate housing.

The Universal Declaration of Human Rights adopted in 1948 is the first document mentioning the right to housing in its article 25, which reads as follow:

“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”<sup>170</sup>

Although it represented a first step towards a greater attention for the question, the concept of ‘adequate’ housing was introduced with the adoption of the

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<sup>168</sup> Henrik Enderlein, Sonja Wälti, and Michael Zürn, *Handbook on multi-level governance*, Elgar Publ., 2010: 38.

<sup>169</sup> *Ibid.*, 8.

<sup>170</sup> UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III), art. 25.1.

International Covenant on Economic, Social and Cultural Rights in 1966. The third section of the document devoted to labour rights, cultural rights, and right to social security, also includes article 11.1, which promotes “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. [...]”.<sup>171</sup>

The Committee on Economic, Social and Cultural Rights further developed the concept of right to housing in General Comment n.4 on the Right to Housing, introducing seven criteria that should be fulfilled in order for an accommodation to be adequate. These principles are accessibility, habitability, legal security of tenure, availability of services, materials, and infrastructure, affordability, location, and cultural adequacy.<sup>172</sup> The satisfaction of each of these elements is fundamental to guarantee the protection of the right to housing.

Accessibility, as the word suggests, refers to the degree of access that people have to a shelter. People with economic constraints, and vulnerable categories such as people with disabilities, older people, young people, and people with chronic diseases, should not have limitations in entering a building and making use of it.<sup>173</sup> The concept of habitability is connected to accessibility, since it consists in how much the shelter is free from risks for the inhabitants in terms of health consequences. For instance, accommodations should grant the basic hygienic conditions necessary to avoid the emergence of diseases.<sup>174</sup>

When living in a house, it is also fundamental to feel comfortable with its legal tenure. People who own a land should not feel the risk of seeing their possession taken away, neither from a private nor from the state.<sup>175</sup> The state is also responsible in guaranteeing the availability of services present in the shelter itself. Inhabitants should have access to water, sanitation, heating, and to all the facilities needed in

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<sup>171</sup> UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 176, art. 11.1.

<sup>172</sup> CESCR, *General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant)*, 6th Session, adopted 13 December 1991, ¶ 8.

<sup>173</sup> *Ibid.*, ¶ 8 (e)

<sup>174</sup> *Ibid.*, ¶ 8 (d)

<sup>175</sup> Michelle Oren and Rachel Alterman, ‘The Right to Adequate Housing Around the Globe: Analysis and Evaluation of National Constitutions’, in *Rights and the City: Problems, Progress and Practice*, by Agrawal, Sandeep, 2022 ed., 7.

their daily life.<sup>176</sup> Moreover, an adequate housing should be located in proximity of basic services as schools, hospitals and markets or supermarkets, in order to fulfil the principle of location.

Affordability refers to how the accommodation is affordable in terms of prices. As already mentioned, the increasing urbanization is triggering a rise in the rents and houses prices, making some neighbourhoods completely unavailable in terms of costs for disadvantaged households. In particular, the CESCR insists on how the house expense should not jeopardise the fulfilment of other human rights as the right to food, and no one should have to make the daily choice whether to eat or to have a place where to sleep.<sup>177</sup>

Cultural adequacy, lastly, is often neglected compared to the criteria listed above since it is a less concrete concept which is more difficult to measure. It corresponds to the protection of values and elements connected to a specific cultural identity, ranging from the materials used to build a house, to the place in which it is located, to the social principles that it can spread.<sup>178</sup>

Another significant contribution of the CESCR in the protection of right to housing is General Comment n.7 on Forced Evictions. This document highlighted the serious consequences that forced evictions have on the victims, with the aim of providing more sustainable alternatives.

Forced evictions are “defined as the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.”<sup>179</sup> Nonetheless, arguments rose around which adjective should be used beside of the word ‘evictions’. Some proposed the use of the term ‘unfair’, or ‘illegal’, but in the end the term ‘forced’ was considered the more appropriate.<sup>180</sup> It is difficult, indeed, to assess fairness in this context, and at the same time the existent legal framework does not cover and protect from all kinds of evictions, so

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<sup>176</sup> Ibid, 8.

<sup>177</sup> CESCR, *General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant)*, ¶ 8 (c).

<sup>178</sup> Ibid. ¶ 8 (g).

<sup>179</sup> CESCR, *General Comment No. 7: The right to adequate housing (Art.11.1): forced evictions*, 16<sup>th</sup> session, adopted 20 May 1997, E/1998/22, ¶3.

<sup>180</sup> Ibid.

that in practice some evictions appear as regular in front of the law but still violate human rights.<sup>181</sup>

Other than defining forced evictions, General Comment n.7 introduced restrictions on the application of this practice. Some of them are the prohibition to evict people during the night or with bad weather conditions, the obligation to inform the evicted person priorly, or the obligation to provide an alternative accommodation to the evicted person.<sup>182</sup>

Regarding alternative practices to evictions, the recent Guidelines for the Implementation of the Right to Adequate Housing are relevant. Produced by the Special Rapporteur on the Right to Adequate Housing in December 2019, they aim at giving advice to member states on desirable standards that should be satisfied. The recommendations included in this document concern equality and non-discrimination, rights of migrants and internally displaced persons, climate change and prohibition of forced evictions.<sup>183</sup> In particular, Guideline n. 6 suggests to member states the adoption of preventive measures to avoid eviction in the first place, in concertation with plausible solutions as “rent stabilization and controls, rental assistance, land reform”.<sup>184</sup>

The right to housing is not only enshrined in the UDHR, in the ICESCR, in General Comments n. 4 and n.7, and in the Guidelines for the Implementation of the Right to Housing. The UN Human Rights Commission established for the first time in 2000, through the resolution 2000/9, the figure of Special Rapporteur on the Right to Adequate Housing. The mandate has been periodically extended from that moment on, being the current mandate holder Mr. Balakrishnan Rajagopal.<sup>185</sup> The scope of this position is to verify that the legal measures adopted at the international level are correctly implemented also at the national and local level. To do so, the Special Rapporteur undertakes country visits twice a year, and he/she realizes

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<sup>181</sup> Ibid.

<sup>182</sup> Ibid. ¶ 15.

<sup>183</sup> UN General Assembly, *Guidelines for the Implementation of the Right to Adequate Housing Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to nondiscrimination in this context*, A/HRC/43/43, (December 2019).

<sup>184</sup> Ibid. ¶ 38 (d).

<sup>185</sup> OHCHR, ‘Special Rapporteur on the Right to Adequate Housing’, OHCHR, 2021- 1996, <https://www.ohchr.org/en/issues/housing/pages/housingindex.aspx>.

thematic reports to deliver information about alleged violations of the right to adequate housing or about best practices that has been enforced by member states. Also, a special attention is devoted to the protection of vulnerable and discriminated categories, and to the application of a gender perspective.<sup>186</sup>

In terms of relevant initiatives regarding the protection of the right to adequate housing, the establishment of the UN Human Settlement Programme (UN Habitat) in 1978 is also worth to mention. After the adoption of the Vancouver Declaration in June 1976 during the first UN Conference on Human Settlement (Habitat I), other three conferences followed. One was held in 1996, one in 2001, and the most recent one in 2016, named UN Conference on Housing and Sustainable Urban Development (Habitat III). The Vancouver Declaration was the first meaningful and comprehensive document produced at the international level that entirely focused on housing, urbanisation, and human settlements. Besides claiming that “adequate shelter and services are a basic human right”<sup>187</sup>, the 1976 Declaration contained 64 recommendations that had to be applied at the national level concerning settlement policies and strategies, shelter, infrastructures and services, land, and public participation.<sup>188</sup>

After 40 years, the Quito Declaration on Sustainable Cities and Human Settlements for All represented a reaffirmation of the principles enshrined in the Vancouver Declaration, also being the product of the developments occurred in the third millennium. Among the most significant steps taken by the international community there are the adoption of the 2030 Agenda for Sustainable Development and the promotion of the Sustainable Development Goals, but also the Sendai Framework for Disaster Risk Reduction 2015–2030, the Rio Declaration on Environment and Development, the World Summit on Sustainable Development, and the World Summit for Social Development<sup>189</sup>. All these documents and meetings had a strong impact on the redaction of the Quito Declaration. The latter

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<sup>186</sup> UN General Assembly, *Resolution adopted by the Human Rights Council\*, 15/8 Adequate housing as a component of the right to an adequate standard of living, A/HRC/RES/15/8*, (October 2010), ¶ 2.

<sup>187</sup> UN General Assembly, *Habitat: United Nations Conference on Human Settlements*, 16 December 1976, A/RES/31/109, 7, ¶ 8.

<sup>188</sup> *Ibid.*, 10

<sup>189</sup> *Ibid.* 2, ¶ 6.



launched the New Urban Agenda, which purpose is to promote more sustainable cities, to address climate change, and to fight discrimination based on gender, ethnicity, and disadvantaged groups.

The New Urban Agenda partly deals with the protection of the right to adequate housing. Paragraphs 34 and 35 respectively focus on the access to infrastructure, housing and services for all, and on the security of tenure for all.<sup>190</sup> Housing is also mentioned in paragraph 46, where the importance of the principles of affordability and sustainability is reiterated, and social housing is promoted.<sup>191</sup> Last, paragraph 105 presents the right to adequate housing as part of the right to an adequate standard of living, and it encourages an inclusive urban planning and the adoption of housing plans.<sup>192</sup> The principle of leaving no one behind, heritage of the 2030 Agenda, is also recurring among the principles of the New Urban Agenda.<sup>193</sup>

### **2.2.2. Regional level**

At the regional level, it is interesting to analyse how the right to housing is protected through different regional instruments in the American, African, Asian, and European continents. For the scope of the present research, greater attention will be devoted to the latter.

In the American continent, the Inter-American system of human rights is responsible for the safeguard of civil, political, social and economic rights. The Inter-American system is composed by a Commission and a Court, who respectively have a role in adopting human rights treaties and checking their implementation.

The right to housing is indirectly contained in most of the instruments of the Inter-American system. Article 11 of the American Declaration of the Rights and Duties of Man affirms that “every person has the right to the preservation of his health through sanitary and social measures relating to food, clothing, housing and medical care, to the extent permitted by public and community resources”<sup>194</sup>. In the Inter-

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<sup>190</sup> UN Habitat, *New Urban Agenda: Quito Declaration on Sustainable Cities and Human Settlements for All*, (2016), ¶ 34.

<sup>191</sup> *Ibid.*, ¶ 46.

<sup>192</sup> *Ibid.*, ¶ 105.

<sup>193</sup> *Ibid.*, ¶ 14 (a).

<sup>194</sup> Organisation of American States, Inter-American Commission on Human Rights (IACHR), American Declaration of the Rights and Duties of Man, 2 May 1948, art. 11.

American Convention on the Elimination of all Forms of Discrimination against Persons with Disabilities, article 3 promotes the adoption of inclusive measures for persons with disabilities, among which housing availability.<sup>195</sup> The same kind of protection is enshrined in article 7 of the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance, where housing is considered as one of the facilities in which racial discrimination and intolerance should be prohibited.<sup>196</sup> The Charter of the Organization of American States also mentions in article 34 “adequate housing for all sectors of the population”<sup>197</sup> as a fundamental goal to reach an equal development of all states.

If the instruments listed above include the access to housing, the only document devoting a specific article to the right to housing is the Inter-American Convention on Protecting the Human Rights of Older Persons through its article 24 that safeguard the needs and vulnerabilities of older persons concerning their living space.<sup>198</sup> The American Convention on Human Rights does not mention the right to housing but only the right to property in its article 21.

Although an attention for vulnerable categories of individuals concerning housing is enclosed in the Inter-American human rights instruments, some of them are not legally binding, reducing then the incentive of member states to abide by them.

On the same line of the American continent, the human rights system in the African continent is managed by the African Commission on Human and People’s Rights. The main legal instrument adopted by the Commission is the African Charter on Human and People’s Rights, which contains the main civil, political, social, and economic rights. However, there is no mention in this document of the right to adequate housing, not even through the affirmation of other rights as the right to health or the right to an adequate standard of living.

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<sup>195</sup> Organization of American States, *Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities*, 7 June 1999, art. 3.

<sup>196</sup> Organisation of American States, *Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance*, 5 June 2013, art. 7.

<sup>197</sup> Organization of American States, *Charter of the Organisation of American States*, 30 April 1948, art. 34 (k).

<sup>198</sup> Organisation of American States, *Inter-American Convention on Protecting the Human Rights of Older Persons*, 15 June 2015, art. 24.

For what concerns the Asian continent, the Association of Southeast Asian Nations (ASEAN) is the main actor in the protection and promotion of human rights. Composed by 10 member states, the instruments adopted by this regional body are the ASEAN Charter (ratified in 2008), and the ASEAN Human Rights Declaration (ratified in 2012). The latter contains a paragraph on the “right to adequate and affordable housing” in its article 28 devoted to the right to an adequate standard of living.

At the European level, the protection of the right to adequate housing is more articulated compared to the other regional levels mentioned above. The main human rights instruments adopted at the European level are the European Convention on Human Rights, and the European Social Charter, adopted by the Council of Europe respectively in 1950 and in 1961. The first one does not include any specific article devoted to the right to housing or to the right to adequate standard of living. However, article 8.1 on the right to respect for private and family life affirms that “everyone has the right to respect for his private and family life, his home and his correspondence.”<sup>199</sup> Also, the European Court of Human Rights case law offered different opinions and interpretations of the article 8.1 of the European Convention of human rights that are useful to assess the applicability of the right.<sup>200</sup> The European Social Charter, being specialised on social rights, assigned article 31 to the right to housing. Considering the other regional human rights instrument, the ESC is one of the most comprehensive since it tackles three aspects of housing: adequacy, affordability, and reduction and prevention of homelessness.<sup>201</sup> Other articles are connected to the right to housing, as article 15 devoted to the rights of persons with disabilities, article 16 on the right of the family, article 23 devoted to the rights of elderly, and article 30 on the right to protection against poverty and social exclusion.<sup>202</sup>

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<sup>199</sup> Council of Europe, *European Convention for the Protection of Human Rights and Fundamental Freedoms*, 4 November 1950, art. 8.1.

<sup>200</sup> Arturs Kucs, Zane Sedlova, and Liene Pierhurovica, ‘The Right to Housing: International, European, and National Perspectives’, *Cuadernos Constitucionales de La Cátedra Fadrique Furió Ceriol*, no. 64 (2008): 109.

<sup>201</sup> Council of Europe, *European Social Charter (Revised)*, Strasbourg, 3.V.1996, European Treaty Series - No. 163, art. 31.

<sup>202</sup> *Ibid.* art. 15, 16, 23, 30.

Council of Europe member states that are also part of the European Union have an additional protection of the right to housing. First, the Treaty of Lisbon set off the European Union ratification of the European Convention on Human Rights. Furthermore, the 2000 Charter of Fundamental Rights of the European Union, which contains article 34.3 on social security and social assistance, represents a further step since it recognises the right to social and housing assistance as a necessary means to eliminate poverty and social exclusion.<sup>203</sup>

### **2.2.3. National level**

The present paragraph will further narrow the legal framework concerning the right to adequate housing through an analysis of the national application. The international and regional legal instruments examined in the previous sections are significant since they represent the commitment of the member states who signed them to respect the right to housing, and the transposition of the norms at the domestic level.<sup>204</sup> Nonetheless, every single state has its own historical and social background that determines different conceptions of home and of homelessness.<sup>205</sup> To have a perspective as wide as possible, the national approaches towards the right to housing will be analysed considering countries belonging to diverse geographical areas, which are the United States, Brazil, the Occupied Palestinian Territories, People's Republic of China, South Africa, and Portugal.

Around 50 states have included the right to adequate housing in their national constitutions<sup>206</sup>, even though often it is impossible to apply the provisions contained in the legal texts in a judicial way. This means that states can encourage the respect and promotion of the right to adequate housing through the adoption of policies and practices, but the legal procedure that should be enforced in case of

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<sup>203</sup> European Union, *Charter of Fundamental Rights of the European Union*, 26 October 2012, 2012/C 326/02, art. 34.3.

<sup>204</sup> Scott Leckie, *From Housing Needs to Housing Rights: An Analysis of the Right to Adequate Housing under International Human Rights Law*, London: International Institute for Environment and Development, 1992, 39.

<sup>205</sup> *Ibid.*, 40.

<sup>206</sup> UN General Assembly, *Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Mr. Miloon Kothari*, E/CN.4/2002/59, March 2002, ¶ 22

violations is more difficult to apply according to the judicial system of the country.  
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The first state examined are the United States. At the international level, the United States signed the UDHR, but did not ratify the ICESCR.<sup>208</sup> Therefore, there is no accountability for the application of General Comment n. 4 and General Comment n. 7. However, the US were part of the UN Habitat conferences and signed both the 1976 Vancouver Declaration and the 2016 Quito Declaration.<sup>209</sup> At the domestic level, the absence in the national constitution of an article devoted to the right to housing proves a limited engagement of the US to protect this right. Legislations have been adopted, as the Fair Housing Act, which “prohibits discrimination by direct providers of housing”<sup>210</sup> based on gender, ethnic origin, disability, or religious orientation. During the last cycle of the Universal Periodic Review, the Human Rights Council recognised the steps taken by the US through the adoption of such legal provisions,<sup>211</sup> but it emphasized the immediate necessity to recognise the right to adequate housing as a basic human right.<sup>212</sup> Also, the UN Special Rapporteur on the Right to Adequate Housing denounced the violation of the principle of affordability, discrimination in the access to shelters and accommodations, and lack on inclusiveness in the drafting of housing policies.<sup>213</sup>

On the other side, a positive case study for the protection of the right to housing at a national level is Brazil. Brazil ratified the UDHR, the ICESCR, and signed both the Vancouver Declaration and the Quito Declaration. Within the national constitution a whole section is devoted to urban policies, and more than

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<sup>207</sup> Melik Ozden and Christophe Golay, 'The Right to Housing: A Fundamental Human Right Affirmed by the United Nations and Recognized in Regional Treaties and Numerous National Constitutions' (Geneva: CETIM, 2007), 17.

<sup>208</sup> United Nations, 'United Nations Treaty Collection', accessed 23 December 2021, [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-3&chapter=4](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-3&chapter=4).

<sup>209</sup> UN General Assembly, *Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)*, A/RES/67/216, March 2013, ¶11.

<sup>210</sup> *Fair Housing Act*, 42 U.S.C. 3601 et seq., (2015), available at <https://www.justice.gov/crt/fair-housing-act-1>.

<sup>211</sup> UN General Assembly, *Report of the Working Group on the Universal Periodic Review\* United States of America*, A/HRC/46/15, February-March 2021, ¶14.

<sup>212</sup> OHCHR, *Letter by the High Commissioner to the Foreign Minister*, UPR Third cycle, May 2021, 6.

<sup>213</sup> New York City Bar, *Report by the International Human Rights Committee - Advancing the right to housing in the United States: Using International Law as a Foundation*, February 2016, 16.

one article is relevant in terms of housing guarantees. Article 6 recognises housing right as a social right, affirming that “education, health, nutrition, labour, housing, transport, leisure, security, social security, protection of motherhood and childhood and assistance to the destitute, are social rights, as set forth in this Constitution”.<sup>214</sup> Moreover, article 7.4 and 187.8 cover affordability of housing for rural workers<sup>215</sup>; article 23.9 encourages the establishment of housing programs and the enhancement of living standards<sup>216</sup>; and article 203.2 engages in the protection of youth from homelessness.<sup>217</sup> Brazil is also one of the first states that developed in practice the idea of right to the city. Having its origins in a theory developed by Henri Lefebvre, the right to the city is conceived as the right of all citizens to participate in the community life in a social and political sense. Also, it refers to the basic needs that all inhabitants living in the territory should have access to, without discrimination of any kind.<sup>218</sup> Because of the pressure exerted by social movements as the Movimento Nacional de Reforma Urbana, the new millennium opened with the Brazilian president Luiz Inacio da Silva creating the Ministry of Cities, whose role is to handle issues related to the urban development and to address the problems presented by social movements a decade before. Moreover, in 2001 a City Statute (Estatuto da Cidade) was adopted to highlight the social function of the city and to strengthen the power of municipalities in decision making processes.<sup>219</sup> The introduction of this right is significant since it represents an integration and an additional protection of complementary social and political rights.

Moving to the Middle East area, it is interesting to consider the case of the Palestinian occupied territories. The housing context in the West Bank and Gaza Strip is controversial because of the outstanding conflict that since decades affects the territory. In the 2003 Palestinian Constitution, article 23 declares that “every

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<sup>214</sup> Presidencia da Republica, Casa Civi, Subchefia para Assuntos Juridicos, *Constituição Da Republica Federativa Do Brasil de 1988*, 6.

<sup>215</sup> Ibid. art. 7.

<sup>216</sup> Ibid. art. 23.

<sup>217</sup> Ibid. art. 203.2.

<sup>218</sup> Abigail Friendly, ‘The Right to the City: Theory and Practice in Brazil’, *Planning Theory & Practice* 14, no. 2 (May 2013): 160.

<sup>219</sup> Friendly, 163.

citizen shall have the right to proper housing. The Palestinian National Authority shall secure housing for those who are without shelter.”<sup>220</sup> Furthermore, article 17 claims the inviolability of homes, while article 28 does not directly regard housing intended as a physical space but it protects Palestinians against deportation from the homeland, or against bans of returning.<sup>221</sup>

Nevertheless, the Palestinian occupied territories are not member states of the United Nations but only have the status of non-member observer State.<sup>222</sup> Although the United Nations have repeatedly denounced the illegal actions perpetrated by Israeli settlers, forced evictions and deportations of Palestinian citizens are still on the agenda.<sup>223</sup> As affirmed by the former Special Rapporteur on the Right to adequate housing Raquel Rolnik, “the Israeli planning, development and land system violates the right to adequate housing not only of Palestinians under Israeli control, but also of low-income persons of all identities [...]”.<sup>224</sup>

For what concerns Asia, the People’s Republic of China will be considered. As for the United States, the national constitution of the People’s Republic of China does not include any article protecting the right to adequate housing. The only reference is made in article 13 which is devoted to the right to property. During the last cycle of the UPR, three recommendations issued by UN member states regarded housing. Serbia outlined the need to address rural migrants’ problems concerning housing once moved in urban contexts; Tajikistan and Algeria focused on the need to restore countryside dilapidated houses and to encourage social housing; and Bolivia recommended to provide instruments to improve rural inhabitants’ conditions.<sup>225</sup>

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<sup>220</sup> Comparative Constitutions Project, *Palestine's Constitution of 2003 with Amendments through 2005*, (2005), art. 23.

<sup>221</sup> *Ibid.* art.17 and art. 28.

<sup>222</sup> UN General Assembly, *Status of Palestine in the UN - Non-Member Observer State Status*, 67/19. Status of Palestine in the United Nations, A/RES/67/19, December 2012.

<sup>223</sup> UN Department of Public Information (Michael Lynk, Mr. Balakrishnan Rajagopal), *Special Rapporteurs Say Israeli Settlement Expansion “Tramples” on Human Rights Law*, 3 November 2021.

<sup>224</sup> UN General Assembly, *Report of the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living, and on the Right to Non-Discrimination in This Context*, Raquel Rolnik, A/HRC/22/46/Add.1, 24 December 2012, 20, ¶100.

<sup>225</sup> UN General Assembly, *Report of the Working Group on the Universal Periodic Review\* China*, A/HRC/40/6, December 2018, ¶28.233, ¶28.234, ¶28.235, ¶28.236.

In the African continent, most of the states do not include the right to adequate housing in their constitutions, but they rather mention the right to property or the prohibition to conduct forced evictions. South Africa is one of the African states which better articulated the right to adequate housing in article 26 of its constitution. The text is divided into three paragraphs that respectively covers the right itself, the need for legal provisions that favour its fulfilment, and the prohibition of forced evictions or demolition of one's home.<sup>226</sup> Also, article 28 on children's rights tackles the right to have a shelter for all children.<sup>227</sup> Since the end of apartheid in 1994, South Africa also adopted a set of policies aimed at addressing different housing issues, as the Housing Act, the PIE Act, the Rental Housing Act, and the more recent Social Housing Act.<sup>228</sup> It is important to highlight, at the same time, that South Africa was subject for centuries to the influence of Western powers, so that its constitution and policy making is not reflective of the African continent.

The right to adequate housing, as human rights in general, is a concept theorised by Western states. The Universal Declaration of Human Rights was drafted by the winners of the Second World War, and the peripheries of the world were still partly under the control of colonial powers, having thus a limited voice in the international decision-making process concerning human rights. Even though human rights have been applied to different cultural and geographical realities, they were tailored on Western standards.<sup>229</sup>

Despite this consideration, the protection of the right to housing at the constitutional level is paradoxically low in European countries. This might depend on the fact that homelessness is tackled in an extensive way at the regional level, through the institution of NGOs as the European Federation of National Organisations working with the Homeless (FEANTSA)<sup>230</sup>, and through legal provisions other than the

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<sup>226</sup> South African Government, *Constitution of the Republic of South Africa*, (1996), art. 26.

<sup>227</sup> *Ibid.*, art. 28.c.

<sup>228</sup> Hannah Dawson and Daniel McLaren, 'Monitoring the right of access to adequate housing in South Africa An analysis of the policy effort, resource allocation and expenditure and enjoyment of the right to housing', *Studies in Poverty and Inequality Institute (SPII)*, August 2014, 18.

<sup>229</sup> Christine Koggel, 'Moral Issues in Global Perspective-Volume 1: Moral and Political Theory', Vol. 1., Broadview Press, 2006, 62.

<sup>230</sup> FEANTSA (Organization), 'FEANTSA', available at <https://www.feantsa.org/en/about-us/what-is-feantsa>.



constitution. France, for instance, did not include the right to housing in its constitutional text, but it adopted the so-called DALO (Droit au Logement Opposable) which is a law aimed at providing a shelter for disadvantaged people, practically enforcing the right to housing.<sup>231</sup>

One of the European countries which mostly engaged in the inclusion of the right to housing at a domestic level is Portugal. Article 65 of the Portuguese constitution is entirely devoted to housing and urban planning. It exhaustively refers to the adequate size of the shelter, to the family right to have a shelter, to the importance of citizens' participation in urban planning, to social and affordable housing, and more in detail to the measures that the states should implement to make housing inclusive, sustainable and in connection with the local community.<sup>232</sup> Moreover, article 70 and article 72 cover the right to housing for vulnerable categories as youth and elderly.<sup>233</sup>

The present section is significant since it shows the impossibility of reducing the right to adequate housing to a universally applicable concept. Although it is indeed a universal human right enshrined in international, regional, and national legal documents, the differences in terms of geographical and cultural applicability have a strong role in its implementation. The concept of home itself varies considerably from one country to another also depending on the historical background that characterise each of them. If on one side Palestinians are strongly attached to the notion of home because they were deprived of theirs, in the People's Republic of China overpopulation triggers the necessity of managing housing problems. It is important to remind in this context the concept of relative universality of human rights developed by Donnelly. After having considered different political and anthropological theories such as cultural relativism, functional universalism and historical universalism, the author proposed an interpretative framework in which cultural differences are respected and protected while recognising the universal application of basic rights. Donnelly embraces the so-called deviations that some cultures, countries or regions may present, affirming

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<sup>231</sup> Journal Officiel de la République Française, Loi n° 2007-290 du 5 mars 2007 instituant le droit au logement opposable et portant diverses mesures en faveur de la cohésion sociale, March 2007.

<sup>232</sup> Assembleia Constituinte, *Constituição da República Portuguesa*, (1976, revised in 2005), art. 65.

<sup>233</sup> Ibid. art. 70 and 72.

that “[...] the autonomous choices of free people should never be lightly dismissed, especially when they reflect well-established practices based on deeply held beliefs.”<sup>234</sup>. The protection of the right to housing should then be considered according to the practices and beliefs of the geographical area under analysis.

Having a general overview of which are the main legal instruments ruling the right to housing is fundamental to then verify which are the consequences in terms of concrete implementation.

### **2.3. Non-compliance, state obligations, and enforcement**

After having proposed an analysis of the legal protection of the right to adequate housing from a multilevel perspective, it is necessary to verify the consequences that the recognition of this right has in a practical sense. The fact of stating a commitment in the legal documents mentioned does not automatically translate in the effective enforcement of this pledge. With the aim of providing a complete picture of the application of the right to adequate housing, the present section will report the violations of the latter, and then it will identify the enforcing and monitoring mechanisms which have the role of supervising that the right to adequate housing is respected.

#### **2.3.1. Violation of the right to adequate housing**

Although the legal instruments that include the right to adequate housing at the international and regional level are various, violations of this right around the world are still on the rise. Since homelessness represents the most evident violation of the right to adequate housing, an examination of homelessness data is useful to understand the trend of this phenomenon. According to the 6<sup>th</sup> report of FEANTSA, most of the European states saw an increase in the homelessness rate, with Lisbon, Brussels, Prague, Barcelona, Vienna, and Paris being the European cities in which the numbers grew more significantly.<sup>235</sup>

Outside Europe, Australia, Chile, and New Zealand have been identified as the

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<sup>234</sup> Jack Donnelly, ‘The Relative Universality of Human Rights’, *Human Rights Quarterly* 29, no. 2 (2007): 301.

<sup>235</sup> FEANTSA, Abbé Pierre Foundation, *Sixth Overview of Housing Exclusion in Europe 2021*, May 2021, 12.

countries with the highest increase in homelessness rate, although numbers are still lower than the ones registered in Europe.<sup>236</sup>

The spread of Covid-19 had a strong impact on homelessness, and it still plays a role in its growth. As previously mentioned, the instability in terms of employment and health caused by the development of the pandemic resulted in increased violations of the right to housing. The “Stay Home” campaigns and the restrictions imposed starting from March 2020 have clashed with the impossibility for homeless people to respect them, and the criminalisation of people living rough during the lockdown periods represented a flagrant violation of human rights.<sup>237</sup> Moreover, not having a shelter, adequate distancing, access to water and sanitation during a pandemic means seeing the own right to health violated.<sup>238</sup> For this reason, in the Guidance Note on Protecting those living in homelessness issued in April 2020, the Special Rapporteur on the Right to Adequate Housing recommended to member states to urgently provide a shelter for people living rough, to give them access to the healthcare system, to put them in a position to be able to respect the rules set by the government, and to avoid the criminalisation of homeless people.<sup>239</sup>

Also, forced evictions are one of the most recurrent phenomena denounced by NGOs and civil society when considering violations of the right to adequate housing. Amnesty International report of June 2020 claimed the use of this unlawful practice mainly in African countries such as Ethiopia, Kenya, and Nigeria, but also in France in the proximity of Calais harbour where migrants living in camps were removed.<sup>240</sup>

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<sup>236</sup> OECD - Social Policy Division - Directorate of Employment, Labour and Social Affairs, *OECD Affordable Housing Database*, Indicator HC3.1. Homeless Population, (2020), 3.

<sup>237</sup> Amnesty International, *COVID-19 and the Right to Housing - a Submission to the UN Special Rapporteur on Adequate Housing*, June 2020, 1.

<sup>238</sup> UN General Assembly, *Report of the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living, and on the Right to Non-Discrimination in This Context*, Raquel Rolnik, A/HRC/22/46/Add.1, 24 December 2012, 5.

<sup>239</sup> Leilani Farha, Special Rapporteur on the right to adequate housing, *COVID-19 Guidance Note Protecting Those Living in Homelessness*, April 2020, 3.

<sup>240</sup> Amnesty International, *COVID-19 and the Right to Housing - a Submission to the UN Special Rapporteur on Adequate Housing*, June 2020, 6.

### 2.3.2. Enforcement and justiciability

One of the main reasons why the violations mentioned in the previous paragraph are still registered is the lack of enforcement and monitoring mechanisms to ensure that the theorised principles are effectively put in practice.

Infringements on the right to housing depends on the fact that there is not a match between the protection that the right to housing provides as a principle, and the function that it should have in terms of addressing homelessness. Some authors suggested that the right to housing is a “programmatic” right more than a tool aimed at defending individual rights.<sup>241</sup>

To tackle the way in which states should implement the right to adequate housing, it is important to understand which are the obligations they have in this respect. As for all human rights, states have obligations to respect, promote, protect, and fulfil the right to adequate housing. The obligation to respect implies that states recognise the principles enshrined in the main legal instruments and transfer them in their national legislation.<sup>242</sup> The obligation to promote moves a step further and requires states to put in place practical measures to guarantee the respect of the right to housing, such as the control of housing prices, the introduction of social housing, and the improvement of legal communication between the owners and the tenants. Also, the obligation to promote requires the elimination of any provision going against the respect of the right to housing.<sup>243</sup> Similarly, following the obligation to protect, states should ban any action denying the right to adequate housing and create the right conditions in which it can be effectively realised.<sup>244</sup> The obligation to fulfil consists in the adoption of provisions as subventions or state aids that could facilitate disadvantaged people in their access to housing.<sup>245</sup>

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<sup>241</sup> Thomas Byrne and Dennis P Culhane, 'The right to housing: an effective means for addressing homelessness?', *The Edward V. Sparer Symposium Issue: Partnering against Poverty: Examining Cross-Disciplinary Approaches to Public Interest Lawyering*, 14 U. PA. J.L. & SOC. CHANGE, vol. 14, (2011), 382.

<sup>242</sup> Scott Leckie, *From Housing Needs to Housing Rights: An Analysis of the Right to Adequate Housing under International Human Rights Law*, London: International Institute for Environment and Development, 1992, 64.

<sup>243</sup> Ibid.

<sup>244</sup> Ibid., 65.

<sup>245</sup> Ibid.

In other research<sup>246</sup>, the obligation to implement, and the obligation of international cooperation and assistance were also identified as duties of states with respect to the right of adequate housing. While the first obligation partly embraces all the categories already mentioned, the obligation of international cooperation and assistance deals with the need for both developing and developed countries to put an effort in the implementation of this right.<sup>247</sup>

On another line of analysis, the Commissioner of Human Rights distinguished between three kinds of states obligations concerning the right to adequate housing. The first category includes “obligations to refrain from interfering with liberties, opportunities or possessions”<sup>248</sup>. The second category is more oriented towards the right to property, affirming that “the right to peaceful enjoyment of possessions also requires that individuals are not subject to interference with their property rights by other individuals.”<sup>249</sup> The third kind of obligations, instead, covers the provisions that a state should adopt in concrete terms to allow the fulfilment of adequate housing for all, ranging from rent subsidies, to providing shelters and basic facilities for free.<sup>250</sup>

To be able to respect their obligations, states should also be able to adopt measures that can be applicable in a relatively short period, that would result in an assessable outcome, and whose realisation would not require an inaccessible amount of resources.<sup>251</sup>

The correct enforcement of the right to adequate housing must be combined with a strong monitoring system to have an impact on the reduction of homelessness. At the state level, some governments put in place measures with the aim of having an additional safeguard for tenants, as prohibiting evictions without the intervention of a judge and without the demonstration of a good cause.<sup>252</sup> However, the desirable goal would be that all states made the right to housing

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<sup>246</sup> Ozden and Golay, *The Right to Housing: A Fundamental Human Right Affirmed by the United Nations and Recognized in Regional Treaties and Numerous National Constitutions*, 20.

<sup>247</sup> Ibid.

<sup>248</sup> Commissioner for Human Rights, *Recommendation of the Commissioner for Human Rights on the Implementation of the Right to Housing*, CommDH(2009)5, June 2009, 5.

<sup>249</sup> Ibid.

<sup>250</sup> Ibid..

<sup>251</sup> Ibid., 8.

<sup>252</sup> Ibid., 7.

justiciable in their national system. This should happen through the establishment of administrative bodies that could monitor the correct implementation of the right, through the possibility to bring violations of the right before national courts, and through the adoption of legislations explaining how the right to housing should be enforced by the national jurisdictions.<sup>253</sup> At the same time, civil society and individuals should be allowed to avail themselves of legal solutions to address violations.<sup>254</sup>

Even supposing that the right is legally and judicially enforced, challenges can emerge as the availability of housing solutions and the effective opportunity for people in need to access. In some cases, the lack of access is the result of poor information of both victims, but also of social workers, and public officials.<sup>255</sup> Also, political interests can prevent the right to housing to be correctly enforced when, for instance, the allocation of social housing and the private housing market are involved.

However, states are not the only actors responsible of an effective enforcement of the latter. As suggested by the High Commissioner for Human Rights in the Right to Housing Fact Sheet n.21, the United Nations and civil society also have a strong voice in assuring that the right to housing is enforced.<sup>256</sup> In particular, non-governmental organisations can raise awareness at the local level on housing rights, and on the other side they can speak out for disadvantage people denouncing violations. Last, the private sector has also duties in this respect. Owners and estate agencies are the decision-makers for what concerns forced evictions, rise of rent and houses prices, and planning of new infrastructures and building in specific areas. Also, in some cases the employers are the ones providing an accommodation to the workers, playing then a role in the fulfilment of the right to adequate housing.<sup>257</sup>

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<sup>253</sup> Ibid., 6.

<sup>254</sup> Ibid.

<sup>255</sup> Byrne and Culhane, 'The right to housing: an effective means for addressing homelessness?', 385.

<sup>256</sup> OHCHR, UN-Habitat, May 2014, *The Right to Adequate Housing*, Fact Sheet No. 21/Rev.1, United Nations, Geneva, 34.

<sup>257</sup> Ibid., 36.

## **Conclusion**

Homelessness was not recognised as a violation of human rights until the second half of the past century with the establishment of a human rights legal system. Compared to other violations of human rights, it is interesting to notice how homelessness becomes connected to a status itself. For instance, an individual who sees the right to religious freedom, or the right to food, or the right to education violated does not acquire a connotation deriving from the fact that these rights are not guaranteed. On the contrary, homeless persons are not merely persons living rough. From the moment in which they lose their shelter, they are often associated to an all-encompassing category who shares the same characteristics due to their alleged status of homeless. The following chapter will demonstrate that identifying the heterogeneity of the homeless population is fundamental to address the different needs of each segment composing it.

The three macro areas that have been identified in the present chapter are essential and lay the foundations for the development of the research. In the first paragraph, attention has been devoted to homelessness as a social phenomenon. For this reason, the main causes leading to it have been outlined, making a distinction according to the nature of the cause. If on one side the individual and structural causes are the more researched in homeless studies, external causes such as environmental factors are acquiring more and more significance because of the worrying increase in climate disasters and conflicts.

The second paragraph introduced the concept of right to adequate housing. Other than providing the legal basis necessary to proceed with the research, it was crucial to tackle the different levels of governance concerning the right to adequate housing. It has been possible to recognise that the different levels are not mutually excluding, on the contrary, they overlap in some cases. The protection provided at the national level is then two-fold, enjoying both international legal instruments incorporated at the domestic level and the legislation adopted at the local level.

The optimistic perspective that could emerge in the second paragraph about the impact of the legal recognition of the right to adequate housing has been eroded by the analysis about their implementation proposed in the third paragraph. Human rights are not real until the states engaging in their realisation violate their

obligations to respect, protect, promote, and fulfil. Homelessness is the major expression of housing rights violations. Moreover, as suggested in the next chapter, the seriousness of homelessness and the urgent need to address it also depend on the number of other human rights violated as a consequence of the violation of right to housing. It has been important to outline the main patterns arising from the enforcement of the right to adequate housing. The challenges in implementation are still high in number and depend on the political willingness of governments, on the engagement of the private housing and employment sector, and on the weak role that civil society still has in the decision-making process.

As previously mentioned, the main obstacle in proposing a human right analysis from a universal perspective is the risk of falling in generalisations. Although human rights are conceived to be universal, their protection and the systems adopted to guarantee this protection strongly vary from one area of the world to another. For this reason, the next chapters will confine the scope of the research to a specific category of homeless people, and to a specific geographic area, to overcome this limitation and address a precise type of homelessness.



## Chapter III

### **The violation of the right to adequate housing experienced by women: homelessness in relation to gender**

#### **Introduction**

The last chapter presented the issue of homelessness and the different causes leading to it, whether individual, structural, or external. Also, the chapter introduced the concept of right to adequate housing and the main legal instruments and policy initiatives adopted at the international, regional, and national level that protect this right.

As many other basic human rights, the right to adequate housing is universal and should be enjoyed by all human beings, regardless of the belonging to a specific ethnic group, gender, sexual orientation, or age. Despite of this, the enjoyment of the right to housing enormously varies from one category to another, together with the individual factors leading to its violation.

One of the most vulnerable and yet under researched categories of homeless people is women.<sup>258</sup> The first studies on female homelessness were conducted in Europe and North America and date back to the 1980s, even though literature on the topic became more consistent only in recent years thanks to authors such as Marpsat, Baptista, Busch-Geertsema, Reeve, Bretherton and Pleace. The latter contributed, in collaboration with FEANTSA (the European Federation of National Organisations working with the Homeless), to provide publications that raised awareness on the lack of data concerning homeless women in Europe.<sup>259</sup> Despite this, women's homelessness continues to be less investigated than other forms of homelessness such as youth or men's homelessness. The cause of the under representation of women's experience in homelessness studies must be identified in the hidden nature of the phenomenon.<sup>260</sup>

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<sup>258</sup>Joanne Bretherton, Paula Mayock, 'The Growing Visibility of the 'Unaccommodated Woman'', in *Women's Homelessness in Europe*, London, England: Palgrave Macmillan, 2016, 5.

<sup>259</sup> *Ibid.*, 2.

<sup>260</sup> Joanne Bretherton, "Reconsidering gender in homelessness.", *European Journal of Homelessness* 11.1, (2017): 13

Compared to men, women follow different pathways of homelessness. Not only the causes leading to homelessness vary when analysing female gender, but also the environments and circumstances in which they find themselves change. For this reason, it is important to take into consideration two elements that are recurrent and delineate women homelessness, namely the role of violence in women's lives and motherhood in relation to homelessness.<sup>261</sup> To understand the gap existing between male and female homelessness, it is also necessary to evaluate the impact that genderless legal instruments and provisions protecting the right to housing can have.

Having argued in the previous chapter that the right to housing and the ensuing obligations to respect, promote, protect, and fulfil it are the direct instruments established to combat homelessness, the present chapter intends to focus on a specific type of homelessness and understand its impact on societal dynamics. In particular, social inclusion in relation to gender will be examined together with elements favouring the inclusion itself, such as the access to employment, and the political and civic participation. An analysis of gendered social inclusion will serve to identify it as an indicator to measure the effectiveness of female homelessness eradication.

Therefore, the purpose of the present chapter is to introduce female homelessness and the relation between gender, poverty and social inclusion. To do so, the first paragraph will provide an outline of female homelessness, through the identification of the three predominant profiles of homeless women. In the second paragraph, the gender differences in homelessness are outlined. The violence element and the family element are deepened due to their recurrence in female homelessness literature, and they are analysed in relation to the difference in legal protection concerning the right to housing. The last paragraph is devoted to the introduction of the concept of social inclusion. After having presented gendered social inclusion, the factors necessary for its achievement are also studied, which are the access to employment and the access to political participation and public life.

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<sup>261</sup> Busch-Geertsema, et al., "Extent and profile of homelessness in European Member States": 92.

### 3.1. Homeless women profiles

One of the most considered variables in homelessness studies when collecting and analysing data is gender. Authors who realised research on the different profiles of homeless people, indeed, focused on the age and gender dimension, distinguishing between youth and elderly, male and female. This chapter aims at giving an overview of the main patterns in female homelessness, starting from the causes that provoke their underrepresentation and invisibility.

Baptista proposed different factors determining the invisibility of homeless women. First, compared to men, homeless women tend to resort more to temporary solutions such as getting in contact with friends or acquaintances to receive a shelter.<sup>262</sup> The number of women living in shelters or refuges, however, is often not considered when collecting data about homeless women, and domestic violence issues are conceived as separated from homeless issues.

A second explanation is the statistical interpretation of data about family homelessness. Most of the homeless families are composed by lone mothers, where the gender element is hidden in favour of the family categorisation.<sup>263</sup> Pleace identified discrepancies and inaccuracies in data collection as determinants in the under representation of women homelessness. These can range from differences in the definition of homelessness in a same country in which data are gathered, to inconsistencies due to divergent methods of collection according to the administration in charge.<sup>264</sup>

Due to their vulnerability to street violence, homeless women tend to hide their gender from hypothetical aggressors through disguise. A study from Huey and Berndt analysed the strategies adopted by women living rough with the aim of surviving in the street. Among others, the so-called 'genderlessness' strategy and 'passing' strategy consisted respectively in concealing personal features ascribable

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<sup>262</sup> Volker Busch-Geertsema, et al. "Extent and profile of homelessness in European Member States: A statistical update.", *EOH Comparative Studies on Homelessness*, December 2014, No. 4, (2014): 10.

<sup>263</sup> Isabel Baptista, "Women and homelessness.", *Homelessness research in Europe* 4.1 (2010): 167.

<sup>264</sup> Nicholas Pleace, 'Exclusion by Definition: The Underrepresentation of Women in European Homelessness Statistics', in *Women's Homelessness in Europe*, London, England: Palgrave Macmillan, 2016, 114.

to gender, or in pretending to be lesbians to escape from street violence.<sup>265</sup> Where the ‘passing’ strategy does not have an impact on data collection, the ‘genderlessness’ strategy alters the counting of women sleeping rough.

The hidden nature of female homelessness is also determined by the lack of comprehensive criteria of classification.<sup>266</sup> While European countries such as Finland and Germany adopted the ETHOS categorisation of homelessness, others such as France and Italy simply consider as homeless the sum of people sleeping rough and living in shelters, excluding several cases of invisible homelessness that mostly affect women.<sup>267</sup>

Once identified which are the reasons that determine the underrepresentation of homeless women, the first step necessary to address their needs and identify some possible solutions is to profile the population itself. In this way, it is possible to determine which are the paths followed by each of the subgroups outlined and how they intersect and overlap. The scope of profiling is not only to provide a general picture of the researched subject, but also to adopt preventive measures that can avoid the emergence of the phenomenon.<sup>268</sup>

The three main profiles of homeless women identified in the present research are Roma women, migrant women, and young women. Since the case study presented in the following chapter concerns Italy, the analysis of the different profiles of homeless women considers data collected in Europe and drawn by FEANTSA and national reports of European countries.

### **3.1.1. Roma women**

It is important to identify which are the main profiles of homeless women within the homeless population to understand the needs and challenges faced by each segment of it. One of the three main segments outlined is constituted by Roma women.

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<sup>265</sup>Huey Laura, Berndt Eric, “‘You’ve Gotta Learn How to Play the Game’: Homeless Women’s Use of Gender Performance as a Tool for Preventing Victimization.”, *The Sociological Review* 56, no. 2 (May 2008): 179.

<sup>266</sup> Bretherton, "Reconsidering gender in homelessness.": 15.

<sup>267</sup> Ibid., 13.

<sup>268</sup> Deb Batterham, "Who is At-risk of Homelessness? Enumerating and Profiling the Population to Inform Prevention.", *European Journal of Homelessness* 15.1 (2021): 60.

Roma are one of the ethnic minorities that most suffered from discrimination and human rights violations in the European history. Violations are still perpetrated in many European countries, where xenophobic and racist feelings against Roma people are widespread.<sup>269</sup> Originally coming from India, Roma migrated towards Europe through Persia and Eastern Europe starting from the 12<sup>th</sup> century. Recent history is characterised by the genocide perpetrated during the Second World War, but also by discriminatory government measures adopted by socialist states in Eastern Europe. The ethnic cleansing perpetrated in Kosovo in 1999 proves how Roma human rights violations are still on the agenda.<sup>270</sup>

One of the most striking infringements of Roma human rights concerns the right to adequate housing. In many Eastern European countries such as Romania, Czech Republic and Slovakia, Roma families live in poor housing conditions,<sup>271</sup> with no electricity, and without seeing the basic hygienic conditions satisfied. The lack of access to potable water and sanitary services has severe consequences on the health of the inhabitants.<sup>272</sup> In Italy, real camps at the periphery of the largest cities have been built in the last 40 years to host people belonging to Romani ethnicity, causing an even greater segregation of this fragment of society.<sup>273</sup> Moreover, the areas where these precarious accommodations are located are often exposed to risks due to the toxicity of substances contained in the ground, in the building materials of the camp, or in the air itself.<sup>274</sup> Since the beginning of the Covid-19 pandemic, the overcrowding of nomad camps has become an additional source of concern.

The right to adequate housing for Roma people is not only violated in terms of satisfaction of the principles of location and habitability. Forced evictions

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<sup>269</sup> Colette Fagan, Peter Urwin, and Kathryn Melling, 'Gender inequalities in the risks of poverty and social exclusion for disadvantaged groups in thirty European countries', Office for Official Publications of the European Communities, 2006: 98.

<sup>270</sup> *Ibid.*, 99

<sup>271</sup> *Ibid.*

<sup>272</sup> European Roma Rights Centre (ERRC), *Submission to the Special Rapporteur on the Right to Adequate Housing, to the General Assembly in 2021 and to the Human Rights Council in 2021*, May 2021: 3.

<sup>273</sup> Bernard Rorke, Jonathan Lee, *Roma Rights in the Time of Covid*, European Roma Rights Centre (ERRC), September 2020: 19.

<sup>274</sup> European Roma Rights Centre (ERRC), *Submission to the Special Rapporteur on the Right to Adequate Housing, to the General Assembly in 2021 and to the Human Rights Council in 2021*, 7.

represent one of the greatest obstacles to the protection of this right for Roma.<sup>275</sup> In countries such as the Czech Republic, Hungary, Belgium and Italy, forced evictions and demolitions of camps are more and more frequent, suggesting the willingness of expelling the ethnic minority from the own municipality or territory.<sup>276</sup> Even when direct evictions are not carried out, local authorities adopt discriminatory measures that prevent Roma people to register as resident, excluding them from the possibility of integrating with the hosting society.<sup>277</sup>

Whereas poor housing conditions and forced evictions are perpetrated against the whole Romani population, Roma women doubly suffer from human rights violations because of their gender.<sup>278</sup> The structure of Romani society, in fact, is strongly patriarchal and associate the woman with a mere reproductive and childbearing role.<sup>279</sup> Since Roma families are more numerous compared to the European average, and being the sanitary conditions unfit for growing children, the role of Roma mothers is even more challenging compared to non-Roma. The inhabitability of accommodations and the lack of access to public health care cause a higher mortality rate for Roma women who get pregnant.<sup>280</sup>

The marginalisation of Roma women in their own community results in a social exclusion in the most different fields, such as employment and education.<sup>281</sup> Finding a job or enrol in the public school is extremely more challenging for a Romani girl due the intersection of her ethnic status and her gender. The low educational attainment triggers a low employment rate among Roma women, which in turn prevents them from living independently from a male figure and escaping

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<sup>275</sup> Donatella De Vito et al., *Rapporto di monitoraggio della società civile sull'implementazione della strategia nazionale di inclusione Rom, Sinti e Caminanti in Italia*, Roma Civil Monitor, February 2020: 10.

<sup>276</sup> Bernard Rorke, Forced evictions of Roma: "Europe's silent scandal", *FEANTSA, Homeless in Europe Magazine Winter 2020 - Roma Experiences Of Homelessness In Europe*: 59.

<sup>277</sup> Fagan et al., 'Gender inequalities in the risks of poverty and social exclusion for disadvantaged groups in thirty European countries', 107.

<sup>278</sup> UNAR, *Strategia Nazionale d'Inclusione 2012-2020 dei Rom dei Sinti e dei Caminanti*, 2012: 24.

<sup>279</sup> European Commission, Directorate-General for Employment, Social Affairs and Inclusion, Marcella Corsi, Chiara Crepaldi, Manuela Samek Lodovici. *Ethnic minority and Roma women in Europe: a case for gender equality?*. Publications Office; 2010: 57.

<sup>280</sup> Fagan et al., 'Gender inequalities in the risks of poverty and social exclusion for disadvantaged groups in thirty European countries': 105.

<sup>281</sup> Corsi et al., *Ethnic minority and Roma women in Europe: a case for gender equality?*: 122.

from domestic violence.<sup>282</sup>

Furthermore, Roma women have been subject through history to forced sterilizations aimed at limiting the reproduction of the ethnic minority and thus corresponding to a tentative of ethnic cleansing.<sup>283</sup> The victims of forced sterilisations occurred in countries such as Hungary and Czech Republic in the 1980s have never been refunded for the damage suffered.

One of the main issues in the protection of the right to housing for Roma people is the misconception about their status of nomads. Although for centuries Roma lived following a nomad lifestyle, frequently migrating from a geographical area to another, they progressively embraced a sedentary or semi-nomad way of living.<sup>284</sup> On one side the ECHR case law has recognised the importance of having a particular attention towards the needs of Roma due to their nomad status<sup>285</sup>. However, most of the measures adopted by national governments to allegedly preserve the nomad nature of Roma are, in fact, discriminatory and inadequate. The establishment of so-called ‘nomad camps’ in Italy exemplifies this rhetoric, through which the authorities exploit a cultural trait to socially exclude an ethnic minority.<sup>286</sup>

On the other side, a number of national strategies and action plans have been implemented to protect Roma’s rights, including Roma women’s rights. The most recent measure adopted by the Council of Europe is the Strategic Action Plan for Roma and Traveller Inclusion 2020-2025, which aims at taking action in three different areas: access to education and training, democratic participation, and the elimination of discrimination and anti-Gypsyism.<sup>287</sup> Regarding gender equality, the Joint Programme of the European Union and Council of Europe JUSTROM

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<sup>282</sup> Fagan et al., ‘Gender inequalities in the risks of poverty and social exclusion for disadvantaged groups in thirty European countries’: 109.

<sup>283</sup> Ibid., 107.

<sup>284</sup> Ibid., 99.

<sup>285</sup> Arturs Kucs, Zane Sedlova, and Liene Pierhurovica, ‘The right to housing: International, European, and National perspectives.’, *Cuadernos Constitucionales de la Cátedra Fadrique Furió Ceriol* 64 (2008): 109.

<sup>286</sup> Donatella De Vito et al., *Rapporto di monitoraggio della società civile sull’implementazione della strategia nazionale di inclusione Rom, Sinti e Caminanti in Italia*: 14.

<sup>287</sup> Council of Europe, *Council of Europe Strategic Action Plan for Roma and Traveller Inclusion (2020-2025)*, September 2020: 13.

highlights the necessity of enhancing the access to justice for Roma women<sup>288</sup>. Also, the Council of Europe Strategy on the Advancement of Romani women and Girls 2014-2020 set different goals, among which combating violence against Roma women and ensure their access to services such as housing and health care.<sup>289</sup> At the European Union level, the EU Roma Strategic Framework on Equality, Inclusion and Participation also contributed to the protection of Roma women. In the employment area, the document made a pledge for a consistent reduction of gender employment gap for Roma, and it encouraged remuneration for working Roma women.<sup>290</sup> Moreover, it encouraged a collaboration with the communication campaign developed at the EU level that is aimed at fighting gender stereotypes through an intersectional approach.<sup>291</sup>

The obstacles that Roma women must overcome daily are multiple. Their belonging to an ethnic group has a much heavier impact on the enjoyment of human rights compared to their male counterpart. According to Vincze, Roma women should both be “protecting women’s and children’s rights within their own communities while deconstructing the way in which such mainstream positions reproduce convictions according to which Roma are an ‘inferior race’ performing pre-modern/primitive practices of life.”<sup>292</sup> For this reason, among homeless women, the subset of Roma women is vulnerable and needs the adoption of ad hoc measures ensuring the protection of the right to adequate housing. It is important to highlight that the empowerment of women and girls generally triggers an enhancement of the familiar structure.<sup>293</sup> Therefore, an improvement of the housing situation for Romani communities can be obtained by consistently reducing the gender gap in

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<sup>288</sup> Ibid., 10.

<sup>289</sup> Council of Europe, *Strategy on the Advancement of Romani Women and Girls (2014-2020)*, 2016: 8.

<sup>290</sup> European Commission, *EU Roma strategic framework for equality, inclusion and participation for 2020*, October 2020: 5.

<sup>291</sup> Ibid., 15.

<sup>292</sup> Enikő Vincze, ‘The racialization of Roma in the ‘new’ Europe and the political potential of Romani women.’, *European Journal of Women's Studies* 21.4 (2014): 447.

<sup>293</sup> UNAR, *Strategia Nazionale d’Inclusione 2012-2020 dei Rom dei Sinti e dei Caminanti*, 2012: 24.



the employment of Roma people<sup>294</sup>, widening the participation of Roma women in the decision-making process and in the political life of the hosting society, and increasing the education rate of young Roma girls.<sup>295</sup>

### 3.1.2. Migrant women

As mentioned in the previous chapter, migrations are among the main structural causes of homelessness. Migrations can be triggered by environmental disasters, by armed conflicts, by the fear of being persecuted because of gender, ethnicity, or religious faith.

It is not possible to generalise what is the proportion of migrants within the total population in Europe since the homeless population composition varies depending on the country and on the period analysed. For instance, in Eastern countries such as the Czech Republic, most of the homeless counted in national statistics are of Czech nationality<sup>296</sup>. On the other side, countries such as Italy report foreigners as representing most of the homeless population.<sup>297</sup> The number of migrants also increased following the 2015 migration crisis, and in cities such as Brussels the amount of homeless people significantly grew because of the moving of migrants coming from Calais harbour.<sup>298</sup>

For the afore-mentioned reasons, the intersection between migration and homelessness has recently become wider. The causes which lead migrant people to homelessness differ from the individual causes already identified in chapter two. Whereas homeless nationals often find themselves sleeping rough because of addiction issues or traumatic events experienced in childhood, it is less likely to identify drug or alcohol problems as sources of homelessness for foreigners.<sup>299</sup> On the other side, migrants' homelessness is caused by a lack of inclusion in the labour market, by the lack of recognition of qualifications obtained in the country of origin

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<sup>294</sup> European Commission, *EU Roma strategic framework for equality, inclusion and participation for 2020*, October 2020: 5.

<sup>295</sup> Council of Europe, *Strategy on the Advancement of Romani Women and Girls (2014-2020)*: 1.

<sup>296</sup> Tomáš Sirovátka, Robert Jahoda and Ivan Malý, European Social Policy Network, *National strategies to fight homelessness and housing exclusion – Czech Republic*, 2019: 9.

<sup>297</sup> *Ibid.*, 5-7.

<sup>298</sup> Wouter Schepers, Ides Nicaise, European Social Policy Network, *National strategies to fight homelessness and housing exclusion – Belgium*, 2019: 6

<sup>299</sup> Magdalena Mostowska and Sarah Sheridan, 'Migrant Women and Homelessness', in *Women's Homelessness in Europe*, London, England: Palgrave Macmillan, 2016: 239.

and by language barriers.<sup>300</sup>

The main problem for migrants trying to have access to housing is their irregular status. In many European countries, the access to both social housing and to private housing depend on the regularity of the migrant on the territory. However, it is difficult to obtain a resident permit without an employment, and inversely it is difficult to obtain an employment without a resident permit.<sup>301</sup> Homeless migrants, thus, doubly face the challenges met by homeless nationals.

Not all migrants are irregular or undocumented. The beneficiaries of refugee status as well as asylum seekers should have the same access to housing facilities than nationals of the hosting country. Nonetheless, some landlords in the private sector are driven by xenophobic feelings, priorly excluding foreigners from the housing market and building an additional barrier for their access to housing.<sup>302</sup>

Although the trajectories of homelessness are similar for most of the migrant population, there are some differences arising when applying a gender perspective. First, the type of employment that migrant women tend to perform is different compared to the one performed by migrant men. According to Mostowska and Sheridan, the gender disparity that is already present in many societies is reflected in the migration framework. Migrant women usually obtain more dangerous and uninsured jobs such as sex work or care for the elderly,<sup>303</sup> causing a loss of potential qualified workers for the hosting state. This trend shows that migrant women doubly suffer from the gap between them and their male counterpart, and from the gap with non-migrant women.<sup>304</sup> Also, cultural habits of some of the migrants' countries of origin can discourage women from seeking a job.<sup>305</sup>

This leads to the identification of two main categories of homeless migrant women, namely victims of human trafficking and gender-based violence, and women whose

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<sup>300</sup> Fagan et al., 'Gender inequalities in the risks of poverty and social exclusion for disadvantaged groups in thirty European countries': 119.

<sup>301</sup> FEANTSA, *Homeless in Europe Magazine: Immigration and Homelessness*, Winter 2002: 3.

<sup>302</sup> Daniel Hiebert et al., 'The profile of absolute and relative homelessness among immigrants, refugees, and refugee claimants in the GVRD.', *Mosaic* (2005): 11.

<sup>303</sup> Mostowska and Sheridan, 'Migrant Women and Homelessness': 246.

<sup>304</sup> Simona Barbu, Sergio Perez Barranco, Georgiana Mozer, *Homelessness among Migrant Women in the EU*, FEANTSA, December 2020: 28.

<sup>305</sup> Fagan et al., 'Gender inequalities in the risks of poverty and social exclusion for disadvantaged groups in thirty European countries': 13.

residence status depend on their tie with a male partner. Migrant women experiencing gender-based violence are often unaware of the services present in the hosting country, and they hesitate to ask for support because they fear the consequences of denouncing their condition.<sup>306</sup> Even though gender-based violence is also experienced by non-migrant homeless women, the latter find it more difficult to escape since the figure of the abuser corresponds with the figure of the employer.<sup>307</sup> Furthermore, some of the shelters for women and refugees aimed at hosting victims of gender-based violence require documentations or permits of residence, excluding irregular migrant women from the possibility of benefitting from this service.<sup>308</sup> Migrant women obtaining a regular status after family reunification procedures are also hindered in their independent access to housing. They have, indeed, a ‘dependent migrant status’<sup>309</sup> which force them in the relationship with their partner to maintain the residence rights.<sup>310</sup>

It is true that homeless migrant women show a double vulnerability, both as women and as migrants. However, this does not translate in a stronger protection of their social rights, among which the right to adequate housing. The Council of Europe Gender Equality Strategy 2018-2023 highlighted the need to take action to guarantee the access to housing for refugees and asylum seekers women and girls through its Strategic Objective 5 protecting the rights of female migrants.<sup>311</sup> Measures of this kind are essential but should be coupled with other concrete actions addressing the root causes of female migrants’ homelessness, among which human trafficking and discriminatory clauses concerning family reunification.<sup>312</sup>

### **3.1.3. Young women**

The previous paragraphs focused on two categories of homeless women characterised by their belonging to an ethnic group and by their migrant status.

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<sup>306</sup> Mostowska and Sheridan, ‘Migrant Women and Homelessness’: 256.

<sup>307</sup> Barbu et al., *Homelessness among Migrant Women in the EU*: 18.

<sup>308</sup> *Ibid.*,16.

<sup>309</sup> *Ibid.*,18.

<sup>310</sup> Nicholas Pleace, ‘Immigration and homelessness.’, *Homelessness research in Europe* (2010): 151.

<sup>311</sup> Council of Europe, *Council of Europe Gender Equality Strategy 2018-2023*, March 2018: 15.

<sup>312</sup> Mostowska and Sheridan, ‘Migrant Women and Homelessness’: 244.

Among homeless women in Europe, it is also possible to identify young girls, a group that partially overlaps with the other two categories. The 2007 FEANTSA report about child homelessness in Europe distinguished different trends emerging among homeless adolescents, mainly deriving from the causes leading them to be deprived of a home. According to the report, many young people become homeless following the decision to run away from home, or because of a rejection from the family itself.<sup>313</sup> Compared to chronicle homeless youth, runaway adolescents tend to return to their families after a period on the street. The female component is prevalent among young people rejected by the family since it is more common that girls getting pregnant are forced to leave their homes.<sup>314</sup>

Another consistent group of homeless youth is constituted by unaccompanied minors. Unaccompanied minors are asylum seekers minors who travel alone, often coming from non-EU countries to obtain refugee status in a EU country.<sup>315</sup> The number of unaccompanied minors living in the street increased in recent years, even though the path out of homelessness for this category is different from their peers'. Even though the reception system for unaccompanied minors varies depending on the hosting country, they are considered a vulnerable category and are provided with temporary accommodations and shelters. The main problem is that housing solutions for unaccompanied minors are often inadequate<sup>316</sup> and being temporary they do not guarantee long-term stability. The result is that, due to the long times needed to obtain asylum, unaccompanied minors find themselves homeless before becoming regular on the territory.<sup>317</sup>

A 2014 study realised by the European Observatory on Homelessness analysed the different profiles of the homeless population in Europe, making a distinction by

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<sup>313</sup> FEANTSA, *Children Homelessness in Europe – an Overview of Emerging Trends*, June 2007: 14.

<sup>314</sup> Ibid.

<sup>315</sup> Ibid. 15.

<sup>316</sup> Cecilia Menjivar, and Krista M. Perreira, "Undocumented and unaccompanied: children of migration in the European Union and the United States.", *Journal of Ethnic and Migration Studies* 45.2 (2019): 209. Also see Ine Lietaert et al. "The development of an analytical framework to compare reception structures for unaccompanied refugee minors in Europe.", *European Journal of Social Work* 23.3 (2020): 393.

<sup>317</sup> FEANTSA, *Children Homelessness in Europe*: 15.

age, gender, ethnicity, household structure and considering other variables such as duration of homelessness and income. In most of the countries analysed, the female homeless population was young (aged under 39, with a higher percentage of women aged 18-24) and younger compared to male homeless population.<sup>318</sup> The main gender differences between homeless young people must be identified in a higher use of refuges, in the manifestation of more mental health issues and in being more subjected to sexual abuse and STDs.<sup>319</sup>

The present section showed that the average homeless woman present in Europe is rather young and belongs to an ethnic group different from the one prevailing in the hosting country. Most of the homeless women are involved in sex work, which is used as a survival mechanism<sup>320</sup>, and are victims of human trafficking. For this reason, housing solutions should be designed taking into consideration the young age of the users, and the discrimination they suffer within society because of their ethnicity.

### **3.2. Gender difference in homelessness**

After having presented which are the main profiles of homeless women that can be identified in Europe, it is necessary to understand which are the variables that distinguish female homelessness from male homelessness. Gender differences have been outlined by scholars in the field in several areas. First, the length of homelessness periods varies, being more common for men to experience chronic homelessness, and for women to experience homeless for shorter periods.<sup>321</sup> Secondly, there are differences in terms of drugs use and relationship with justice, with a lower percentage of women having criminal records or having addictions.<sup>322</sup> Moreover, female homelessness is characterised by its hidden nature. As mentioned in the first paragraph, narrow definitions of homelessness exclude individuals living in insecure conditions or staying temporary at friends or relatives, who are often

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<sup>318</sup> Busch-Geertsema, et al. "Extent and profile of homelessness in European Member States": 67.

<sup>319</sup> Theresa Dostaler, and Geoffrey Nelson, "A process and outcome evaluation of a shelter for homeless young women." *Canadian Journal of Community Mental Health* 22.1 (2009): 99.

<sup>320</sup> Kesia Reeve, "Women and homelessness: putting gender back on the agenda." *People, Place and Policy Online* 11.3 (2018): 172.

<sup>321</sup> Méabh Savage, "Gendering women's homelessness." *Irish Journal of Applied Social Studies* 16.2 (2016): 49.

<sup>322</sup> Bretherton, "Reconsidering gender in homelessness.": 10.

women.<sup>323</sup> Social representations also have an impact on the different paths undertaken by women and men in and out of homelessness. Whereas women are conceived to be mothers and caretakers<sup>324</sup>, men are associated to an idea of strength and stability in terms of financially providing for the family.<sup>325</sup> Thus, for both sexes the homeless condition appears as shameful: a man losing his job or leaving the household is perceived as unsuccessful and a woman is perceived as abandoning her children. This leads to develop the role of gender-based violence on women homelessness.<sup>326</sup>

### 3.2.1. Gender-based violence and homelessness

One of the main trends in women homelessness is precisely the perpetration of violence against women. It is important to distinguish between gender-based violence and domestic violence. As the term suggests, gender-based violence is “violence that is directed against a woman because she is a woman or that affects women disproportionately”.<sup>327</sup> The places where GBV is perpetrated can vary, ranging from private spaces, workplace, and public spaces.<sup>328</sup>

On the other side, domestic violence is defined as “all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim”.<sup>329</sup> The core point of domestic violence, thus, is the space in which is perpetrated, and not the gender of the victim. Unlike gender-based violence, domestic violence can also affect men and children, even though most of the victims are women.<sup>330</sup>

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<sup>323</sup> Ibid. 6.

<sup>324</sup> Savage, "Gendering women's homelessness.": 52.

<sup>325</sup> Ibid., 48.

<sup>326</sup> Ibid., 45.

<sup>327</sup> Council of Europe, *Council of Europe Convention on preventing and combating violence against women and domestic violence*, Treaty Series - No. 210, 2011: 3.

<sup>328</sup> Paula Mayock, Joanne Bretherton, and Isabel Baptista, "Women's homelessness and domestic violence:(In) visible interactions." in *Women's Homelessness in Europe*, London, England: Palgrave Macmillan, 2016: 128.

<sup>329</sup> Council of Europe, *Council of Europe Convention on preventing and combating violence against women and domestic violence*: 3.

<sup>330</sup> Ibid., 2.

Gender-based violence in private spaces is one of the first causes of women homelessness. Many women are forced to leave their home having no housing alternatives and finding themselves sleeping rough.<sup>331</sup> On one side, women are considered a vulnerable category, and they more easily have access to accommodation facilities. At the same time, it often happens that homeless women share the sleeping place in emergency shelters that are not specifically designed to host women. In these contexts, women are subjected to further violence.<sup>332</sup> The role of anti-violence centres and refuges is fundamental because they represent a counselling space and a housing alternative safe from the male presence. The Covid19 pandemic further exacerbated the vulnerability of women to domestic violence, due to the long lockdown periods in which women and their male partners or relatives were forced to share the same space.<sup>333</sup> Data collected in Italy after the beginning of the pandemic show an increase in the number of women asking for support (in May 2020 an increase of 182.2 % of the calls received at the number of public utility against violence and stalking was registered compared to May 2019).<sup>334</sup> While there was a rise in the percentage of women asking for help, refuges had less possibilities to host women in need because of the hygienic restrictions connected to the pandemic.<sup>335</sup>

### **3.2.2. Family homelessness and lone mothers**

A high share of women identified in the homeless population are lone mothers. Some scholars make a distinction between family homelessness and single women homelessness<sup>336</sup>, with family homelessness characterised by the presence of children and one or two parents. Even though there are families constituted by two parents that experience homelessness, this pattern is less frequent than homeless families headed by a lone female parent.<sup>337</sup> In lone parent homeless families, the

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<sup>331</sup> FEANTSA, *Homelessness and Domestic Violence- Tailoring services to meet the needs of women who are homeless and fleeing domestic violence*, 2007: 3.

<sup>332</sup> *Ibid.*, 6.

<sup>333</sup> UN Women, "Impact of COVID-19 on violence against women and girls and service provision: UN Women rapid assessment and findings", (2020): 2.

<sup>334</sup> Istat, *Le richieste di aiuto durante la pandemia*, Maggio 2020: 1.

<sup>335</sup> *Ibid.*

<sup>336</sup> Savage, "Gendering women's homelessness.": 57.

<sup>337</sup> Nicholas Pleace, et al. *The costs of homelessness in Europe: An assessment of the current evidence base*, Feantsa, 2013: 18.

parent is often a woman.<sup>338</sup> The young age of female lone parents has been analysed for the relationship existing between motherhood and the access to the welfare system. In some cases, it is believed that young girls decide to get pregnant to leave their households, or to earn an advantage on men in the social services, exploiting their gender to escape from a context of violence.<sup>339</sup>

In 2000, the French sociologist Marpsat developed the theory of the lower risk for women to become homeless. According to Marpsat, the lower possibility for women to fall into homelessness does not translate in a real advantage for them. In Marpsat words, the “relative ‘advantage’ is probably an effect of social representations of gender roles, and of the power of the mother ideal in our society”, where the “preferential treatment for mothers is not entirely free of paternalism.”.

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Motherhood acquires a specific role in determining women homelessness. On one side, the facilitations to which homeless mothers have access can encourage women to get pregnant.<sup>341</sup> <sup>342</sup> On the other side, the cultural image of the woman as a mother translates in the idea of “mother-protector”<sup>343</sup>. The female biological nature places a burden on women as such, and the loss of a home is perceived as a failure in taking care of the offspring. Moreover, it happens that homeless mothers lose custody of their children because of the instability in which they would raise them, and because their potential addiction to alcohol or drugs. Not only motherhood has an impact on homelessness, but the homeless status can have negative consequences on motherhood.<sup>344</sup>

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<sup>338</sup>Linda van den Dries, Paula Mayock, Susanne Gerull, Tessa van Loenen, Bente van Hulst, and Judith Wolf, ‘Mothers who Experience Homelessness’, in *Women’s Homelessness in Europe*, London, England: Palgrave Macmillan, 2016: 181.

<sup>339</sup>Nicholas Pleace, Joanne Bretherton, and Paula Mayock, ‘Long-term and Recurrent Homelessness Among Women’ in *Women’s Homelessness in Europe*, London, England: Palgrave Macmillan, 2016: 216.

<sup>340</sup> Maryse Marpsat, “An advantage with limits: The lower risk for women of becoming homeless.” *Population: An English Selection* (2000): 247.

<sup>341</sup> Emma Bimpson, Sadie Parr, and Kesia Reeve, “Governing homeless mothers: The unmaking of home and family.” *Housing Studies* 37.2 (2022): 10.

<sup>342</sup> Savage, “Gendering women's homelessness.”: 53.

<sup>343</sup> Bimpson et al., ‘Governing homeless mothers’: 4.

<sup>344</sup> Reeve, “Women and homelessness: putting gender back on the agenda.”: 170.



### 3.2.3. Differences in legal protection depending on gender

The main variables that distinguish female homelessness from male homelessness are gender-based violence and motherhood. While there are also men experiencing violence and having children, the low percentage of men victim of domestic violence and the lower probability for homeless men to be accompanied by children make these two characteristics mainly attributable to the female sphere.

It is also important to verify which are the discriminants based on gender in terms of policies and legislation protecting people whose right to adequate housing is violated. In chapter two, the general legal instruments and policy initiatives implemented to protect the right to adequate housing for all have been identified. However, it is also necessary to examine if these instruments include a gender perspective specifically protecting the right to adequate housing for homeless women.

The first legal document analysed protecting the right to adequate housing at the international level is the International Covenant on Economic, Social and Cultural Rights. While there is no explicit reference to a right to adequate housing for women, article 3 and article 2.2 respectively extend the protection enshrined in the Covenant to both women and men, and avoid any discrimination related to sex in the promotion of the rights.<sup>345</sup> Considering the seven principles necessary to satisfy the right to adequate housing developed by the Committee on Economic, Social and Cultural Rights, it emerges that women do not enjoy security of tenure, affordability and accessibility as much as men do.<sup>346</sup> This is due to the disparities in access to household spendings, to state aids, and to discriminations applied by landlords and other actors in the housing field.

General Comment n. 4 on the Right to Adequate Housing reiterated that women are not to be discriminated in the housing context, and it provided an alternative interpretation to article 11 of the ICESCR which states that “the States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family”. The article was drafted in 1966, while nowadays

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<sup>345</sup> UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, art. 2.2. and art. 3.

<sup>346</sup>OHCHR, *Women and the right to adequate housing*, (2012): 18.

the notion of family has changed.

Another instrument mentioning the right to housing for women is the Convention on the Elimination of All Forms of Discrimination against Women. Although the document does not focus on social and economic rights but on women's rights, article 16 deals with the equality of women and men concerning ownership, enjoyment of property and article 14.2 affirms that "State parties shall ensure to such women the right [...] (h) to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications".<sup>347</sup>

Since violence plays a major role in hindering the enjoyment of the right to housing for women, both the Istanbul Convention on preventing and combatting violence against women and domestic violence, and the Committee on the Elimination of All Forms of Discrimination against Women affirmed the importance of guaranteeing the presence of shelters for homeless women fleeing violence,<sup>348</sup> especially after the outburst of the Covid-19 pandemic.

The Guideline n. 9 for the implementation of the right to adequate housing is equally significant, highlighting the right to security of tenure for women and the right to an equal treatment in the access to credit and to rent contracts.<sup>349</sup> Moreover, the Basic Principles and Guidelines on development-based evictions and displacement introduced a set of principles protecting women in the field of forced evictions, considering not only gender equality but also gender specific needs in the context.

In the European Union framework, it is worth to mention the Council Directive 2004/113/EC, whose aim is to ensure the equality between women and men in the access to goods and services, among which housing.<sup>350</sup> In particular, the aim of the Directive is "to lay down a framework for combating discrimination based on sex in access to and supply of goods and services, with a view to putting into effect in the Member States the principle of equal treatment between men and women."<sup>351</sup>

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<sup>347</sup> UN General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, United Nations, Treaty Series, vol. 1249, article 14.2.

<sup>348</sup> OHCHR, "Women and the right to adequate housing," OHCHR 1996-2022.

<sup>349</sup> Ibid.

<sup>350</sup> Council Directive 2004/113/EC, 13 December 2004, L 373.

<sup>351</sup> Council Directive 2004/113/EC, 13 December 2004, L 373, chapter I, art. 1.

Although the main international legal instruments protecting the right to adequate housing show an inclusive perspective that take into account gender and women needs, there are still gaps in implementation at the domestic level. According to the 2012 UN report on women and the right to adequate housing, there are circumstances in which women are more discriminated, namely inheritance, forced evictions, domestic violence, HIV and natural disasters.<sup>352</sup> Most of the discriminations in these contexts are driven by patriarchal models that conceive the woman as subordinated to the man. The role of head of the household often belongs to the man, preventing women from enjoying property rights. At the same time, the role of caregiver is often on women, who in case of forced evictions are the ones dealing with displacement. Moreover, in case of forced evictions and natural disasters, women are the worst victims because the vulnerability associated to their gender is coupled with the vulnerability produced by these circumstances.<sup>353</sup>

For the reasons cited above, one of the first steps in guaranteeing the right to housing for women is to change the patriarchal preconceptions about the role of women in society as mothers and caregivers and “modify the social and cultural patterns of conduct of men and women, with a view to achieve the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes [..]”.<sup>354</sup>

When comparing men homelessness to women homelessness, three concluding remarks can be drawn. First, women are identified with the figure of caregiver within the family structure as the product of sociocultural stereotypes still present in most societies around the world. In the context of homelessness, this trend represents a burden on homeless women, who end up taking care of the offspring while being in a vulnerable situation. The second element distinguishing male homelessness from female homelessness is the prevailing role of violence. Violence represents both a cause and a condition of homelessness for women, who experience different types of violence before and throughout their path into

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<sup>352</sup> OHCHR, *Women and the right to adequate housing*, (2012): 55.

<sup>353</sup> Ibid.

<sup>354</sup> UN General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, United Nations, Treaty Series, vol. 1249, article 5.

homelessness. Thirdly, there is a gender difference in the enjoyment of the right to adequate housing. Whereas the analysis of legal documents protecting this right shows an alleged equality between women and men before the law, there are still significant discriminations in the housing field affecting women, among which the enjoyment of inheritance and property rights, the availability of shelters for victims of domestic violence, the lack of women involvement in decision-making process, and a special protection in case of forced evictions and natural disasters.

According to Bretherton analysis, women homelessness is the reflection of “how women, in general, are responded to by the societies in which they live”.<sup>355</sup> Thus, patriarchy and male-dominated societies represent a significant obstacle to women’s enjoyment of the right to housing.

### **3.3. Gendered poverty and social inclusion**

Homelessness and the lack of access to housing services is strongly connected with the concept of social inclusion. To understand what the impact of social inclusion on the female homeless population is, it is useful to briefly introduce the notion.

According to some scholars, it is impossible to conceive the notion of social inclusion without considering it in relation to social exclusion.<sup>356</sup> The need for social inclusion, in fact, derives from the existence itself of segments of the population excluded from society.

Historically, the concept of social exclusion was developed by the French sociologist Emil Durkheim at the turn of the 20<sup>th</sup> century, in correspondence with a shift of society towards industrialisation. Durkheim outlined the idea of social institution and analysed the societal structures through the identification of different systems interrelated, which are the economic system, the political system, the cultural system, and the community system.<sup>357</sup> Social exclusion is determined as the “consequence of dysfunctionality in those inter-institutional relationship”.<sup>358</sup>

Later in the 1970s, the concept was spread by the French Secretary of State for

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<sup>355</sup> Bretherton, "Reconsidering gender in homelessness.": 4.

<sup>356</sup>Nabin Rawal, "Social inclusion and exclusion: A review." *Dhaulagiri Journal of Sociology and Anthropology* 2 (2008): 171.

<sup>357</sup> Martin O'Brien, Sue Penna, "Social exclusion in Europe: some conceptual issues." *International journal of social welfare*, 17.1 (2008): 86.

<sup>358</sup> Ibid.

Social Action René Lenoir. He provided a classification in which he included those individuals who according to him were excluded from society, such as persons with disabilities, alcohol addicted, people with mental disorders, victims of abuse and poor households.<sup>359</sup>

However, it was not until the 1995 World Summit for Social Development that social exclusion became a global subject of interest. With the Copenhagen Declaration on Social Development, the United Nations member states recognised social exclusion as a condition affecting a large number of people worldwide, and they made a commitment to “address both their underlying and structural causes and their distressing consequences”.<sup>360</sup>

As already suggested by Durkheim, the expression of social exclusion is heterogenous. It is possible to distinguish between different kinds of social exclusion depending on the domain from which the individual is excluded. Aasland and Fløtten identified four areas which are citizenship rights, labour market, participation in civil society and social arenas.<sup>361</sup> Similarly, O’Brien and Penna identified the democratic and legal system, the labour market, the welfare state system, and the family and community system as the four systems to which an individual should take part to be considered as socially included.<sup>362</sup> In other words, social exclusion is connected to the level of integration in a political community, and to the access to services and social institutions.<sup>363</sup>

Social inclusion, thus, is a product of the emergence of social exclusion. It is particularly evident in the European continent, where the phenomenon appeared following to the establishment of the welfare state in many countries.<sup>364</sup> Social inclusion has been progressively conceived as an answer to social issues such as unemployment, addiction, single parenthood, and abuse. Nevertheless, the analysis

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<sup>359</sup> Amartya Sen, "Social exclusion: Concept, application, and scrutiny." Social Development Papers No. 1, Office of Environment and Social Development Asian Development Bank (June 2000): 1.

<sup>360</sup> UN Department of Economic and Social Affairs, Social Inclusion, “Copenhagen Declaration on Social Development – Introduction”.

<sup>361</sup> Aadne Aasland, and Tone Fløtten, "Ethnicity and social exclusion in Estonia and Latvia." *Europe-Asia Studies* 53.7 (2001): 1028.

<sup>362</sup> O’Brien and Penna, "Social exclusion in Europe: some conceptual issues": 85.

<sup>363</sup> Ibid.

<sup>364</sup> Marsela Robo, "Social inclusion and inclusive education." *Academicus International Scientific Journal* 10 (2014): 199.

conducted by O'Brien and Penna stresses the controversial aspect of social inclusion in Western countries. Based on an imperialist rhetoric, "European modernity grew in the soil of pre-existing hierarchies of power".<sup>365</sup> This means that while trying to integrate different gender categories, ethnicities and social groups, European models of social inclusion were precisely accentuating those differences.<sup>366</sup> Moreover, social inclusion can trigger exclusion in a vicious cycle. This occurs when a marginalised group reaches social inclusion through the exclusion of other social groups who, because of their vulnerability, become in turn marginalised.<sup>367</sup>

In the last decade, the concept of social inclusion returned to be central through its reaffirmation in the drafting of the 2030 Agenda and of the Sustainable Development Goals. Although social inclusion is often conceived in relation to poverty, the former is not necessarily connected to the economic sphere, as it is for poverty.<sup>368</sup> <sup>369</sup> Social inclusion has been defined as a way in which socially excluded and vulnerable individuals are provided with the appropriate instruments to actively participate in the life of the society that they inhabit.<sup>370</sup> The World Bank describes social inclusion "as the process of improving the terms on which individuals and groups take part in society—improving the ability, opportunity, and dignity of those disadvantaged on the basis of their identity".<sup>371</sup> In the UN framework, social inclusion is understood as a means to eradicate social exclusion.<sup>372</sup> Specifically, social inclusion is tackled in the Sustainable Development Goal n. 10.2, whose pledge is to "[...] empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status".<sup>373</sup> The direction of social inclusion is then twofold. On one side, it is a process in which marginalised people are progressively

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<sup>365</sup>O'Brien and Penna, "Social exclusion in Europe: some conceptual issues": 88.

<sup>366</sup> Ibid., 89.

<sup>367</sup> Rawal, "Social inclusion and exclusion: A review.": 174.

<sup>368</sup> Esuna Dugarova, United Nations Research Institute for Social Development, "Social Inclusion, Poverty Eradication and the 2030 Agenda for Sustainable Development" (October 2015): 3.

<sup>369</sup> Robo, "Social inclusion and inclusive education.": 193.

<sup>370</sup> Dugarova, "Social Inclusion, Poverty Eradication and the 2030 Agenda for Sustainable Development": 1.

<sup>371</sup> The World Bank. "Social Inclusion". The World Bank Group.

<sup>372</sup> Ibid.

<sup>373</sup> UN Department of Economic and Social Affairs, Sustainable Development, "Goal 10: Reduce inequality within and among countries".

integrated; on the other side, it is an outcome because of the impact that it has in terms of reaching equality and combatting discriminations.<sup>374</sup>

As a conclusion of the gender analysis of homelessness conducted in the chapter, the present paragraph aims at introducing the concept of social inclusion in relation to gender. Deepening this aspect is fundamental for the understanding of the last chapter, whose focus is precisely the impact of social housing on the social inclusion of homeless women. For this reason, the first section is devoted to the presentation of social inclusion in relation to gender, while a second section will tackle the central role of employment and political participation in achieving social inclusion.

### **3.3.1. Social inclusion in relation to gender**

Social inclusion is an articulated and complex concept, and it can assume multiple forms depending on different factors. As suggested by Dugarova in the Working Paper on Social Inclusion, Poverty Eradication and the 2030 Agenda, it is necessary to define the protagonist of social inclusion, namely which vulnerable group or individual needs to be included; the subject of social inclusion, namely what resource or service has to be guaranteed to achieve social inclusion; and the context of social inclusion, if it is political, cultural, or depends on the employment sector.<sup>375</sup>

Since the focus of the present research work are homeless women, it is relevant to consider a gendered declination of social inclusion. Furthermore, a gendered analysis is useful for several reasons. Not only some disadvantaged groups such as lone parents or victims of trafficking are mainly composed by female individuals. An intersectional analysis by sex also allows to better delineate the causes of social exclusion, and it helps to identify the source of many social problems such as prostitution and domestic violence.<sup>376</sup> Nonetheless, the literature exploring the intersection between gender and social inclusion is scarce.<sup>377</sup> Poverty is more often

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<sup>374</sup> Dugarova, "Social Inclusion, Poverty Eradication and the 2030 Agenda for Sustainable Development":iii.

<sup>375</sup> Ibid., 2.

<sup>376</sup> Fagan et al., 'Gender inequalities in the risks of poverty and social exclusion for disadvantaged groups in thirty European countries': 56.

<sup>377</sup> Jane Millar, "Gender, poverty and social exclusion.", *Social Policy and Society* 2.3 (2003): 186.

analysed in relation to gender, even though according to the 2000 UNDP report on Overcoming Human Poverty, one of the main issues in achieving women social inclusion is the absence of intersectional programs that merge gender inequality policies and policies to combat poverty.<sup>378</sup>

One of the most significant theories in this sense is the ‘feminisation of poverty’, proposed in the 1970s by Pearce as an alternative concept that examined poverty in relation to gender.<sup>379</sup> The supporters of this theory sustain that most of the people living in poverty are women, and that gender affects the likelihood to become socially excluded and disadvantaged.<sup>380</sup> The strong connection existing between poverty and gender was then reaffirmed during the Fourth UN Conference on Women in 1995, and it was helpful to raise awareness on the needs of vulnerable women living in poverty.<sup>381</sup>

It is possible to identify five different areas determining the feminisation of poverty, which are the family care burden, the gender pay gap, the economic crisis, the working poor, and domestic violence.<sup>382</sup> The first factor depends on the association of women to domestic work and child bearing, that often prevents them to have access to the labour market and be financially self-sufficient.<sup>383</sup> The feminisation of poverty is also caused by the difference in wage existing between women and men. Not only women tend to earn a lower salary, but they also have lower positions and, therefore, lower pensions.<sup>384</sup> Thirdly, the economic crisis had a huge impact on women, who were the most hit in the long term because of their presence prevalently in the service sector and because of the higher number of lone mothers

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<sup>378</sup> Carolina Johansson Wennerholm, "The ‘Feminisation of Poverty’." *The Use of a Concept*, (Stockholm: Swedish International Development Cooperation Agency), (2002): 39.

<sup>379</sup> Millar, "Gender, poverty and social exclusion.":181.

<sup>380</sup> Jin Wook Kim, and Young Jun Choi, "Feminisation of poverty in 12 welfare states: Consolidating cross-regime variations?." *International Journal of Social Welfare* 22.4 (2013): 348.

<sup>381</sup> Sylvia Chant, "The ‘feminisation of poverty’ and the ‘feminisation’ of anti-poverty programmes: Room for revision?." *The Journal of Development Studies* 44.2 (2008): 166.

<sup>382</sup> Monica Esposito, *The European Community of Practice on Gender Mainstreaming (GenderCop)*, "Poverty, social inclusion and gender in the European Social Fund", December 2014: 3-6.

<sup>383</sup> *Ibid.*,4.

<sup>384</sup> *Ibid.*,5.



that must opt either for finding a job or for bearing the children.<sup>385</sup> The economic crisis also worsened the employment situation, triggering an increase in the number of working poor. Working poor are those individuals who, although employed, cannot meet the standards to have a decent standard of living. Again, women represent the largest share in the working poor population.<sup>386</sup> Lastly, gender-based violence must be considered one of the main causes of female poverty and social exclusion. Women victims of gender-based violence have more difficulties to enter the labour market and to maintain a stable job, and they often lack self-esteem and suffer from mental disorders.<sup>387</sup>

The central element in female poverty and social exclusion, then, is employment and the access to the labour market. In the next paragraph it will be possible to deepen the challenge in access to the labour market for women as an obstacle to reach social inclusion.

### **3.3.2. Access to the labour market and participation in public life**

In the previous paragraph it has been possible to provide a general framework on what are social inclusion and social exclusion. Being two interdependent concepts, they both refer to the integration of an individual or a group of individuals in a society through the access to the economic, political, and social services provided by the society itself.

To understand which are the necessary means to achieve social inclusion, two main areas are analysed, which are the economic area, and the political area. There will be a focus on the access to the labour market for what concerns the economic area, and a focus on political participation for what concerns the political area. In the first case, this choice depends on the correlation existing between homelessness and access to the labour market. As mentioned above, individuals who are not included in the labour market are more likely to be socially excluded. In the second case, political participation is considered because to achieve gender equality it is fundamental to guarantee civic and political engagement and inclusion in the decision-making process. The present paragraph represents a reading key for the

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<sup>385</sup> Ibid.,5.

<sup>386</sup> Ibid.

<sup>387</sup> Ibid., 6.

evaluation of the impact that services for homeless women have on their social inclusion. Since the following chapter examined Italy as a case study, these drivers will be examined in the Italian context.

The access to the labour market represents one of the major drivers for social inclusion.<sup>388</sup> According to the 2021-2026 National Strategy for Gender Equality, Italy ranks 28<sup>th</sup> and last in terms of female participation to the labour market and quality of working activity in different sectors. Women are consistently less occupied than men, especially women with children, with an employment rate inferior of 20% compared to men.<sup>389</sup> They are also affected for what concerns pensions, that reproduces the gap even in a later stage of life.

Motherhood has a negative impact on women's employment, also determining a difference in terms of the type of contract obtained, with women mostly having part-time jobs and working less hours.<sup>390</sup> The lack of services providing for childcare is then partly the cause of female unemployment.<sup>391</sup> Disparities are further accentuated according to the geographical area considered, with an employment rate particularly low in Southern regions due to a lower education attainment.<sup>392</sup> Moreover, the pandemic mainly hit sectors traditionally occupied by women such as cleaning services, food services and reception services, having as a consequence the job loss for a large number of women.<sup>393</sup> These data prove that the wealth of a country in itself does not necessarily translate in an equal distribution of resources. Even Western countries that boast progressive programs favouring gender equality have shown the gap in implementation when it comes to providing equal services to women and men.<sup>394</sup>

The second indicator considered is the access to positions of responsibility and the political participation. Concerning the share of women covering control

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<sup>388</sup> European Institute for Gender Equality, "Gender in Poverty and Social Inclusion", (2016): 15.

<sup>389</sup> Dipartimento per le Pari Opportunità, "Strategia Nazionale per la Parità di Genere", July 2021. 5-6.

<sup>390</sup> Ibid., 6.

<sup>391</sup> Annalisa Rosselli, Directorate General for Internal Policies, Policy Department C: Citizens' Rights and Constitutional Affairs, "The policy on Gender Equality in Italy", (2014): 22.

<sup>392</sup> Ibid.

<sup>393</sup> Dipartimento per le Pari Opportunità, "Strategia Nazionale per la Parità di Genere": 9.

<sup>394</sup> O'Brien and Penna, "Social exclusion in Europe: some conceptual issues": 89.

positions, the Report on Female Participation in Administrative Organs of Italian Societies provides an assessment of the Italian context. Although there have been improvements, the female presence in societies' top positions is still limited. While significant changes are not found in private societies and banks that are not regulated in terms of gender quotas, public societies and listed companies saw a considerable increase due to the introduction of Golfo-Mosca law.<sup>395</sup> In force since 2011, this legal act imposed the hiring of a minimum number of women out of the total share of employees in listed companies.<sup>396</sup>

With regards to political participation, Italy ranks 41<sup>st</sup> in the Global Gender Gap Report issued by the World Economic Forum.<sup>397</sup> The situation improved consistently thanks to the enforcement of the new electoral law (law n.165 of 2017) promoting gender equality in the political representation,<sup>398</sup>, even though women participating in the political life of the country remain mainly involved in the social sector, in the health sector and in education.<sup>399</sup> The increase in participation at the national level is brought down by an impasse at the regional level. The female presence in regional assemblies corresponds to 22.3%, nearly 12% less than the EU average (34%).<sup>400</sup>

## **Conclusion**

In the 2030 Agenda for Sustainable Development there is a specific Goal devoted to the respect of women's rights that commits to "achieve gender equality and empower all women and girls".<sup>401</sup> If SDG 5 is entirely focused on different aspects of gender equality such as the elimination of violence and trafficking, FGM, social protection, political and civic participation, right to property, and women empowerment, many of the 17 SDGs include pledges for gender equality and non-

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<sup>395</sup>Dipartimento per le Pari Opportunità, "La partecipazione femminile negli organi di amministrazione e controllo delle società italiane - Rapporto dell'Osservatorio interistituzionale sulla partecipazione femminile negli organi di amministrazione e controllo delle società italiane", March 2021: 11.

<sup>396</sup> Legge 12 luglio 2011, n. 120, GU General Series n.174, 28-07-2011.

<sup>397</sup> Camera dei Deputati Servizio Studi, "La partecipazione delle donne alla vita politica e istituzionale - Dossier n° 104", 7th March 2022: 2.

<sup>398</sup> Ibid., 4.

<sup>399</sup> Ibid., 6.

<sup>400</sup> Ibid., 8.

<sup>401</sup>UN Department of Economic and Social Affairs, Sustainable Development, "Goal 5: Achieve gender equality and empower all women and girls".

discrimination.<sup>402</sup> The presence of measures and recommendations concerning women's rights and gender equality in the SDGs derives from the fact that sustainable development depend on them. Education, health, the elimination of poverty, employment, science, the right to the city, climate justice, and the right to peace cannot be achieved until gender equality is not achieved.<sup>403</sup>

The present chapter considered the phenomenon of homelessness and fulfilment of the right to adequate housing in relation to gender. Not only female homelessness is under researched compared to male homelessness, but a gendered analysis is also important considering what mentioned above. From the analysis conducted in the first paragraph, the prevailing profile of homeless women that emerged is represented by young individuals belonging to a different ethnicity from the one of the hosting countries. The migration pattern is prevailing in the female homeless path, with many women lacking a safe living space because of their migrant status. Roma women also represent a consistent share of the homeless women population, although their alleged nomad status makes an assessment about the enjoyment of housing rights more controversial.

It has also been possible to identify which are the elements distinguishing female homelessness from male homelessness. Violence against women seems to represent one of the major causes of female homelessness since it forces most women out of their households to escape violence perpetrated by partners or relatives. Also, fear of violence suffered in shelters or in the streets brings women to remain in unstable housing conditions. Motherhood is the second element outlined as characterising female homelessness. Most of the families living rough are female headed, and the caring role traditionally connected to women makes it harder for them to abandon the family and the children. Sometimes, motherhood is the cause itself of homelessness, with young mothers removed from the family because of unwanted pregnancies.

Lastly, the gap in the legal protection is the third difference considered between male and female homelessness. Although many legal instruments aimed at

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<sup>402</sup>UN Women, "Turning Promises into Action: Gender Equality in the 2030 Agenda for Sustainable Development", (2018): 73.

<sup>403</sup> Ibid.

protecting the right to adequate housing include a gender perspective, there are still violations that mostly hit women because of their gender.

The outline of the characteristics of female homelessness has been integrated with the introduction of the notion of social inclusion. Since the last chapter tries to assess the impact of housing models and solutions on the social inclusion of women, it was fundamental to understand how women are affected by social exclusion. The last section of the present chapter was indeed devoted to the analysis of gendered social inclusion and to the two main factors favouring it, which are the access to the labour market and the participation in public life.

## **Chapter IV**

### **Social housing as a tool to combat the violation of the right to adequate housing for homeless women**

#### **Introduction**

The previous chapter focused on the enjoyment of the right to adequate housing for women, starting from a profiling of homeless women based on the main trends identified in the literature. Also, the differences existing in the protection of men and women were outlined, which add up to the multiple forms of vulnerability experienced by homeless women.

The part of the research presented until now served as a background to understand how the right to adequate housing is protected from a legal point of view, and how gender is inscribed in the sphere of homelessness. The present chapter, on the other hand, wants to identify the practical solutions implemented to address the needs of homeless women. The aim is to examine how the gender component is considered when designing the projects and services for the homeless and which are the gaps that should be filled to ensure the social inclusion of homeless women.

Since one of the most widespread solutions aimed at combating the violation of the right to adequate housing is social housing, the chapter introduces the concept. Starting from the definition of the latter, the first paragraph is devoted to a general presentation of social housing, including its origins, its regulation and the main stakeholders who are usually involved. Also, the different types of social housing such as housing-led and housing first are tackled, together with a consideration about the gender component in social housing projects.

The second paragraph narrows the field of the analysis to the Italian context. It is necessary to focus on a less extended geographical context to scrupulously study the chosen topic. After having provided the Italian legal framework on social housing and public housing both at a national and regional level, the paragraph lingers on the condition of homeless women in Italy providing some examples of housing projects specifically devoted to women.

The third paragraph presents the case study of the city of Padova, one of the most

active municipalities in the field of cooperation and social inclusion in North-Eastern Italy. The paragraph investigates on the services provided to homeless people in the city, both from the public authorities and from the private sector. With the support of reports, data drawn from the municipality, and qualitative interviews, the paragraph aims at evaluating the management of female homelessness and social exclusion.

#### **4.1. Social Housing**

Housing policies are the first solution aimed at addressing social exclusion and poverty. In order to guarantee the enjoyment of the right to housing, different interventions can be carried out both at a public level and at a private level.

While there are different declinations of housing alternatives for disadvantaged people, the present chapter focuses on the development of social housing as a tool to eradicate poverty and minimise the number of people living in precarious housing conditions.

The birth of social housing models is strictly connected with the establishment of welfare state in Western countries. Therefore, the attribute ‘social’ in this context must be intended both as the promotion of the collective dimension of living, and as the product of a welfare dimension.<sup>404</sup> The present paragraph is devoted to present the concept of social housing as a basis for the analysis of social housing projects proposed in the following section.

First, the notion of social housing and its evolution in the last decades is proposed, followed by the introduction of the main types of social housing present in Europe. A last section will investigate about the gender component in social housing projects, identifying potential gaps and missing elements in considering the presence of vulnerable women. The intersectionality framework presented at the beginning of the research will be fundamental in the context of the present chapter to understand how distinct categories can converge under the same subset because of the type of marginalisation experienced.

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<sup>404</sup> Elisabetta, Capelli, "Tra Interdisciplinarietà e Integrazione. Pratiche e Politiche di Social Housing in Italia.", Edizioni SUT - Sustainable Urban Transformation, Università degli Studi "G. d'Annunzio" di Chieti-Pescara, Reg. Tribunale di Pescara n°9/2011 - 07/04/2011, 287.

#### 4.1.1. Definition and evolution

Social housing is nowadays widespread in many European countries. However, it is still not possible to identify a common definition at the European Union level that could suggest the following of the same path in different countries. The lack of a concerted interpretation of social housing brings to a consequent lack of concerted policies and the presence of heterogeneous domestic policies.<sup>405</sup> The main elements causing a divergence among EU countries are the role played by third sector associations and private actors, and the expected duration of social housing projects.<sup>406</sup> Nonetheless, it is possible to outline a broad definition drawing from the different approaches put in practice. In general, social housing is conceived as the set of activities aimed at providing an adequate housing for households who experience difficulties in finding a place to stay due to their disadvantaged condition.<sup>407</sup> One of the main innovations of social housing is the social character connected to the material product. Social housing is not only seen as an housing solution, but it also represents a “‘residential identity’ able to promote social inclusion at a group level.”<sup>408</sup>

This brings to understand which is the so-called mission of social housing. As mentioned above, the first scope of social housing is to favour the access to affordable and adequate housing for individuals and families living in precarious conditions.<sup>409</sup> Secondly, the social aspect translates in the need to create a shared identity as a community but also in the integration of a housing solution with a social solution. The housing alternatives are proposed to individuals belonging to different cultural, ethnic and professional groups in order to create a diversified community.<sup>410</sup> Thus, there is a willingness to build a relational dimension between the residents that goes beyond the concrete need of an accommodation.<sup>411</sup>

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<sup>405</sup> Michela Braga, and Pietro Palvarini, "Social Housing in the EU.",(2013): 43.

<sup>406</sup> Christine Whitehead, and Kath J. Scanlon, “Social housing in Europe.”, London School of Economics and Political Science, 2007: 5.

<sup>407</sup> Franca Maino, and Maurizio Ferrera, "Primo rapporto sul secondo welfare in Italia.", Centro di Ricerca e Documentazione Luigi Einaudi, (2013): 247.

<sup>408</sup> Simone Di Zio, S. Pasotti, and M. Venditti, "Social housing in Italy: Cultural continuity, social change and future scenarios.", J. Soc. Hous 1.1 (2011): 5.

<sup>409</sup> Braga and Palvarini, "Social Housing in the EU.", (2013): 46.

<sup>410</sup> Emanuela Pece, “Dall’Housing Sociale ai nuovi percorsi abitativi per l’integrazione sociale dei migranti in Italia”, Culture e Studi del Sociale, (2017), 2(2).

<sup>411</sup> Maino and Ferrera, "Primo rapporto sul secondo welfare in Italia.", (2013): 247.



A third declination of the mission of social housing is the environmental one. Nowadays, the ecological aspect of urban interventions acquires more and more importance. For this reason, projects of social housing aspire to provide solutions that can have an impact also in terms of urban requalification and rehabilitation of abandoned areas of the city.<sup>412</sup>

It is also important to understand how the access to social housing is regulated. The main difference existing between public housing and social housing is the target. In fact, while public housing is meant to support households or individuals living in extreme poverty, social housing is addressed to households that live in a 'grey area'. This grey area includes people that receive an income, but who are not able to have access to a decent housing because of the low amount of the income, or because of other reasons that are independent of the economic sphere such as mental or physical disabilities, or temporary need of an accommodation.<sup>413</sup> The general requirements to be eligible are connected to the income of the household, to the citizenship or residence status of the candidates, to the composition of the household, and to the context in which the household is living when applying for a social housing.<sup>414</sup> Some European countries have an income threshold to have access to social housing, although it is often so high that many households are included.<sup>415</sup> In countries such as Austria and Germany the income limit is relatively high, while in countries such as Italy the threshold is lower.<sup>416</sup> In general, in Europe it is possible to distinguish between universal social housing and targeted social housing. In the first case, housing is considered as a basic human right and its enjoyment by the entirety of the population is seen as a public responsibility. As for targeted social housing, the idea is to include only households who have no housing alternatives in order to maintain an equilibrium in the housing market.<sup>417</sup> The security of tenure is also variable, with countries in which the

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<sup>412</sup> Milena Farina, "Abitare integrato, abitare inclusivo: esperienze del social housing a Milano / Integrated and inclusive living: social housing experiences in Milan", *Urbanistica Tre - Quaderni*, n. 6, 2015, 80.

<sup>413</sup> Maino and Ferrera, "Primo rapporto sul secondo welfare in Italia.", (2013): 238.

<sup>414</sup> OECD Affordable Housing Database, "Key characteristics of social rental housing", Directorate of Employment, Labour and Social Affairs - Social Policy Division (March 2022): 9.

<sup>415</sup> Whitehead and Scanlon, "Social housing in Europe.", London School of Economics and Political Science, 2007: 17.

<sup>416</sup> Braga and Palvarini, "Social Housing in the EU.", (2013): 11.

<sup>417</sup> Braga and Palvarini, "Social Housing in the EU.", (2013): 6.

accommodation is provided for life, and countries in which the social housing projects have a determined duration and represent temporary solutions.<sup>418</sup> It also depends on the different forms of social housing taken into consideration, because not all the services provided are confined to the housing sector. Social housing can range from the building of common spaces devoted to socialisation, to health care and social assistance services, to community building projects, to services targeting specific segments of the population such as addicts, elderly, or people with disabilities.<sup>419</sup> In some cases, social housing projects are realised under the form of a path that the beneficiaries have to follow in order to obtain the accommodation characterised by different stages such as information meetings and condominium meetings aimed at knowing each other and managing the shared spaces.<sup>420</sup>

The actors involved in physically providing houses in social housing projects are multiple. In Eastern countries social housing is traditionally managed by private companies<sup>421</sup>, while in Central Europe public corporations, central and local institutions, and non-profit organisations are the main providers. Recently, local governments are becoming particularly engaged in social housing due to a decentralisation of the competences in this matter, following a subsidiarity principle.<sup>422</sup> Also, in countries such as Italy and France the role of cooperatives, religious and charity organisations is central in the provision of social housing.<sup>423</sup> The fundings often derive from public loans provided by the state, bank loans, and in some cases by private foundations.<sup>424</sup> Increasing the investments in social housing projects have several advantages in economic terms. The building of social housing structures can improve affordability and housing supply while producing employment. Furthermore, the economic recovery can be more sustainable thanks to the introduction of greener mechanisms and materials.<sup>425</sup>

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<sup>418</sup> Kathleen Scanlon, Fernández Arrigoitia, Melissa and Whitehead, Christine M E, "Social housing in Europe", *European Policy Analysis* (17), (2015):7.

<sup>419</sup> Maino and Ferrera, "Primo rapporto sul secondo welfare in Italia.", (2013): 247.

<sup>420</sup> Pece, "Dall'Housing Sociale ai nuovi percorsi abitativi per l'integrazione sociale dei migranti in Italia", (2017): 191.

<sup>421</sup> Braga and Palvarini, "Social Housing in the EU.", (2013): 10.

<sup>422</sup> Maino and Ferrera, "Primo rapporto sul secondo welfare in Italia.", (2013): 237.

<sup>423</sup> Whitehead and Scanlon, "Social housing in Europe.", 2007: 23.

<sup>424</sup> Braga and Palvarini, "Social Housing in the EU.", (2013): 11.

<sup>425</sup> OECD, "Social Housing: A Key Part of Past and Future Housing Policy.", *Employment, Labour and Social Affairs Policy Briefs*, (2020): 22.

#### 4.1.2. Different types of social housing

The definition of social housing provided in the previous paragraph is broad and includes different declinations according to the characteristics of the project, the beneficiaries, the final aim, and the strategies implemented to put it into practice.

One of the most widespread forms of social housing is the Housing First model, designed as a contrastive answer to the so-called Staircase model. The Staircase model had origin in the United States in the 1950s to provide an alternative housing solution to psychiatric patients forced to live in psychiatric hospitals.<sup>426</sup> The three main objectives of the Staircase model are to prepare the users to live in a home after having been used to sleeping rough or in a hospital, to support the users in receiving the adequate mental health care, and to make sure that the users are sober and are not making use of drugs.<sup>427</sup> The idea is to create a rehabilitation path in which the user achieve the final ‘reward’, namely an accommodation and the reintegration in society, only if he/she satisfies given conditions. During this path, the person is followed by social workers who accompany the users out of homelessness introducing them to life in a house.<sup>428</sup>

In the 1990s, studies assessing the impact of Staircase projects realised that this model could be counterproductive and fail to help the homeless individual out of his/her condition.<sup>429</sup> The period in which the patient is supposed to prove the engagement in the rehabilitation path can hinder the rehabilitation itself, making the final goal of receiving an accommodation further and further.<sup>430</sup>

The alternative approach that has been introduced is the housing-led approach. The term has been coined during the European Consensus Conference on Homelessness, and it refers to “all policy responses to homelessness that increase access to permanent housing and increase capacity for both prevention and the provision of

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<sup>426</sup> Nicholas Pleace, “Housing first guide Europe”, FEANTSA, June 2016: 13.

<sup>427</sup> Ibid.

<sup>428</sup> Ibid.

<sup>429</sup> Nicholas Pleace, "The ambiguities, limits and risks of Housing First from a European perspective.", *European Journal of Homelessness* 5.2, (2011): 114.

<sup>430</sup> Ronni Michelle Greenwood, et al. "Comparison of housing first and traditional homeless service users in eight European Countries: Protocol for a mixed methods, multi-site study.", *JMIR research protocols* 9.2 (2020): 2.

adequate floating support to people in their homes according to their needs”.<sup>431</sup> Housing First is the form of housing-led approach that has been more frequently implemented, and it differs from other models because it targets chronic homeless individuals, while other housing-led projects are also addressed to people having less urgent needs.<sup>432</sup>

The Housing First concept has been conceived by the community psychologist Sam Tsemberis in New York, after the foundation of the organisation Pathways in 1992.<sup>433</sup> Housing First is based on the idea that housing is a primary and basic need for all human beings.<sup>434</sup> In opposition to staircase models that favour a treatment first approach, Housing First sees the provision of an independent accommodation as the first step in a rehabilitation path.<sup>435</sup> Therefore, the main principles on which Housing First model is based are housing as a fundamental human right, providing professional support throughout the rehabilitation journey, and delivering support to any patient in need without demanding special requirements.<sup>436</sup> The last point is important since it represented a step towards independence for the service users, allowing them to be re-housed at the beginning of this path.<sup>437</sup> As a consequence, the users receive back the dignity they had lost while they were homeless and socially excluded, and they are allowed to enjoy their civil and social rights as citizens.<sup>438</sup> The conditions necessary to be part of Housing First programs are the presence of a severe mental disease, the payment of the rent equal to 1/3 of the income, and the reception of weekly visits from professionals.<sup>439</sup>

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<sup>431</sup> FEANTSA, “Housing-led policy approaches: Social innovation to end homelessness in Europe”, November 2011: 6.

<sup>432</sup> Homeless Link Policy and Research Team, “‘Housing First’ or ‘Housing Led’? The current picture of Housing First in England”, June 2015: 8.

<sup>433</sup> Pleace, "The ambiguities, limits and risks of Housing First from a European perspective.", (2011):116.

<sup>434</sup> Pleace, “Housing first guide”, June 2016: 29.

<sup>435</sup> Homeless Link Policy and Research Team, “‘Housing First’ or ‘Housing Led’? The current picture of Housing First in England”, June 2015: 5.

<sup>436</sup> Homeless Link Policy and Research Team, “‘Housing First’ or ‘Housing Led’? The current picture of Housing First in England”, June 2015: 2.

<sup>437</sup> Cecilia Hansen Löffstrand , “Responses to “The Ambiguities, Limits and Risks of Housing First”, European Journal of Homelessness, Volume 6, No. 2, December 2012: 176.

<sup>438</sup> Cinzia Albanesi, Davide Boniforti, and Cinzia Novara, "Comunità imperfette: dalle dinamiche disgregative al decision making comunitario.", (2019): 97.

<sup>439</sup> Pleace, "The ambiguities, limits and risks of Housing First from a European perspective.", (2011): 117.

Nonetheless, Housing First showed some limitations. Those limitations are connected to one of the strengths of the model itself, namely the autonomy left to the user. In some cases, the addiction to alcohol or drugs is weakened but is not eradicated, leaving the people with their illness even months or years after the entry into the project.<sup>440</sup> At the same time, as suggested by Pleace, the primary goal of Housing First programs is to end homelessness, while the recovery is a secondary goal to achieve.<sup>441</sup> This strategy, known as ‘harm reduction’, has been criticised by some for the weak impact that have on the patients compared to more rigid methods adopted in traditional services.<sup>442</sup> Moreover, although Housing First programs are cheaper than traditional staircase models<sup>443</sup>, the funds needed to provide services such as reintegration and treatment for mentally ill and addicted are expensive.<sup>444</sup>

Due to the lack of a precise definition of Housing First as initially conceived by Tsemberis, several housing projects aiming at combatting homelessness adopted this term to define themselves.<sup>445</sup> There is a multitude of nuances in social housing that makes it difficult to generalise and enclose programs which have consistent differences in a single subset under the name of Housing First. For this reason, a differentiation has been operated between Pathways to Housing First (PHF) which are the models following Tsemberis’ strategy, and other programs identifying themselves as Housing First programs but following different standards.<sup>446</sup> Housing First has become a label and “what appears to be a globally influential idea has been simplified, diluted and sometimes significantly changed”.<sup>447</sup>

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<sup>440</sup> Ljöfstrand, “Responses to “The Ambiguities, Limits and Risks of Housing First”, December 2012: 172.

<sup>441</sup> Ibid.

<sup>442</sup> Pleace, "The ambiguities, limits and risks of Housing First from a European perspective.", (2011): 119.

<sup>443</sup> Ibid., 117.

<sup>444</sup> Ljöfstrand, “Responses to “The Ambiguities, Limits and Risks of Housing First”, December 2012: 173.

<sup>445</sup> Pleace, "The ambiguities, limits and risks of Housing First from a European perspective.", (2011): 118.

<sup>446</sup> Ljöfstrand, “Responses to “The Ambiguities, Limits and Risks of Housing First”, December 2012: 203.

<sup>447</sup> Nicholas Pleace, and Joanne Bretherton, "What do we mean by Housing First? Categorising and critically assessing the Housing First movement from a European perspective.", *Housing: Local Welfare and Local Markets in a Globalised World* (2012): 5.

After its affirmation in the United States, Housing First has been implemented in Canada, Australia, and Europe as well. In Canada, the program At Home/Chez Soi Housing First successfully involved 2200 homeless individuals from five different Canadian cities in 2010, representing a best practice for other countries.<sup>448</sup> In Europe, the National Organizations Working with the Homeless has been the leader in the implementation of Housing First programs, while the establishment of the project Housing First Europe was significant for the sharing of good practices across the continent.<sup>449</sup> In particular, Northern European countries with a strong welfare system, but also France, Italy, Spain and Portugal implemented Housing First programs on their territory.<sup>450</sup> However, it is not always advantageous to reproduce a specific model in a context that is completely different both from a geographical, demographic, and social point of view.<sup>451</sup> Through Greenwood's analysis, it is possible to identify the implementation of the Housing First model in different European countries. Different aspects emerge from the comparison between the classic US Housing First model and the European reproductions. On one side, there is a conformity for what concerns the user self-determination, the harm reduction strategy, and the lack of abstinence requirements. On the other side, variations have been identified in terms of housing quality and housing choice.<sup>452</sup> General standards for Housing First programs have been drafted by PHF. Nevertheless, adjustments to local contexts might be needed in the future.<sup>453</sup>

#### **4.1.3. Gender component in social housing projects**

The previous paragraphs have been devoted to providing a general definition of social housing and to analysing the different types of social housing implemented in Europe. However, it is important to focus on the extent to which the gender component is taken in consideration in social housing projects.

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<sup>448</sup> Nicholas Pleace, "Housing first guide Europe.", (2016): 17.

<sup>449</sup> Ronni Michelle Greenwood, et al. "Implementations of Housing First in Europe: Successes and challenges in maintaining model fidelity.", *American Journal of Psychiatric Rehabilitation* 16.4 (2013): 291.

<sup>450</sup> Nicholas Pleace, "Housing first guide Europe.", (2016): 81.

<sup>451</sup> *Ibid.*, 292.

<sup>452</sup> *Ibid.*, 307.

<sup>453</sup> *Ibid.*, 310.

One of the problems experienced by women willing to have access to social housing services is the lack of programs specifically addressed and designed to respond to women's needs. In countries like the United Kingdom, there have been consistent cuts in the field of social housing that have particularly affected women since they are the first relying on state financing and social security aids.<sup>454</sup> In fact, it is possible to verify an overrepresentation of women in the social housing sector. This is not due to a higher taking charge by the state, but to an overrepresentation of women in disadvantaged and indigent groups.<sup>455</sup>

Kennett (2011) speaks of 'gender-blind services'<sup>456</sup> referring to the lack of gender-specific measures in the social housing sector. First, it happens that data drawn from homelessness statistics are not disaggregated by sex, which could be an involuntary neglect or a voluntary decision to hide the seriousness and proportions of women's homelessness.<sup>457</sup> The lack of disaggregation by sex not only makes homeless women invisible, but also prevent homeless studies to provide an overview on the influence that social housing models have on women.<sup>458</sup>

Secondly, the concept of vulnerable, weak, or disadvantaged categories is fundamental here. In fact, most of the social housing programs tend to prioritize vulnerable categories when it comes to waiting lists to have access to social housing. Among those vulnerable categories, the groups that emerge more often are youth, persons with disabilities, persons affected by mental diseases, older people, and migrants<sup>459</sup>, while gender is neglected and not considered as a source of vulnerability. The only elements that can make a woman be considered as vulnerable are motherhood and exposure to gender-based violence. In fact, social housing systems usually prioritise single mothers and women victims or at risk of gender-based violence.<sup>460</sup> In the United Kingdom, for instance, the Housing Act of

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<sup>454</sup>Engender, "Gender, Housing and Homelessness", 2020: 20.

<sup>455</sup> Ibid.

<sup>456</sup> Patricia Kennett, Chan Kam Wah, "*Women and Housing: an International analysis*" Routledge, December 2010: 3.

<sup>457</sup> Nicholas Pleace, "Exclusion by Definition: The Underrepresentation of Women in European Homelessness Statistics" in Paula Mayock, and Joanne Bretherton, *Women's homelessness in Europe*, London, England: Palgrave Macmillan, 2016: 118.

<sup>458</sup> Engender, "Gender, Housing and Homelessness", 2020: 21.

<sup>459</sup> Capelli, "Tra Interdisciplinarietà e Integrazione. Pratiche e Politiche di Social Housing in Italia.", 2011: 290. See also Maino and Ferrera, "Primo rapporto sul secondo welfare in Italia.", (2013): 254.

<sup>460</sup> Johanne Bretherton et al., "Women's Homelessness and Welfare States" in Mayock and Bretherton, *Women's homelessness in Europe*, 2016: 93.

1996 compels local governments to support homeless people belonging to vulnerable categories,<sup>461</sup> among which fall “pregnant women, women experiencing domestic violence, people with dependent children, and those considered ‘vulnerable’ because of age or mental health.”<sup>462</sup>

This leads to the risk that women living in precarious housing conditions exploit these elements, or even that they voluntarily become pregnant to ‘gain positions’ in social housing waiting lists. There are many young homeless women who become pregnant, and thanks to that have access to a number of services. However, “there is no evidence that young women consciously become pregnant in order to access welfare or social housing systems; rather, these pregnancies reflect a broader pattern of earlier pregnancy resulting from systemic social and economic disadvantage, which is associated with sustained experiences of lone parenthood”.<sup>463</sup>

Although it is taken for granted that policies and plans aimed at promoting and protecting housing rights are addressed to the whole population equally and without discriminations, concrete examples prove the opposite.<sup>464</sup> In Europe, social housing projects specifically targeting women are few, and are often addressed to victims of gender-based violence and/or mothers, including refuges, reception centres for migrants and rehabilitation centres. One relevant example is drawn from the British experience and is the Threshold Housing First project. The project was born in form of pilot project in 2015, and then continued for three years. The aim was to help homeless women, up to 12 users, having criminal records, and it was based on the pillars of Housing First.<sup>465</sup> The services provided by Threshold Housing First concerned mainly housing, but also health care and behavioural rehabilitation to avoid a relapse in committing crimes.<sup>466</sup>

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<sup>461</sup> Kennett and Kam Wah, “Women and Homelessness”, December 2010: 130.

<sup>462</sup> Ibid.

<sup>463</sup> Nicholas Pleace, “Long-term and Recurrent Homelessness Among Women” in Mayock and Bretherton, *Women's homelessness in Europe*, 2016: 216.

<sup>464</sup> Kennett and Kam Wah, “Women and Homelessness”, December 2010: 1.

<sup>465</sup> Deborah Quilgars and Nicholas Pleace, "The Threshold Housing First Pilot for Women with an Offending History: The First Two Years.", Report of the University of York Evaluation, Centre for Housing Policy (2017): 3.

<sup>466</sup> Ibid., 4.



The present section focused on social housing in general, also showing the main problems related to the gender component in this context. The next section will focus on the Italian case for what concerns social housing, specifically lingering on the case of Padova.

#### **4.2. Social Housing in Italy**

After having presented social housing in general, it is necessary for the analysis to have a brief overview of the Italian housing system. To do so, the main legal provisions of the Italian framework are introduced, followed by the presentation of the different types of social housing implemented, including Housing First. Last, some examples of social housing projects implemented are tackled.

In Italian, the correspondent term for the English word ‘homeless’ is ‘persona senza dimora’. While this expression is used to indicate homeless persons in general, ‘Persona Senza Fissa Dimora’ is the administrative nomenclature used to refer to persons who have not a civil registration or that have a fictitious registered residence. The term applies often to nomads, street vendors, and carnival workers who, like ‘persone senza dimora’ do not have a fixed residence but who not necessarily suffer from material deprivations.<sup>467</sup>

From a legal point of view, there are not specific provisions referring to the rights and duties of homeless people in the Italian system.<sup>468</sup> This can be positive because it implies the equal treatment of all citizens as human beings, but it also represents a gap in the legal protection.<sup>469</sup> The only reference document in this context is Law 328/2000 with its article 28 on urgent interventions for situations of extreme poverty state.<sup>470</sup> However, the law is not particularly effective since it only provides for fundings in the following two years after the enforcement of the law

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<sup>467</sup> Ministero del Lavoro e delle Politiche Sociali, “Linee di Indirizzo per il Contrasto alla Grave Emarginazione Adulta in Italia”, November 2015: 15.

<sup>468</sup> Michele Lancione, Alice Stefanizzi, and Marta Gaboardi, "Passive adaptation or active engagement? The challenges of Housing First internationally and in the Italian case.", *Housing Studies* 33.1 (2018): 8.

<sup>469</sup> Ministero del Lavoro e delle Politiche Sociali, “Linee di Indirizzo per il Contrasto alla Grave Emarginazione Adulta in Italia”, November 2015, 16.

<sup>470</sup> Gazzetta Ufficiale, Legge 8 novembre 2000, n. 328, "Legge quadro per la realizzazione del sistema integrato di interventi e servizi sociali", Gazzetta Ufficiale n. 265 del 13 novembre 2000 - Supplemento ordinario n. 186, art. 28.

itself (the fundings are still expressed in liras), proving a lack of engagement in having long-term investments.<sup>471</sup>

An important financial contribution is represented by the program ‘PON Inclusionone’, co-funded by the European Social Fund. Axis 1 and Axis 2 are precisely aimed at strengthening the network and the role of service providers in the homelessness sector, promoting active inclusion.<sup>472</sup> Launched in 2014, it has been renewed in the following years in updated versions (8.0 and 9.0). The Public Notice 4/2016 particularly aims at the funding of interventions to combat homelessness and adult marginalisation. 50 million euros have been issued to local associations that work with the homeless to financially support them for the period 2016-2019.<sup>473</sup>

In terms of division of responsibilities, social policies became competence of the regions after the 2001 constitutional reform. Nonetheless, the regional fundings devoted to combat extreme poverty are scarce, and consequently municipalities become the main actors in social policies.<sup>474</sup> The main tasks performed by municipalities are the project planning and management of services aimed at combatting marginalisation, although the inefficiency of the latter often caused the entering in the picture of civil society organisations and private associations. Therefore, homelessness in Italy is mainly tackled by non-profit organisations.<sup>475</sup>

It is also important to highlight the trends in the Italian housing market to understand the extent to which social housing projects are implemented, and the relationship between supply and demand. When considering the types of welfare systems existing worldwide, it is possible to identify different regimes. Italy, together with Spain, Portugal and Greece falls under the Southern European category, which is mainly characterised by a weak system of welfare policies and policies to combat poverty, and a hierarchy in terms of social protection depending

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<sup>471</sup> Ibid.

<sup>472</sup> Ministero del Lavoro e delle Politiche Sociali, “PON Inclusionone”, URL <https://poninclusionone.lavoro.gov.it/programma>.

<sup>473</sup> Ministero del Lavoro e delle Politiche Sociali, “Avviso 4/2016”, URL <https://poninclusionone.lavoro.gov.it/progetti/gestione-progetti/avviso4>.

<sup>474</sup> Ministero del Lavoro e delle Politiche Sociali, “Linee di Indirizzo per il Contrasto alla Grave Emarginazione Adulta in Italia”, November 2015: 18.

<sup>475</sup> Lancione, Stefanizzi, and Gaboardi, "Passive adaptation or active engagement?", (2018): 9.

on the working class to which one belongs to.<sup>476</sup> Moreover, housing ownership is traditionally preferred to renting, making more difficult for low-income households to have access to the housing market.

The housing demand in Italy has changed over the years. According to the First Report on Welfare in Italy of 2013, after the economic crisis it has been registered an increase in poverty and a reduction of the income, which resulted in the worsening of the living and economic conditions of the households. The consequence is a growing demand for social housing, for which is needed additional housing stock. The problem, however, is that the income threshold to have access to social housing is extremely low, and it exclude most of the Italian households who fall in this ‘grey area’ for which they are ‘too rich’ to have access, but too poor to buy a own property.<sup>477</sup>

Other causes of the gap in the provision of social housing are the change in the demographic composition of the population, and the increase in the private building sector. The number of households is increasing, while the number of people for each household is decreasing because of a falling birth rate. On the other side, most of the new buildings that are raised are owned by private companies and are not in the hands of the public sector.

#### **4.2.1. Italian legal framework regulating social housing**

First, it is important to highlight that the notion of social housing (‘housing sociale’) in Italy is more complicated than in Northern European countries. There is a distinction between ‘edilizia residenziale sociale’ and ‘edilizia residenziale pubblica’: the former has a wider target and is addressed to disadvantaged households who live in a mid-way between a situation of stability and a situation of emergency, while the latter is only accessible to people living in conditions of extreme poverty.<sup>478</sup> For the sake of simplicity, the present research will use the English term ‘social housing’ to refer to the interventions aimed at the management of housing that are economically accessible to different sections of the population.

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<sup>476</sup> Ibid. 11.

<sup>477</sup> Maino and Ferrera, "Primo rapporto sul secondo welfare in Italia.", (2013): 243.

<sup>478</sup> Carlo Cellamare, “Pnrr e questione abitativa: una grande occasione mancata” *MicroMega*, March 2022: 119.

Social housing in Italy is regulated by a set of laws and decrees specifically devoted to its implementation, that are respectively the Ministerial Decree of the 22 April 2008; the Decree Law n. 112/2008, turning in Law n. 133/2008; and the Prime Minister's Decree of 16<sup>th</sup> July 2009, also known as "National Plan of Housing".<sup>479</sup>

The first legal instrument is useful because introduces the notion of social housing in Italy, conceived as a building used for housing with the aim of addressing the needs of marginalised households who cannot have access to the housing market.

<sup>480</sup> As mentioned above, the Ministerial Decree of the 22 April 2008 also defines the competent authority for the allocation of social housing, namely the Regions, and sets the minimum requisites for a building to be considered fit for social housing. The building must meet the regular structural characteristics, it must be safe and energy saving should be respected.<sup>481</sup>

The Decree Law n. 133/2008 defined the target and potential beneficiaries of social housing, that include low-income households, low-income young couples, socially disadvantaged elder people, off-campus students, and low-income regular migrants who have been living for at least 10 years on the national territory.<sup>482</sup>

Later, the D.p.c.m. of 16<sup>th</sup> July 2009 established an increase in the investments in the social housing sector through the mobilisation of private and public capitals. Moreover, it launched a coordinated program with the Regions, that in cooperation with the local authorities will foster the expansion of residential construction, including social housing.<sup>483</sup>

The most recent document promoting social housing in Italy is the Recovery and Resilience Plan (PNRR), born as a response in terms of European Union funds to the pandemic crisis. The plan is divided in different missions, and mission No.5 about inclusion and cohesion contains a specific paragraph devoted to urban regeneration and social housing (M5C2). The investment aimed to renovate the housing quality is articulated in two types of interventions. The first concern the requalification and increase of social housing, the management of the lack of

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<sup>479</sup> Ibid. 248.

<sup>480</sup> Ibid.

<sup>481</sup> Ibid.

<sup>482</sup> Ibid.

<sup>483</sup> Ibid. 249.

housing offer, and the promotion of innovative and inclusive models. The second type of interventions aims at improving public housing (Edilizia Residenziale Pubblica).<sup>484</sup> All these interventions mainly target marginalised and vulnerable sections of the population, including families having a single income and students.

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In Italy, the ERP comes in three different declinations that are defined in the ten-year plan for social housing established by the Law n. 457 of the 5<sup>th</sup> of August 1978. The first is ‘edilizia residenziale sovvenzionata’, where the costs are completely covered by public authorities who are responsible for the construction of the buildings. It is the correspondent of social housing, since the access to the housing depends on the income.<sup>486</sup> The second is ‘edilizia residenziale agevolata’ and it corresponds to subsidised housing that is directed to medium income households. It is managed by private construction companies, who receive public subsidies to realise buildings with housing scopes. The last type is ‘edilizia residenziale convenzionata’, the correspondent of private social housing. It is similar to the previous model because the building is constructed by private companies in both cases. However, in private social housing, the construction companies do not receive any subsidy but are bound by rent and sale thresholds established by public authorities.<sup>487</sup>

In terms of funding, social housing in Italy includes two types of financing. The first is represented by agreements between the municipalities and institutional investors who restore existing buildings or construct new buildings aimed at becoming social housing. The task of the municipalities is to provide the area for the construction, while the investors construct the buildings, and the Third Sector manages the housing project supporting the users. In the second case, private construction companies make an agreement to realise new buildings, of which a percentage serves as social housing.

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<sup>484</sup> Ministero dello Sviluppo Economico, “Piano Nazionale di Ripresa e Resilienza”, July 2021: 217.

<sup>485</sup> Ibid., 203.

<sup>486</sup> Milena De Matteis, Barbara Del Brocco, Angelo Figliola, “Rigenerare la città: il Social Housing come opportunità di rinnovo urbano e sociale”, Università Iuav di Venezia, 1° edizione novembre 2014 :24.

<sup>487</sup> Ibid. 24.

These agreements are important because they represent a collaboration between the public sector and the private sector, having positive outcomes both in welfare terms, but also for the economic benefits produced.<sup>488</sup> The partnership between private and public sector is one of the main characteristics of social housing. As already mentioned, other characteristics of social housing are the target, that includes specific sections of the population, and the involvement of the users in the decision-making process. Furthermore, the services provided by social housing projects are diverse, including the development of the community, and foster a sense of solidarity and sharing.<sup>489</sup>

#### **4.2.2. Implementation of Housing First in Italy**

Social housing in Italy has lately been joined by the implementation of the Housing First model. The spread of Housing First in Italy occurred through two different processes, a bottom-up and a top-down. In the first process, the Housing First approach has been implemented by local service providers under the form of pilot projects since 2012. In the top-down process, the Italian Federation of the Organisms for Homeless People (fio.PSD) established in 2014 the Network Housing First Italia, a system having as objective the promotion of Housing First and the institutionalisation of the existing projects. The members of the project as of 2015 were fifty-one.<sup>490</sup>

The requirements needed to take part in the network are “to respect the philosophy and ingredients of HF; to guarantee the availability of houses and social workers; to attend what was agreed by the membership and to follow the evaluation programme.”<sup>491</sup> At the same time, a training is provided to the service providers adhering to the network, together with a follow-up of the projects.

In terms of composition, the Network is heterogeneous and comprises non-profit organisations, representing the largest share; Caritas associations; religious

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<sup>488</sup> Maino and Ferrera, "Primo rapporto sul secondo welfare in Italia.", (2013): 251.

<sup>489</sup> Giordana Ferri, Angela Silvia Pavesi, Marta Gechelin , Rossana Zaccaria, “Abitare Collaborativo: percorsi di coesione sociale per un nuovo welfare di comunità”, Firenze University Press, (2017) : 126.

<sup>490</sup> Teresa Consoli, et al., "The Italian Network for Implementing the ‘Housing First’ Approach.", *European Journal of Homelessness*, Volume 10.1 (2016) :87.

<sup>491</sup> *Ibid.*, 88.

associations; public associations working with the homeless; and associations for people with addictions and people with mental illnesses. Most of the 51 organisations are based in the North of Italy (57%) followed by the South (27%) and the Centre (16%), and at least half of them is composed by less than 15 members.<sup>492</sup> This indicates that Housing First projects are mainly managed by small organisations.

Although HF was born in the United States to address the needs of individuals suffering from mental disorders, the program was then extended in Europe to people defined as ‘homeless’ or ‘houseless’ according to the ETHOS classification.<sup>493</sup> In 2014 the Italian Federation of the Organisms for Homeless People (fio.PSD) enforced a monitoring plan (Piano di Monitoraggio e Valutazione dell’Housing First in Italia) aimed at evaluating the effectiveness of Italian Housing First projects through the examination of the well-being of the beneficiaries, the costs of the project, and the impact on the organisations and social workers working in them. The first report was realised for the biennium 2014-2016, followed by a second report in 2017-2019.<sup>494</sup> The latter collected information about the 31 projects active in Italy by the end of 2019 in five sections that have been analysed, which are the details of the adhering organisation; the kind of project and intervention area; the composition of the beneficiaries; the characteristic of the housing in terms of size, number and entity; and the staff working in the project.<sup>495</sup> The main services provided are the information and orientation to the territory, legal residence and postal domiciliation, but also the management of reception centres and day care centres. A minority of associations also organises street units.<sup>496</sup> Together with service orientation, care and psychological support constitute the first areas of intervention, followed by employment counselling, citizenship rights and legal protection.<sup>497</sup> By the end of 2019, in Italy there were 177 flats (mainly studios

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<sup>492</sup> Ibid. 89.

<sup>493</sup> Kate Amore, Michael Baker, and Philippa Howden-Chapman, "The ETHOS definition and classification of homelessness: an analysis.", *European Journal of Homelessness* 5.2 (2011): 28.

<sup>494</sup> Fio.PSD, "Monitoraggio Housing First", URL <https://www.fiopsd.org/monitoraggio-housing-first/>

<sup>495</sup> Fio.PSD, "Report di Monitoraggio dei progetti del Network Housing First Italia (biennio 2017-2019)", October 2020: 2.

<sup>496</sup> Ibid., 4.

<sup>497</sup> Ibid., 6.

or shared flats) used for HF projects, of which 2/3 were rented and 1/3 were offered in form of loan for use. The cost of the flat is often shared between the organisation that put the largest part, and the beneficiary. <sup>498</sup>

Academic articles and reports have also identified the existing challenges experienced in the implementation of Housing First projects in Italy. In the 2016 analysis on the Italian Network of Housing First programs, the authors outlined some difficulties faced before the starting of the project, which are a concrete engagement in following the users for the time needed; the economic contribution to 1/3 of the rent by the users; and the difficulty of finding housing that accept people not having any grant. <sup>499</sup>

The authors divided then the challenges faced during the implementation of the projects in three macro areas, which are challenges related to organisational aspects, challenges related to methodological aspects, and challenges depending on economic aspects. The main organisational obstacles are the lack of adequate housing solutions in the private market, and the lack of coordination between public and private actors. <sup>500</sup> The methodological obstacles are more connected to the people involved in the projects, both the beneficiaries and the social workers. These obstacles include a lack of specific training for the latter, but also the difficulty of transplanting HF in the local reality. Last, the economic obstacles are mainly represented by a lack of economic resources needed both for the launch of the project and for keeping it alive in the future. <sup>501</sup>

Further problems have been identified regarding the “inappropriateness of the ‘original model’”, the need for a “greater guidance and presence in its everyday implementation” <sup>502</sup>, and the use of shared flats that are sometimes overcrowded. The first problem has been partially overcome widening the target of the projects to people who do not suffer necessarily from mental disorders or health problems.

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<sup>498</sup> Ibid., 17.

<sup>499</sup> Consoli, et al., "The Italian Network for Implementing the 'Housing First' Approach.", (2016): 92.

<sup>500</sup> Ibid.

<sup>501</sup> Ibid., 93.

<sup>502</sup> Lancione, Stefanizzi, and Gaboardi, "Passive adaptation or active engagement?", (2018): 10.



One of the most serious obstacles that still remains in the implementation of Housing First in Italy is the adaptation of the US model in a country that has a completely different welfare culture. Being based on a charity model and institutionalised welfare, the access to health and housing services in Italy strongly depends on the fulfilling of criteria such as having an official residence or being employed, and it relies more on an emergency rhetoric.<sup>503</sup>

#### **4.2.3. Extent and characteristics of female homelessness in Italy**

It is also important to identify the share of women benefitting from the services and programs for the homeless in Italy.

The national report on the condition of homeless people in Italy realised by ISTAT in 2011 represented a milestone in the collection of data about homeless people. According to the research, out of the total homeless population women represented 13.1%. The 10% of the women registered presented difficulties in communicating, and nearly the half of those not presenting any difficulty were Italian nationals. In terms of nationalities represented, the majority were Romanian, followed by the Ukrainian, Bulgarian, and Polish.<sup>504</sup> The average age is 45 years old, and the women that has been living as homeless for 4 years or more are the 14% of the total population. Compared to men, women usually live with a partner or with the offspring. This brings to a higher attendance of reception centres compared to the attendance of canteens and day centres. The main reasons that lead women to homelessness in Italy are the separation from the partner (70%) or from the offspring (40%).

Considering the share of women that are welcomed in Italian Housing First projects, the percentage is only about 12.6%. On the other hand, considering gender among the families welcomed in the projects, the share of women is higher (57.6%). Overall, there is an increase of 30.7% in the presence of women in Italian Housing First projects.<sup>505</sup>

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<sup>503</sup> Ibid.

<sup>504</sup> Istat, "Le persone senza dimora" (2011): 11.

<sup>505</sup> Paolo Molinari, Anna Zenarolla, *Prima la casa: la sperimentazione Housing First in Italia*, FrancoAngeli, 2018: 48.

It is interesting to take some examples of social housing projects in Italy that are specifically addressed to women. Refuges, anti-violence centres ('centri anti-violenza') and family houses ('case famiglia') are not considered, although they represent one of the first alternatives to which homeless women resort to.

The first project is called AmpliaCasa, designed by the NGO Acisjf, the International Catholic Association for Young Women and supported by Fondazione con il Sud. Acisjf is present on the whole national territory, and works through the establishment of family houses, day centres, listening centres, and canteens. The organisation has always targeted young women belonging to different categories such as women with disabilities, women with mental disorders, disadvantaged girls who cannot be assisted by the social services, migrant women, women fleeing from violence, and mothers or mothers-to-be. With the project 'Ampliacasa – L'ACISJF per il Co-Housing' implemented in the Southern regions of Calabria, Sicily and Sardinia, the organisation wanted to provide housing solutions for low-income marginalised young women. The housing provision is combined with an integration path through which the young users can then acquire their autonomy.<sup>506</sup>

A similar project is DaMe, the first social housing in Crotona, Calabria. DaMe is a housing that can host up to 12 months any women older than 18 in need of an accommodation because of familiar, working or social disadvantages. DaMe is different from other housing projects because the users manage themselves the spaces in which they are living. Here again, the autonomy and path towards independence is highlighted and promoted, and psychological, social and legal support is provided together with the housing.<sup>507</sup>

Both AmpliaCasa and DaMe represent important strides in the provision of housing support that specifically targets women. While the first project is focused on young women, the second welcomes any woman of legal age who is in need. If on one side this kind of programs represent a first step towards the reintegration of homeless women in society, the limited number of users that they can afford to assist makes their impact marginal.

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<sup>506</sup> Associazione Cattolica Internazionale a Servizio della Giovane, "Ampliacasa", May 2019, URL <http://www.acisjf.it/category/ampliacasa/>

<sup>507</sup> CSV Aurora Crotona, "DaMe è il primo Social Housing, il progetto per donne in difficoltà a Crotona", 2014-2019, URL <https://www.csvcrotona.it/dame-e-il-primo-social-housing-il-progetto-per-donne-in-difficolta-a-crotona/>

The present section was fundamental to give an overview on the Italian context when dealing with housing. The following and last section, in fact, is devoted to the analysis of social housing solutions for women in the city of Padova. For this reason, the Italian legal framework on social housing has been presented, as well as the implementation of the Housing First model and its adaptation to the Italian welfare system. The last paragraph provided data about the situation of homeless women in Italy and gave two virtuous examples of gendered social housing in Italy.

### **4.3 Case Study: social housing solutions for women in the city of Padova**

The previous sections introduced social housing in general, and then focused on its implementation in Italy. The present section is devoted to the presentation of a case study, namely the provision of housing services for homeless women in the city of Padova.

First, an introductory paragraph will briefly present the demography of the city and the legal and administrative provisions adopted by the municipality of Padova to tackle extreme marginalisation and homelessness. In a second paragraph, the concrete implementation of the provisions is analysed to understand the measure in which homeless people effectively benefit from the services. The third paragraph will then verify, through interviews to local social workers, whether and how housing services for the homeless are gender responsive.

#### **4.3.1. Presentation of the case study: demography of the city and regulation of social housing**

Padova is a city located in the Eastern area of the Po valley, in the Veneto region, 10 km north to the Euganean Hills, and 20 km west to the Venice lagoon. Although Padova is one of the seven Veneto provinces, the municipal area stretches on a plain of 93km<sup>2</sup>. Different neighbourhoods compose the municipal area, which are the Centre, the Northern district (Arcella), the Eastern district (Forcellini, Camin), the South-Eastern district (Bassanello), and the Western district (Savonarola,

Brentella).<sup>508</sup> According to the data provided by the area ‘Programmazione, Controllo e Statistica’ of the municipality in 2018, the most populated districts are Bassanello and Arcella.

The last census dates to the 31<sup>st</sup> of December 2019, when the total population living on the municipal territory was 210,077. The total share of women (110.533) was slightly higher than the share of men (99.544), and among the female population the highest share was represented by middle-aged women (50-54, and 45-49).<sup>509</sup> Out of the resident population, the number of non-Italians living on the territory was 32.859, of which 17.144 women and 15.715 men.<sup>510</sup> The largest share of the non-Italians living in the municipality comes from Europe (51%), followed by Asians (26%) and Africans (20%).

In terms of household composition, a significant increase (+23%) in single-person households has been registered compared to the previous census realised in 2011. In general, the average number of family members decreases from 2.13 to 2.03 components.<sup>511</sup>

The unemployment rate increased from 7.3 to 9.7%, especially hitting young people. The female unemployment is particularly high for all age ranges.<sup>512</sup> Data drawn from the administrative archives of Padova municipality report the number of homeless people registered at the end of 2021. The total number is 202, of which more than a half is foreign national. The number of women is 33 (16%), of which the majority is aged more than 18.<sup>513</sup> However, the number of homeless who live on the territory differs from the number of homeless registered (‘residenti’). It is, in fact, extremely difficult to detect non-resident since this category can include victims of human trafficking, irregular migrants, asylum-seekers, and foreign

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<sup>508</sup> PadovaNet, Rete civica del Comune di Padova, “Quartieri: uno spazio per conoscere meglio i quartieri della città, i servizi offerti, le proposte e gli eventi”, 2001-2022, URL <https://www.padovanet.it/sindaco-e-amministrazione/quartieri>

<sup>509</sup> Comune di Padova Settore Programmazione Controllo e Statistica, Istat, and Sistan, “Padova ai censimenti 2011 e 2019”, available at <http://www.padovanet.it>

<sup>510</sup> Ibid., 4.

<sup>511</sup> Ibid., 7.

<sup>512</sup> Ibid., 10.

<sup>513</sup> PadovaNet, rete civica del Comune di Padova, Padova in cifre: i dati dell'Annuario statistico comunale e informazioni statistiche sulla città”, update May 2022, Annuario 2021, sez. 2 Popolazione, 33, URL <https://www.padovanet.it/informazione/padova-cifre>

nationals who are not registered.

The legal instrument that regulates the ‘Edilizia Residenziale Pubblica’ (ERP) is the Regional Law of the 3<sup>rd</sup> of November 2017, n. 39 (BUR n.104/2017).<sup>514</sup> The law regulates public and social housing at the regional level, following the principle enshrined in the article 117 of the Italian Constitution<sup>515</sup>. The main objective is the reduction of housing deprivation, with a special focus on marginalised categories and families through the social housing network.<sup>516</sup> The body that deals with ERP is called ATER (agency for public residential buildings).<sup>517</sup> In Veneto, the Region is responsible for the whole process, including the establishment of entry requirements and procedures for the allocations of public housing, but also the management of the housing themselves.<sup>518</sup> On the other hand, municipalities (and in particular ATER) are responsible for the determination of the demand of public housing and for the selection procedures.<sup>519</sup> ATER also designs programs of urban requalification and regeneration and make agreements with local authorities and non-profit organisations.<sup>520</sup>

The requirements needed to access to public housing in Veneto are enshrined in article 25. Public housing is accessible for Italian citizens, regular EU citizens, individuals with a permit of residence, beneficiaries of international and subsidiary protection, and regular foreign nationals who are active.<sup>521</sup> Moreover, there are additional characteristics that can alter the possibility of having a public housing assigned. Among them, a precarious economic condition established through the ISEE indicator; the presence of elderly, or of persons with disabilities in the household; single-headed households; young households; having a working activity in Veneto region; and being an Italian emigrant willing to come back.<sup>522</sup>

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<sup>514</sup> Bollettino Ufficiale della Regione del Veneto, Legge regionale 3 novembre 2017, n. 39 (BUR n. 104/2017), Norme in Materia di Edilizia Residenziale Pubblica.

<sup>515</sup> Costituzione della Repubblica Italiana, Gazzetta Ufficiale, 1st January 1948, art. 117.

<sup>516</sup> Bollettino Ufficiale della Regione del Veneto, Legge regionale 3 novembre 2017, n. 39, titolo I, capo I, art. 1.1.

<sup>517</sup> Ibid., Titolo I, Capo I, art. 6.

<sup>518</sup> Ibid., Titolo I, Capo I, art. 2.1.h.

<sup>519</sup> Ibid. Titolo I, Capo I, art. 3.a-f.

<sup>520</sup> Ibid Titolo I, Capo I, art. 7.b-c.

<sup>521</sup> Ibid Titolo I, Capo I, art. 25.1.

<sup>522</sup> Ibid Titolo I, Capo I, art. 28.1.a.

Other elements are also considered, such as the stay in insecure housing, cohabitation with other households, overcrowding, lack of hygienic measures, or lack of housing from at least one year.

Article 46 of the Regional Law of the 3<sup>rd</sup> of November 2017 is also relevant for the intentions of the research. The naming of the article is “allocation of housing for social purposes” and it stipulates that the municipality can allocate yearly up to 2% of the public housing to vulnerable people who are transmitted by ULSS (local medical services) and the social services. In particular, non-profit organisations can manage the allocation of the housing for social purposes. Among these organisations there are also structures aimed at “preventing and contrasting violence against women”<sup>523</sup>, as regulated by Regional Law of the 23<sup>rd</sup> of April 2013 n.5.

More recently, a relevant legislation on the housing quality has been enforced at the national level. Launching the National Plan for the Quality of Housing (PinQua), the Law of the 27<sup>th</sup> of December 2019 n. 160 aims at addressing the lack of affordable housing and inadequate living conditions, especially in the peripheries. The subject matters of the instrument are urban regeneration, requalification of the socio-economic network and increase in the accessibility and security of public spaces. Article 42 stipulates the specific amount of economic contributions allocated to municipalities from 2021 to 2034 to invest in projects aimed at reducing social degradation and marginalisation, and at improving the urban decency. The investments are also addressed to the improvement of public housing conditions and its promotion.<sup>524</sup>

In the city of Padova, three projects have received funds from the National Plan for the Quality of Housing, which are ‘Hub Arcella 2030’, ‘Co-stellazione Portello’, and ‘Effetto Doppler’. Once the required documents are presented from the local organisations dealing with projects, the Ministry of Infrastructures and Transport, the Ministry of Economy and Finance, and the Ministry of Cultural Heritage and Tourism evaluate them and decide whether to issue the funds. The

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<sup>523</sup> Ibid Titolo I, Capo I, art. 46.

<sup>524</sup> Gazzetta Ufficiale, Legge 27 dicembre 2019, n. 160, Gazzetta Ufficiale Serie Generale n.304 del 30 dicembre 2019 - Supplemento Ordinario n. 45, art. 42.

projects presented aim at regenerating areas of the urban network that have gaps in services and infrastructures.<sup>525</sup>

The planned interventions include the realisation of cycle paths, the improvement in access to schools, the energy efficiency of older buildings, and the requalification of open spaces and parks in the districts of Arcella, Portello and Padova Fiera. In terms of public housing, the projects represent a significant turning point since most of the interventions are aimed at renovating or constructing *ex-novo* buildings intended to become social housing or ERP.<sup>526</sup>

#### **4.3.2. Services and interventions addressed to individuals living in conditions of extreme marginality**

After having described which are the legal and administrative provisions adopted by the municipality of Padova to address the phenomenon of homelessness, the present paragraph deals with the practical side of the question. In fact, the management of the concrete and immediate needs of homeless people is sometimes distant from the provisions implemented at the regional and municipal level.

There is a difference between short-term and long-term interventions to tackle homelessness. The interventions exposed in the previous paragraph, namely the provision of ERP and the projects inscribed in the National Plan for the Quality of Housing, represent long-term solutions. On the other hand, homeless people often have urgent needs such as being provided with housing, food, shower and clothes, which cannot be fixed with these solutions.

The Guidelines provided by the Ministry of Labour and Social Policies identify five types of services for the homeless which are basic needs services, night shelters services, day care services, social secretariat services, and orientation services.

<sup>527</sup>Urgent needs of homeless people in Padova are mainly managed by local non-profit organisations and volunteering associations, sometimes in collaboration with

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<sup>525</sup> PadovaNet Rete Civica del Comune di Padova, “Programma innovativo nazionale per la qualità dell’abitare”, March 2021, URL <https://www.padovanet.it/informazione/programma-innovativo-nazionale-la-qualit%C3%A0-dell%E2%80%99abitare>

<sup>526</sup> Ibid.

<sup>527</sup> Ministero del Lavoro e delle Politiche Sociali, “Linee di Indirizzo per il Contrasto alla Grave Emarginazione Adulta in Italia”, November 2015: 20.

the municipality.

The main public body dealing with homelessness in Padova are the social services of the municipality. The main areas of intervention in which the social services operate are the support to socially marginalised individuals and families; the organisation of activities aimed at promoting individual abilities in collaboration with other public and private bodies; and the valorisation of different cultures coexisting in the city.<sup>528</sup>

The first concrete action taken by the social services is the opening of Casetta Borgomagnano, a structure close to the station hosting shower services, a listening centre, and supporting the users in their orientation on the territory.

Also, last winter the social services launched the Winter Extraordinary Plan for the Reception of Homeless People, with the support of the local medical services (Ulss 6 Euganea) and of the local associations. The initiative followed the same model of the plans implemented in previous winters, and covered the period from the 1st of December to the 28<sup>th</sup> of February, where 178 beds were made available in different structures. The presence of medical staff was fundamental not only to provide medical assistance and specific assistance to treat addictions, but also to monitor the pandemic spread in the reception centres. Local medical services set up a free Covid test hub in collaboration with the Red Cross to guarantee a regular monitoring each 10 days. The procedure to be assigned a bed consists in the presentation of the request to the help desk close to the station, where the social workers collect it and after having evaluated the single case decide whether to proceed with the booking of the bed.<sup>529</sup>

Moreover, emergency assistance is provided to people living rough from private social associations that organise street units. Especially in the colder months, the volunteers deal with the distribution of blankets, warm drinks, and food, and they give useful information to have access in the reception structures or to other services.

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<sup>528</sup> PadovaNET, Rete Civica del Comune di Padova, “Settore Servizi Sociali”, URL <https://www.padovanet.it/informazione/settore-servizi-sociali>.

<sup>529</sup> PadovaNET, Rete Civica del Comune di Padova, “Piano straordinario invernale per l'accoglienza di persone senza dimora”, URL <https://www.padovanet.it/informazione/piano-straordinario-invernale-laccoglienza-di-persone-senza-dimora>.



The Winter Plan and Casetta Borgomagno are the immediate solutions provided by the public authorities to address the needs of homeless people. All the other bodies providing assistance belong to the private social sector and are often faith-based. This is due to the lack of support and alternatives proposed by the public authorities, but also to the level of closeness that local associations have with the community and their needs.<sup>530</sup>

For what concerns the provision of food, four associations are responsible, which are Cucine Economiche Popolari, the day centre 'La Bussola', the Capuchin friars, and the Salesian nuns. The Cucine Economiche Popolari (literally 'popular cheap kitchens') were founded by Miss Omboni in 1882 after a huge flood that caused the displacement of a large number of people. Today, they are managed by nuns and provide meals at affordable prices (2€ per meals) representing the largest soup kitchen in Padova. Cucine Economiche Popolari can also provide to regular users with a certification of their presence on the territory that is necessary to be registered as resident in the municipal record. The friars and the Salesian nuns provide respectively lunch and breakfast for free without asking any document, while the day centre 'La Bussola' only accepts users that are addressed by specific associations.<sup>531</sup>

Shower and toilet services are provided by the Cucine Economiche Popolari, the day centre 'La Bussola' and Casetta Borgomagno, at a cost of 0.60 cent per shower. Listening services are provided by Caritas, by the association 'Unica Terra', by Casetta Borgomagno and by the association 'Vides Veneto', while distribution of clothes is organised by Cucine Economiche Popolari.<sup>532</sup> Free legal support is guaranteed by the association 'Avvocato di Strada', where volunteers are lawyers who provide marginalised people with adequate access to justice.<sup>533</sup>

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<sup>530</sup> Maino and Ferrera, "Primo rapporto sul secondo welfare in Italia.", (2013): 250.

<sup>531</sup> Gruppo Polis Cooperative Sociali, "La Bussola", URL <https://www.gruppopolis.it/struttura/la-bussola/>

<sup>532</sup> PadovaNET, Rete Civica del Comune di Padova, "La notte dei senza dimora", URL <https://www.padovanet.it/sites/default/files/attachment/La%20notte%20dei%20senza%20dimora.pdf>

<sup>533</sup> Avvocato di Strada Organizzazione di Volontariato, Padova, URL <https://www.avvocatodistrada.it/sedi-locali/padova/>

It must be said that this kind of interventions are not aimed at fostering social inclusion of the users, but they try to guarantee the minimum conditions for survival and decent standard of living.<sup>534</sup>

Once that the short-term solutions put in place to tackle homeless needs have been presented, it is important to linger on the solutions that can help homeless individuals out of their condition. One of the long-term housing projects implemented by the social services is ‘DOM VENETO. Modello Housing First Regione Veneto’.

As the name suggests, the project has been enforced at a regional level. Approved by the Ministry of Labour and Social Policies on the 7<sup>th</sup> of December 2017, the project has received funds amounting to 3.310.700,00. The Veneto region is the responsible authority, and the municipalities of Venice, Padova, Verona, Vicenza, Treviso and Rovigo are partners of the project. The main idea is to promote the fulfilment of the right to housing through housing first and housing led models.<sup>535</sup>

The DOM Veneto project is based on three objectives. First, the project wants to make homeless people aware of their right to housing and to allow them to demand it in the easiest way possible. The second objective consists in facilitating social inclusion processes that can introduce the individual in the economic and social urban reality. Last, the project aims at spreading a model of response to homelessness based on local services and on the engagement of local community to realise housing first at a regional level.<sup>536</sup>

The municipality of Padova, as a partner, activated Housing Led projects managed by teams of experts who placed homeless individuals in reception structures. The users were followed step by step and monitored with the aim of finally reaching autonomy. To be included in the project, the users had to be evaluated by the team of experts through interviews and motivational meetings.<sup>537</sup>

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<sup>534</sup>Maino and Ferrera, "Primo rapporto sul secondo welfare in Italia.", (2013): 25.

<sup>535</sup> Bolletino Ufficiale della Regione del Veneto, “Deliberazione della Giunta Regionale n. 2201 del 29 dicembre 2017, Presa d'atto dell'approvazione del progetto "DOM. Veneto" - Modello di housing first Regione Veneto”, Bur n. 7 del 16 gennaio 2018.

<sup>536</sup> Ibid.

<sup>537</sup> PadovaNET, Rete Civica del Comune di Padova, “Progetto ‘Dom Veneto. Modello Housing First Regione Veneto’: per promuovere l'inclusione sociale e contrastare la marginalità estrema”,

#### **4.3.3. Evaluate the gender responsiveness of the services provided at the local level to individuals living in conditions of extreme marginality**

The previous paragraph explored the short-term and long-term solutions implemented in the city of Padova to address the needs of people experiencing homelessness. The aim of the research is to evaluate the gender component in housing projects and services. For this reason, the present paragraph will try to examine which are the solutions provided to homeless women in the city area both in emergency terms and in housing terms. To do so, the findings collected in the qualitative interviews conducted will be used.

In the period of June 2022 it has been possible to interview 6 people chosen because of their professional involvement in housing projects and services. Five of the interviewees work in the third sector as volunteers or project coordinators responsible in social cooperatives ('operatori sociali'), while one of the interviewees is a pedagogist working for the municipality. The six of them work on the Padova municipality area.

The qualitative sample is small because it wants to report dynamics that are complex and extremely specific to the environment in which they manifest themselves. For this reason, the aim is not to interview a large number of subjects but rather to deepen the collection of information with the selected subjects.

The semi-structured interviews have been conducted following an outline that was used to guide the conversation and obtain the information needed. The form assumed by the interviews was relatively open, although some key points were always tackled. The thematic areas on which the interviews were based are the scope and functioning of the housing projects analysed, the stakeholders involved in the implementation of the projects, the profile of the users, the existence of a partnership and network between different projects, the main challenges met in the implementation of the projects, and the social reintegration of the users.

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<https://www.padovanet.it/informazione/progetto-dom-veneto-modello-housing-first-regione-veneto-promuovere-inclusione-sociale>.

The idea is to embrace the specific information provided by each interviewee, shaping the interview depending on the facts that emerged and getting aspects that are not necessarily planned in the outline but that can be relevant for the sake of the research. Moreover, semi-structured interviews provide a wider perspective on the problem studied, allowing to the interviewees to freely express their point of view. At the end of the interview phase, the material collected was analysed following the guiding questions. First, the work of the cooperatives and the different housing projects are introduced. Then, the profile of the women hosted is considered. Lastly, the main challenges identified by the interviewees are presented.

The first person interviewed was a volunteer working in a structure called ‘Centro Mondo Amico’ in the south of Padova. The house belongs to the parish church, and the project was launched by the local priest in collaboration with the social services in October 2018. The priest is responsible for the 22 users living in the house. The users are sent by the social services, and the only requirement to be hosted is to be a woman and to follow the rules of the house. The users must respect the curfew that is established at 10pm, and it is not allowed for external people to enter the house. Although there is a guardian and volunteers working in the structure to control the respect of the curfew and cleaning rules, the users are autonomous and manage their own life. The volunteers interact with the social services, but they are not aware of the background and personal life of the users unless the latter decide to share their past experiences.<sup>538</sup>

The second interviewee works for ‘Gruppo R’, a social cooperative founded in 2001 which deals with people in conditions of extreme marginality, including homeless people, unemployed people, migrant people, asylum seekers and victims of human trafficking. The cooperative manages a day centre (‘La Bussola’) that is open from 10am to 4pm and provides services to respond to primary needs, such as meals, showers, laundry, and luggage deposit. The aim of the centre is to replace a service supply perspective with an active participation and management of the centre by the users themselves. The day centre is mixed-gender and the users are addressed

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<sup>538</sup> Interview n. 1, Tiziana, Centro Mondo Amico, 15th June 2022.

by the social services. The requirements to have access are to be of legal age and to legally live on the territory.<sup>539</sup>

COSEP is the name of the social cooperative whom the third interviewee worked for. Founded in 1984, it realises educational projects for unaccompanied minors and households with children, and provides services for homeless people, people with addictions, migrant people and people with disabilities. The interviewee covered the role of social operator in the main structure managed by the cooperative, which is 'Torresino'. Owned by the municipality, Torresino represents the main night shelter for homeless people in Padova offering 80 mix-gender beds. The share of beds for women is 12 out of 80 total places (approximately 1/5), which are distributed in two rooms separated from men. The access to the structure depends even in this case by the social services.<sup>540</sup>

The fourth interviewee is a social worker ('assistente sociale') who works in the social cooperative 'Orizzonti' for the project CAS (Extraordinary Reception Center). The CAS is a project managed by the prefecture for the reception of asylum seekers, who can be single men, single women, and single parents. The main service provided is the accommodation for the period in which the person is waiting for the protection to be recognised. Also, some of the asylum seekers living in the CAS can apply for an accommodation with the SAI projects once they receive the international protection.<sup>541</sup>

The profile of the fifth interviewee was different from the ones previously exposed because the person is a municipal employee working in the reception and immigration office. Having a background in pedagogy, the interviewee manages different housing projects. The first is project 'Rondine', funded by the government through the Asylum and Migration Fund (FAMI), is part of the Integration and Reception System (SAI) which provides housing to beneficiaries of international protection. The project hosts 70 people, men and women, in public and private accommodations in collaboration with local social cooperatives. The additional services provided are an Italian language course, job placement, and support in the search of housing solutions.

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<sup>539</sup> Interview n. 3, Andrea Rigobello, Gruppo R Cooperativa Sociale, 17th June 2022.

<sup>540</sup> Interview n. 4, Zeno Mutton, Cosep Cooperativa Sociale, 23rd June 2022.

<sup>541</sup> Interview n. 6, Emanuele Stocchero, Orizzonti Cooperativa Sociale, 27th June 2022.

The second project is called 'Embracin' and is funded by the European Asylum, Migration and Integration fund. It is a particular kind of reception system in which local families make themselves available to host beneficiaries of international protection and asylum seekers. Last, the project 'Next to me' is a housing experimental project funded by the FAMI and promoted by the municipality, the University of Padova, and local social cooperatives, whose aim is to create a collaboration network with landlords and guarantee housing autonomy to the beneficiaries.<sup>542</sup>

The sixth interviewee manages the project 'Next to Me', which represents a great step forward to ensure the housing independence of people living in conditions of marginality. Citizens owning empty buildings give their availability to the municipality, which in collaboration with social cooperatives select the tenants and vouch for them in terms of regular payment of the rent. The users must have an employment and a life plan in Italy, in order to receive the appropriate economic support and training to be professionalised. The advantage for the real estate agencies is the requalification of older buildings that would be otherwise unused, while for the municipal administration will save economic resources that would have been used to assist marginalised people.<sup>543</sup>

The third sector realities that have been presented work in collaboration one with each other, also because they focus on different aspects of the same problem, and they can complement their work. However, most of the social cooperatives receive funds from the municipality through call for bids, and it can happen that different cooperatives compete for the same call.

In terms of profile of the users, the age and background are heterogenous, while the trend that have been identified by all the interviewees is the majority presence of foreign nationals. The migration background is prevalent, and it results in a multiple marginality driven by the experiences lived before reaching Padova. One of the interviewees highlighted how migrant women are likely to be victims of human trafficking, and the latter in turn are likely to be victims of violence. Because

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<sup>542</sup> Interview n. 5, Alessandra Meneghini, Reception and Immigration Office of the Municipality of Padova, 24<sup>th</sup> June 2022.

<sup>543</sup> Interview n. 2, Paola Bornancini, Project 'Next to Me', 15<sup>th</sup> June 2022.

of this prevalence, most of the housing alternatives analysed are managed in the reception system framework.<sup>544</sup>

Being foreign nationals, one of the main obstacles experienced by the women assisted by the interviews is the linguistic barrier. The job search is extremely difficult, also because there is more availability for low-skilled positions where a male figure is preferred. Moreover, it is likely that women are accompanied by children, that often represent a further burden to the reintegration in society and search for an accommodation.<sup>545</sup>

The interviewees have also been asked about the main critical aspects and challenges experienced in their work, and how the latter impact the inclusion of the users. First, the people living conditions of marginality outnumber the available housing provided by the social cooperatives and projects in the city. The short-term interventions such as night shelters are needed and the fact that a large number of people remain uncovered is problematic.<sup>546</sup> At the same time, both the administration and the social cooperatives would like to take the distance from the rhetoric of emergency interventions and welfarism, rather promoting other models of housing. An increase in the bed places in night shelters, therefore, is not the solution.<sup>547</sup>

The management of social issues also represents a significant problem, not only in Padova but in the Italian context in a broader sense. While themes such as social inclusion, employment, and marginality should be supervised and directed by the public authorities, the latter delegate its management to the third sector.<sup>548</sup> Through the subcontract of structures owned by the municipality, by the region or by the state, public authorities reduce their costs. Nonetheless, the result is an incomplete and defective management of the structures, which lack the appropriate instruments and badly perform their work. The third sector survival depends on the municipal calls for tender and it is not in the position to negotiate with the municipality to

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<sup>544</sup> Interview n. 5, Alessandra Meneghini, Reception and Immigration Office of the Municipality of Padova, 24<sup>th</sup> June 2022.

<sup>545</sup> Interview n. 1, Tiziana, Centro Mondo Amico, 15th June 2022.

<sup>546</sup> Interview n. 6, Emanuele Stocchero, Orizzonti Cooperativa Sociale, 27th June 2022.

<sup>547</sup> Interview n. 4, Zeno Mutton, Cosep Cooperativa Sociale, 23rd June 2022.

<sup>548</sup> Ibid.

obtain increases in the number of social workers in each structure, increases in the wage of the workers themselves and daily psychological support.<sup>549</sup>

Thirdly, and most importantly, the separation from the social services and the reach of self-sufficiency in accommodation is the problem. Most of the projects provide an accommodation for a period ranging from 6 months to one year. The direction that would be preferable to take, however, is represented by the support in the search of long-term housing solutions in which the user is responsible for the house she lives in. Giving housing autonomy to the individual allows to reach more easily an economic independence, to find a decent employment, to reintroduce the children in the community, and to feel herself part of the society she lives in. Most of the users, especially foreign nationals, tend to recreate a network of acquaintances of the same nationality and slow the process of reintegration.<sup>550 551</sup>

### **Conclusion**

The present chapter focused on the practical implementation of housing solutions aimed at addressing the violation of the right to adequate housing. As the previous chapters suggested, the identification of such a violation is not straightforward. Depending on the world area considered, the concept of homelessness itself can significantly vary, and the infringement of the right to adequate housing can also affect individuals who have a shelter. The analysis of the housing solutions was then confined to the Italian context. This choice allowed to understand and focus on the legal and practical management of social and public housing in the country, but also to put the basis for the case study presented in the last paragraph. The development and nature of housing solutions, in fact, strongly depends on the type of welfare system adopted. Italy is classified as a Southern European or Mediterranean welfare state, where policies to address unemployment, marginalisation and social inclusion are extremely weak.

The first paragraph served as a conceptual introduction to the social housing model. Defined as the different services implemented to provide an adequate housing for

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<sup>549</sup> Ibid.

<sup>550</sup> Interview n. 5, Alessandra Meneghini, Reception and Immigration Office of the Municipality of Padova, 24<sup>th</sup> June 2022.

<sup>551</sup> Interview n. 1, Tiziana, Centro Mondo Amico, 15<sup>th</sup> June 2022.



households living in marginality contexts, social housing takes different declinations depending on the target (single-parent households, single men or single women) on the length of the project, and on the accessibility. A focus on Housing First is proposed since it is one of the most widespread models both in the US where it had birth and in Europe. Then, a consideration on the gender component in social housing projects is presented.

The Italian management of social housing is tackled in the second paragraph. While in the Italian legal framework there is not an explicit text protecting the rights of people experiencing homelessness, different laws and decrees have been enforced to enshrine social housing. Through the Ministerial Decree of the 22 April 2008, the Law n. 133/2008 and the National Plan of Housing the purpose, target and funds devoted to the realisation of social housing are affirmed. Although the most widespread form of housing addressing the needs of disadvantaged people in Italy is 'Edilizia Residenziale Pubblica', Housing First and other housing models are also implemented.

The third paragraph was devoted to the case study of the city of Padova. The aim was to understand the management of housing solutions for women by the public authorities and the civil society. First, the regional and municipal provisions enforced were tackled, including the clauses regulating the ERP in the city area, and the projects implemented to requalify older buildings turning into social housing. The different services provided by the municipality and by social cooperatives were then analysed. The last part of the chapter was structured on the base of semi-structured interviews that provided missing information about the existing solutions designed for women living in marginal conditions on the territory.

## CONCLUSION

In the last decade, ensuring a development of the cities that is sustainable, and guaranteeing the social inclusion of the inhabitants living on the territory has become a priority. The ecological transition and the requalification of urban areas represent the most relevant changes needed to build a sustainable future in which the universal human rights are guaranteed.

However, the term ‘urban requalification’ assumed two different connotations: on one side, it translated in the willingness of promoting green solutions, inclusivity, liveability, and community building; on the other side, it was used as a synonym for ‘urban security’, which is achieved through the criminalisation of poverty and the evacuation of areas considered as unsafe or degraded. In this context, the first victims are people experiencing homelessness, who are often considered themselves the cause of urban decay.

Although the problem of homelessness is more evident in urban centres, it is not circumscribable to the city areas. It is widespread in different environments and is growingly becoming a phenomenon reflecting the dynamics of modern societies. Nonetheless, one of the most worrying problems is the transition from considering homelessness as a social problem to consider it as an individual problem. The factors determining homelessness can be individual when the condition is caused by a complicated familiar background, by mental disorders, or by addiction to alcohol and drugs. The other causes that have been identified in the research, however, do not depend on the personal history of the victim but on external factors. The latter range from the difficulty in having access to the labour market and to the housing market, but also on migrations and on the organisation of mega sporting events. It is necessary, then, to conceive homelessness as a wider problem that is not the product of single individuals but reflects a general condition of society.

Understanding the leading causes of homelessness is fundamental to highlight the social nature of the phenomenon and to avoid the criminalisation of people experiencing it. This is even more evident when considering the dynamic ‘victim-perpetrator’. Homelessness corresponds to the violation of the right to adequate housing, and people experiencing homelessness represent the victims.

The right to adequate housing is largely protected from a legal point of view: at the international level it is enshrined in the Universal Declaration of Human Rights, in the International Covenant on Economic, Social and Cultural Rights, in General Comment n.4 and General Comment n.7, in the Vancouver Declaration and in the Quito Declaration on Sustainable Cities and Human Settlements for All. Each of the conventions and documents mentioned plays a role in the respect, protection, promotion, and fulfilment of the human right to adequate housing. However, its legal recognition and promotion does not translate in the eradication of homelessness. The main obstacles hindering the process of ensuring the right to adequate housing for everyone are identifiable in the lack of collaboration of the private housing sector and the low appeal that social problems have from a political point of view. The scarce engagement of the national and local governments to address the phenomenon results in a lack of specific measures which could respond to different segments of the population experiencing homelessness.

The present research focuses on women as a specific category of individuals whose right to adequate housing is violated. The choice to analyse female homelessness is driven by the under-researched nature of the topic: the review of the literature showed a minority of studies investigating the female condition. Also, the significance that gender has in the achievement of sustainable and inclusive communities and urban realities was a relevant factor in outlining the research problem. The Sustainable Development Goal n. 5 on Gender Equality and Women's Empowerment must be seen as a guiding thread for all the goals and targets of the UN 2030 Agenda, representing a pre-condition without which any other outcome can be achieved. In the context of the present study, it has been possible to verify the permeability of human rights, namely the consequence that the violation of one right has on the others. Therefore, the rights enshrined and promoted in the SDG5 intersect and should strengthen the fulfilment of the rights enshrined in SDG11 on sustainable cities, with the aim of encouraging the independence, job placement, and social inclusion of women living within urban environments.

The 'feminisation of poverty' theory shows that most of the people living in poverty are women, and that gender affects the likelihood to become socially

excluded and disadvantaged. This exclusion is determined, among other things, by the family care burden, by the gender pay gap, and by gender-based violence.

The multiple discriminations to which women are exposed are not mutually exclusive, on the contrary they sum up exacerbating their vulnerable condition. For this reason, intersectionality has been used to investigate the marginalisation of homeless women. The theory, employed as a conceptual framework, served to outline the different profiles of women experiencing a violation of the right to adequate housing. In general, Roma women, migrant women and young women were identified as the prevalent categories, while the main trends in female homelessness were the presence of gender-based violence and a strong attachment to the family element. The analysis shows that gender-based violence and homelessness are mutually reinforcing, in the sense that the former can trigger the latter and vice versa. The result is a further challenge for women to recover from life as a homeless person. Motherhood also a negative correlation with homelessness. The preferential treatment of lone mothers can be conceived as paternalistic since it is connected to the social representation of women as mothers, according to 'relative advantage' theory of being homeless and women.

The findings resulting from the analysis conducted in the first chapters have been corroborated by the presentation of a case study focusing on the city of Padova. Through the realisation of six semi-structured interviews to social workers and volunteers working on the municipality area in the field of extreme marginality and social inclusion, it was possible to outline the same pattern emerged in the bibliographic research. Although the number of interviews conducted is limited and the findings are relevant only if considered in relation to the specific context, they are useful to compare them with the arguments exposed in the body of the research.

Most of the female users of housing services in the city of Padova present multiple sources of vulnerability arising from their migration background and their exposition to violence and/or human trafficking. The scope of the interviews was to propose an answer to the research question posed at the beginning of the study. Since the question posed a problem about the efficiency of housing solutions for

homeless women in terms of social inclusion, the interviews section tried to evaluate the way in which housing solutions could positively respond to the needs of homeless women. Different thematic areas were tackled: starting from the investigation of the services provided by local social cooperatives to people experiencing homelessness, the interviewees were asked about the possible alternatives offered to women to satisfy their housing needs. While all the interviewees gave positive feedback about the short-term solutions existing, permanent housing was considered much more difficult for homeless women to obtain. The linguistic barrier was identified as one of the main obstacles in reintegrating in the local society. Not only finding an employment is harder for a non-Italian speaker, but also the users tend to isolate themselves within their ethnic community. Furthermore, the welfarism resulting from the Italian reception system and by the management of public housing (Edilizia Residenziale Pubblica) do not encourage the users to be supported in the finding of sustainable housing solution by the social cooperatives present on the territory. The promotion of housing self-sufficiency is one of the main steps that should be undertaken by the stakeholders responsible for the implementation of long-term housing solutions and social inclusion projects. The project 'Next to Me', launched by the municipality in collaboration with the civil society and the private sector represents an innovative model in this sense that could be emulated and transposed to other Italian contexts.

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