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Human Rights-Based Approach to Housing Team
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700 Montreal Rd
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Dear Minister Duclos, Mr. Vaughan, and the Human Rights-
Based Approach to Housing Team,

**RE: FEEDBACK ON HUMAN RIGHTS-BASED APPROACH TO
HOUSING**

Canada is obligated under the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) and the Universal Declaration of Human Rights to ensure the right to housing for all people in Canada. The right to housing is more than just the right to a house; it is the right to live in security, peace and dignity. It is the right to *adequate* housing, as outlined by the Committee on Economic, Social and Cultural Rights.

Under international law, Canada is required to *immediately* guarantee the right to housing in an equal and non-discriminatory way, to develop concrete plans of action, to prevent forced evictions and to ensure security of tenure for all. Canada must use the maximum available resources to realize the right to housing for all by 2030.¹

In May 2018, [recommendations](#) from the third Universal Periodic Review of Canada were released. Chief among these recommendations is that Canada interpret the *Charter*

of Rights and Freedoms to confirm the interdependence and indivisibility of all human rights, with a view to ensuring access to food, health and adequate housing for all people in Canada (Uruguay). Additionally, legislation for the National Housing Strategy (NHS) must recognize the right to housing and provide for effective remedies for violations of that right (Portugal).

To comply with these recommendations and fulfill Canada's human rights obligations, the NHS must recognize the right to housing in more than name only, in particular by providing

¹ In September 2015, Canada and 192 other UN member states adopted the 2030 Agenda for Sustainable Development, which includes 17 ambitious goals with targets. Sustainable Development Goal 11 calls on all member states to ensure access for all to adequate, safe and affordable housing.

mechanisms for people in Canada, including the 235,000 people who experience homelessness every year, to claim their right to housing as guaranteed by the ICESCR.

Canada is seen as a global leader on human rights, but with 3 million households precariously housed (living in unaffordable, below standards and/or overcrowded housing conditions), we are far from realizing the right to housing. CWP therefore calls on the government to base the NHS legislation on Canada's obligations under international covenants and include the following:

1. Explicit recognition of the right to adequate housing as defined in international law and of the obligation of all levels of government to progressively implement the right within a reasonable period of time.
2. A commitment to address systemic inequality on the basis of race, gender, disability and other grounds, the impacts of colonization and the rights of Indigenous communities, including those in urban centres.
3. Prioritization of those in most urgent housing need and a commitment to eliminate homelessness by 2030, as Canada has committed to under the UN Sustainable Development Goals.
4. An accessible process through which systemic rights claims are subject to public hearings, adjudication and remedies. While ultimate recourse to courts is important, other accessible claiming mechanisms should also be included, such as Ombudsperson offices, housing commissioners, human rights institutions, community housing councils or housing advocates.
5. Independent monitoring of progress and accountability based on rigorous human rights-based goals and timelines.
6. Individuals and communities affected by homelessness and inadequate housing have opportunities for input, leadership and decision-making – as rights claimants and program beneficiaries, and also in monitoring, evaluation and oversight roles.
7. An all-of-government approach where all implicated ministries and all levels of government recognize their obligations with respect to the right to housing.
8. NHS funding is allocated and monitored using rights-based criteria and targets which trigger local, provincial and territorial governments' obligations to realize the right to housing.

CWP encourages the Human Rights-Based Approach to Housing Team to continuously evaluate the NHS against these guidelines in order to ensure the strategy fulfills the Government's international human rights obligations and realizes the right to housing for all.

Sincerely,



Harriett McLachlan
Deputy Director
Canada Without Poverty