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Housing

# THE FEDERAL HOUSING ADVOCATE REVIEW OF HOMELESS ENCAMPMENTS

Presented to Association of Municipalities of Ontario

Toronto, 4 May 2023

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# Marie-Josée Houle, Federal Housing Advocate

- Marie-Josée Houle was appointed 21 February 2022 as Canada's first Federal Housing Advocate
- Madame Houle brings two decades' experience in the housing and homelessness sector, most recently as Executive Director of Action Logement in Ottawa



# Housing is a human right

The human right to adequate housing is **more than just four walls and a roof**. It is the right of every woman, man, youth and child to gain and sustain **a safe and secure home and community in which to live in peace and dignity**. - *UN High Commissioner on Human Rights*

- Adequate housing is defined under international law as:
  - *Secure*
  - *Affordable*
  - *Habitable*
  - *Accessible*
  - *Provide basic services*
  - *In a location that is close to employment and basic social services*
  - *Culturally appropriate*
- Everyone should be able to access adequate housing without discrimination or harassment
- Adequate housing is a precondition for other human rights

# National Housing Strategy Act (2019)

- Recognizes housing as a human right in Canadian law for the first time – but not enforceable by courts like a Charter right
- Commits Canada to the “progressive realization” of the right to housing
- Requires federal government to implement a National Housing Strategy based on human rights
- Establishes accountability mechanisms
  - Federal Housing Advocate
  - [National Housing Council](#)
  - Review Panels

# Obligations under the progressive realization of the right to adequate housing

- Adopt immediate, concrete measures;
- Apply all appropriate means;
- Invest the maximum available resources;
- Prioritize the needs of marginalized and vulnerable groups;
- Urgently address immediate threats to human dignity, such as homelessness and forced eviction;
- Ensure non-discrimination and avoid retrogression; and
- Progressively establish full realization of the right in the shortest time possible.
- **All orders of government have a duty to advance the right to housing within their powers, resources, and areas of jurisdiction**

# A Human Rights-Based Approach to Encampments

[National Protocol on Homeless Encampments in Canada](#) (Farha & Schwan)

1. Recognize residents as rights-holders
2. Meaningful engagement & effective participation of residents
3. Prohibition of forced evictions
4. Explore all viable alternatives to eviction
5. Ensure that any relocation is human rights compliant
6. Ensure encampments meet basic needs of residents
7. Ensure human rights-based goals and outcomes, and preservation of dignity
8. Respect, protect and fulfill the distinct rights of Indigenous Peoples in all engagements with encampments

# Advocate-Led Review of Homeless Encampments

- Phase 1: Engagement (Feb-June 2023)
  - Encampment residents, advocates, front-line workers, governments
  - Interim report (summer 2023)
- Phase 2: Solution generation (Fall 2023)
  - Dialogues on recommendations from interim report
  - Building support for human rights-based approach
- Final report (end 2023)
  - Concrete measures for all orders of government

Research reports and details on the review:

<https://www.housingchrc.ca/en/homeless-encampments>

# How municipalities can contribute to the review

1. What solutions would you like to see put in place for encampments?
2. What changes would you like to see in the responses from higher orders of governments (provincial or federal)?
3. Apart from City Council, who else plays a role in decision-making regarding encampments in your municipality?
4. Who are your key partners working with residents of homeless encampments?
5. Is there anything else you would like to share to help me understand the issues or make recommendations?
6. Please share any reports, documents, policies, bylaws, communications materials, good practices, etc. that have informed, or resulted from, your response to encampments

Online submission portal <https://www.housingchrc.ca/en/contribute-review-homeless-encampments> or by email at [FHAsubmission-DFLsoumission@chrc-ccdp.gc.ca](mailto:FHAsubmission-DFLsoumission@chrc-ccdp.gc.ca)