

## ENDING HOMELESSNESS and the RIGHT TO HOUSING

### Recognizing Housing as a Right

#### KEY INSIGHTS

- Housing has been recognized as a human right by the United Nations since 1948.
- In 2019, as part of the *National Housing Strategy Act*, the federal government of Canada recognized “the right of every Canadian to access adequate housing.”
- The right to housing should be recognized within housing strategies as a legal right, with reasonable budgets allocated to ensure that we move as quickly as possible toward the goal of adequate housing for all.
- All levels of government share an obligation to prioritize those most in need, in our progressive realization of the right to adequate housing.

### A rights-based approach to ending homelessness in Simcoe County

All levels of government share the responsibility to ensure the realization of the right to adequate housing.

This does not mean governments must house every citizen overnight. It does, however, obligate all levels of government to allocate reasonable budgets and resources to ending homelessness.

The former UN Special Rapporteur on Adequate Housing, Leilani Farhi, noted in her 2018 report that “a State is seen to be in violation of international human rights law if any significant portion of the population is deprived of basic shelter or housing.

Addressing homelessness is therefore an immediate obligation. ... The obligation is to demonstrate that, in aggregate, the measures being taken are sufficient to realize the right for every individual in the shortest possible time in accordance with the maximum of available resources.”

A pivotal obligation of governments in the progressive realization of this right is to prioritize those most in need, i.e., those experiencing homelessness.

The Canadian Alliance to End Homelessness (CAEH) position paper on this topic ends with seven ways to prioritize those experiencing homelessness, summarized here:

1. Strategies must assess which communities and populations are in most desperate need or living in the most hazardous conditions and address their circumstances in a human rights compliant manner.
2. Strategies must recognize and address the close association between laws and government policies that position housing as a commodity, and the unaffordability of housing for those in the lowest income brackets, leading to growing homelessness and displacement.
3. Housing strategies should identify groups that suffer housing disadvantages and should address the particular barriers they face.
4. Women’s equal right to housing must be ensured in all aspects of housing strategies.
5. Strategies should address the legacy of colonization and the systemic housing inequality and dispossession

experienced by indigenous peoples. This requires specific measures led by indigenous peoples based on their right to develop their own housing priorities and strategies.

6. Strategies should additionally recognize and be responsive to the unique housing experiences that result from intersectional and compound discrimination.
7. Strategies should be responsive to emerging issues of marginalization, discrimination or xenophobia and address stigmatization and hatred.

### Asks

Based on the position paper provided by the CAEH and the ten principles for realizing housing rights obligations as outlined in the 2018 UN Report by the Special Rapporteur on adequate housing, the Simcoe County Alliance to End Homelessness has four requests for County Council:

- 1. Recognize the Right to Housing.**

Simcoe County Council should formally recognize adequate housing as a right.

- 2. Take a rights-based approach to legislation, financial allocations, policies, and programs.**

To ensure the progressive realization of the right to adequate housing and moving steadily forward to prevent and end homelessness, Simcoe County Council must take a rights-based approach to legislation, financial allocations, policies, and programs. This includes the Simcoe County 10-Year Affordable Housing and Homelessness Prevention Strategy, pandemic recovery plans, and the upcoming Comprehensive Municipal Review.

- 3. Mandate specific investments to create housing for those experiencing homelessness, with specific targets.**

“Affordable housing” at \$1100+/month is not affordable to those experiencing homelessness, nor to anyone relying on Ontario Works (OW) benefits.

Individuals on OW receive just \$390 per month for rent. Originally, the 10-Year Affordable Housing Strategy broke down affordable housing targets into income brackets, but those categories have since been removed. Specific targets for the creation of housing for those on OW must be reinstated, and resourced.

- 4. Join us in advocating for an increased shelter allowance through OW and the Ontario Disability Support Program (ODSP).**

### References

Canadian Alliance to End Homelessness. 2018. “Discussion Paper: Ending Homelessness and the Right to Housing.” <https://caeh.ca/wp-content/uploads/CAEH-Ending-Homelessness-and-the-Right-to-Housing.pdf>

Farha, Leilani. 2018. “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. Human Rights Council, 37<sup>th</sup> Session.

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/007/65/PDF/G1800765.pdf?OpenElement>