



## High-level recommendations from the National Housing Council to the Minister of Housing and Diversity and Inclusion on the Progressive Realization of the Right to Adequate Housing

When the *National Housing Strategy Act* (the Act) came into effect in 2019, Canada recognized the right to adequate housing as a fundamental human right, as affirmed in international law, and reinforced its commitment to the *International Covenant on Economic, Social, and Cultural Rights*. This was considered landmark legislation in Canada, demonstrating its leadership on the progressive realization of the right to adequate housing.<sup>1</sup>

Today, with the Act in full effect, including the appointment of the National Housing Council (the Council) and the Federal Housing Advocate (the Advocate), Canada has a real opportunity to realize the right to adequate housing at a time when access to and affordability of housing are becoming more and more precarious, particularly for the most marginalized in our communities. Indeed, Canada can and must continue to demonstrate leadership with a human rights-based approach to housing. Canada can do this by establishing a clear vision and a roadmap towards the full realization of the right to adequate housing. The Council recognizes the **urgency** of this work and has initiated a process to define this vision for Canada, including how all levels of government can take steps to meaningfully and urgently implement this right.

**The adoption of the National Housing Strategy Act was an important step the government took to progressively realize the right to adequate housing and this letter outlines recommended next steps, identified by the National Housing Council, that the federal government can take with key partners to further fulfill its obligations.**

These recommendations are the Council's advice which were reached following a [literature review](#) and preliminary engagement and outreach with **people with lived/living experience of housing need and homelessness and organizations supporting them**. Attached you will find the detailed results of this first phase of engagement, the "What We Heard" report, which outlines key themes and priority areas as identified by rights-holders.

This is only the beginning, and further engagements will take place this year to ensure more voices from marginalized and vulnerable groups are represented, in addition to human rights and housing experts and government officials. This will lead to an additional report from the Council with detailed findings and recommendations for the federal government and key partners in 2023.

Although this work is an important step, more must be done to respond to the urgency of this housing crisis, which has been exacerbated by the COVID-19 pandemic. The Council is presenting these recommendations as preliminary next steps that can be taken by the federal government **now**. These high-level recommendations are based on what the Council sees as urgent actions needed, but also systemic pressure points that must be alleviated to set the stage for the realization of the right to adequate housing in Canada.

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<sup>1</sup> As stated in the International Covenant on Economic, Social, and Cultural rights, which Canada has ratified, **progressive realization** is when: "Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, [...] including particularly the adoption of legislative measures."



The Council has chosen to categorize the timelines for these recommendations using the terms short term (1-3 years), medium term (3-5 years), and long term (5-10 years). This is not to suggest that any work should be delayed, all recommendations should be actioned immediately. However, these timeframes are in recognition that some of the recommendations below are more complex and will take additional time, effort and resources to be achieved.

**The Council puts forward the following high-level recommendations to the Minister of Housing and Diversity and Inclusion:**

- 1. Housing goes beyond four walls and a roof. To solve the housing crisis, all levels of government need to ensure that the maximum available resources are allocated in an integrated manner.<sup>2</sup> Therefore, the government should incorporate the right to adequate housing language in all key government activities:**
  - a. Amend every Ministerial mandate letter pertaining to any social determinant of health to mention the Minister's role in progressively realizing the right to adequate housing. *(Short term)*
  - b. Add the right to adequate housing as a standing agenda item in the Federal Cabinet. *(Short term)*
  - c. Ensure every key government document pertaining to or referring to housing incorporates a statement on the right to adequate housing (ex: within the Federal Budget). *(Short term)*
  
- 2. In recognition of Black, Indigenous, and racialized communities being underserved with regard to housing in Canada, the Government of Canada must shift housing policies, programs, research, resource allocation and decision making to a rights and needs based design with an intersectional, GBA+, anti-discrimination, decolonization lens, and human rights-based approach to housing:**
  - a. Bring Canadian policy into alignment with international human rights obligations as recognized in the *International Covenant on Economic, Social, and Cultural Rights* and in General Comment No.4, and through engaging in good faith with treaty body recommendations. Ensure more timely and effective community engagement, coordination, review, and follow-up to concerns and recommendations from United Nations treaty bodies. *(Long Term)*
  - b. Use every meeting around housing or where housing is mentioned to shift the conversation in Canada from "housing as an investment" to "housing as a basic need," and from housing as a *political decision to a human rights requirement. (Short term)*

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<sup>2</sup> As stated in the progressive realization of the right to adequate housing literature review that the Council commissioned, **maximum available resources** refers to "whether Canada's budgeting, programming, taxation measures, goals, and targets measure up to its international and domestic commitments to eliminate homelessness and realize the right to adequate housing within the shortest possible time based on available resources."



- c. Transition all future housing proposals from program-based policy authorities to a needs-based model, prioritizing efforts on creating housing for those in greatest need. *(Medium Term)*
  - d. Create a concrete plan to adopt inclusive and transparent planning and thinking in policy and program development and establish mechanisms and governance structures to support and require the leadership of diverse persons with lived/living experience in the federal government's decision-making processes. *(Short Term)*
    - o Meaningfully engage with rights-holders, particularly focusing on diverse people with lived/living experience of housing need and homelessness (including recognizing those in hidden homelessness) and those made vulnerable and marginalized, as the foundation and precursor for any policy or program created around housing. View their lived/living experience as expertise that is **critical** to developing a path forward.
    - o Amplify the voices of rights-holders and diverse people with lived/living experience, not just through consultation but in employment (ensuring their voices are represented within government departments) and developing shared governance and decision-making models.
    - o Connect more frequently with community agencies, those on the ground working in shelters, and in other spaces with diverse people with lived/living experience, to have a better understanding of what is happening on the frontlines.
- 3. In the spirit of reinforcing Canada's commitment to the rights and principles cited within the *United Nations Declaration on the Rights of Indigenous Peoples*, the federal government must prioritize developing a separate, fully funded process for implementing the right to adequate housing for all Indigenous peoples in Canada regardless of where they are placed on the land, through a "For Indigenous, By Indigenous" model:**
- a. Undertake research led by Indigenous experts to understand the right to adequate housing in international law, with relation to the federal government's treaty and constitutional obligations and understanding steps towards realizing this right within Canada for indigenous communities. *(Short Term)*
  - b. Create and execute a concrete plan to run a parallel process of community engagement led "For Indigenous, By Indigenous" around the right to adequate housing. To do so, the government must provide the resources necessary to support this process and hand over the leadership of the process to Indigenous communities who will design and run these engagements according to their values and principles, and come back to the government with recommendations on how we should collectively proceed, in the spirit of reconciliation. *(Medium Term)*



- c. Work with Indigenous communities to create a set of metrics to ensure accountability and to evaluate the government's progress on the right to adequate housing as it relates to Indigenous peoples. *(Medium Term)*
  - d. Support and fully fund Indigenous-led housing and program development for all Indigenous peoples regardless of where they are placed on the land. The Council's Urban, Rural, Northern (URN) Indigenous working group proposed how this can be done for URN Indigenous communities: <https://assets.cmhc-schl.gc.ca/sites/place-to-call-home/pdfs/report-recommendations-minister-housing-diversity-inclusion-urban-rural-nih-en.pdf> *(Short Term)*
  - e. Recognize that today's systems operate from a colonial framework, infuse Indigenous knowledge and leadership in the development of all government policies and programs pertaining to housing, and meaningfully engage with Indigenous governments and Indigenous peoples as respected leaders in this space. *(Short Term)*
- 4. Define how to measure success with respect to Canada progressively realizing the right to adequate housing:**
- a. Work with the Federal Housing Advocate to create a set of metrics to track progress on the right to adequate housing in Canada and communicate what these metrics are publicly to ensure accountability. *(Short Term)*
  - b. Undertake robust, disaggregated data collection, monitoring, and evaluation of housing and program successes and gaps, as it relates to the right to adequate housing and the National Housing Strategy. *(Medium Term)*
  - c. Transparently report on all commitments Canada has made thus far around the progressive realization of the right to adequate housing and on National Housing Strategy targets. *(Short Term)*
  - d. Ensure housing programs and resources (both financial supports and other support services), particularly those in the National Housing Strategy, are evaluated using a human-rights based approach and criteria. *(Short Term)*



5. **Create better coordination between the federal government and its provincial, territorial, and municipal partners immediately to address jurisdictional issues with respect to housing:**
  - a. Align policies across all levels of government and work with communities for a cohesive, collaborative, and transparent approach to human rights and housing policy as compliance with international human rights in federal states requires national level governments to exercise leadership and to co-ordinate the implementation of human rights within all jurisdictions. *(Long Term)*
  - b. Develop a mechanism to review all provincial and territorial action plans and bilateral agreements, in addition to collaborations with municipal governments, and to evaluate coordination between all levels of government, to ensure accountability and shared commitment to the progressive realization of the right to adequate housing under the *International Covenant on Economic, Social, and Cultural Rights* and General Comment No.4. *(Medium Term)*
  - c. Increase the frequency of inter-ministerial meetings on human rights held and ensure that the right to adequate housing is a standing agenda item. *(Short Term)*
  - d. Initiate and coordinate federal/provincial/territorial meetings alongside the Federal Housing Advocate, rights-holders and civil society to address identified systemic issues and coordinate human rights-based responses. Community members and civil society organizations should also be meaningfully engaged and integrated into any of the implementation and follow-up procedures. *(Short Term)*
  - e. Create a plan to ensure adequate cooperation among all levels of government in implementing recommendations from forthcoming review panels focused on addressing systemic housing issues under the National Housing Strategy Act. *(Medium Term)*

### **Next Steps**

The Council urges the Minister of Housing and Diversity and Inclusion and the federal government more broadly to implement these five high-level recommendations now, in order to create the conditions necessary to truly make the progressive realization of the right to adequate housing possible in Canada.

The Council would like to thank all those who participated in and contributed to the process thus far, and invites the Minister of Housing Diversity and Inclusion to review the ``What We Heard`` report, which demonstrates an emerging roadmap that has been created through engagement with people with lived/living experience of housing need and homelessness and organizations supporting them.



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As next steps, the Council will continue its work engaging with key partners, looking towards engaging with more people with lived/living experience of housing need and homelessness, in addition to, human rights and housing experts, and government officials.

The Council asks that the government work urgently to help reach and concretely action these steps towards achieving the progressive realization of the right to adequate housing within Canada, so that every Canadian can live in peace, dignity, and security.

**Tim Richter, Co-Chair, National Housing Council**

**John Harvey, Chair, Progressive Realization Working Group, National Housing Council**