

April 6, 2011

Hon. Rick Bartolucci
Minister of Municipal Affairs and Housing
17th Floor, 777 Bay St
Toronto, Ontario M5G 2E5

Dear Minister Bartolucci:

I am writing to you as the former UN Special Rapporteur on Adequate Housing. I have followed developments in Canada with keen interest since I conducted my official mission to Canada at the invitation of the Canadian Government in 2007. I enjoyed the opportunity to meet with officials in your Ministry during my mission. I have been particularly interested in legislative measures following up on the recommendations made in my Mission Report, submitted to the UN Human Rights Council at its 10th Session, in May, 2009. I am attaching a copy of that Report.

I am writing with respect to Bill 140 which I understand is currently being reviewed by the Standing Committee on Justice Policy, with a number of important amendments under consideration. I am particularly interested in amendments that incorporate some key recommendations from my Report. I gather these have been supported by a wide range of civil society organizations and experts and have been tabled by MPP DiNovo for the consideration of the Standing Committee.

As you are aware, Minister Bartolucci, a central focus of my concerns and recommendations addressed the need for national and provincial housing strategies, based on legislative recognition of the right to adequate housing. My recommendations for federal/provincial/territorial housing strategies reaffirmed recommendations from UN human rights bodies over recent years, including the Committee on Economic, Social and Cultural Rights.

I recommended that a housing strategy must:

- prioritize the needs of groups most vulnerable to homelessness and discrimination, including women, Aboriginal people and people with disabilities;
- include firm goals and timetables for the elimination of homelessness and the realization of the right to adequate housing;
- provide for independent monitoring and review of progress and provide for consideration of complaints of violations of the right to adequate housing; and
- ensure meaningful follow-up to concerns and recommendations from UN Human Rights Bodies.

As stated in my Report, the need for a housing and homelessness strategy incorporating these key components is particularly urgent in Canada, in light of the severity of the homelessness crisis and the lack of access to adequate housing in a relatively affluent country. Canada is one of the few developed countries to have no coherent national/provincial housing strategies to reduce or eliminate homelessness.

I am pleased to have learned that civil society organizations and experts have appeared before the Standing Committee to propose amendments to Bill 140 to include the above components, and that amendments in this regard have now been tabled.

I trust that your Government will give due consideration to these critical amendments and that they can be incorporated into the final version Bill 140. They are, in my view, critical to ensuring compliance with Ontario's obligations under international human rights law to fully ensure the right to adequate housing.

I also intend to keep my colleague, Raquel Rolnik, the current Special Rapporteur on Adequate Housing, informed of these developments. She will also be keenly following progress on this Bill with a view to including it in the Follow-Up Report she will be preparing on my Mission to Canada for the UN Human Rights Council on the implementation of my recommendations.

Sincerely



Miloon Kothari

Cc: Lou Rinaldi, MPP, Parliamentary Assistant to the Minister of Municipal Affairs and Housing (Municipal Affairs)

Donna Cansfield, MPP, Parliamentary Assistant to the Minister of Municipal Affairs and Housing (Housing)

Cheri DiNovo, MPP, New Democratic Party Housing Critic

Joyce Savoline, MPP, Progressive Conservative Housing Critic

Leilani Farha, Centre for Equality Rights in Accommodation

Bruce Porter, Social Rights Advocacy Centre