

Dear Rt. Hon. Prime Minister Trudeau and Hon. Minister Duclos,

On 22 November 2017 your government announced a national housing strategy based on its commitment to “progressively implement the right of every Canadian to access adequate housing.” We understand that implementing legislation will be tabled in the fall.

Consultations held in recent months regarding the National Housing Strategy demonstrated a strong consensus that implementing legislation must explicitly recognize the right to housing as defined in international human rights law. Widespread homelessness and lack of access to adequate housing, in so affluent a country as Canada is clearly one of the most critical human rights issues facing all levels of government. Rights-based legislation must establish mechanisms for those affected to raise systemic issues regarding the progressive realization of the right to housing and ensure that governments will respond by implementing remedies. These mechanisms need not rely on courts but they must be effective.

In addition, the legislation must require goals and timelines for the reduction and elimination of homelessness that are consistent with international human rights obligations to realize the right to housing within the shortest possible time based on available resources. It should ensure that Canada meets its commitments under the 2030 Agenda for Sustainable Development to eliminate homeless by 2030. It must also include measures to eliminate the deep disparities in access to adequate, affordable, safe, and secure housing for Indigenous peoples, women, members of racialized communities, persons with disabilities, trans and gender-diverse people, older adults, children and young people, migrants, refugees, asylum-seekers and stateless persons.

[Draft legislation](#) has been developed by civil society and experts, demonstrating how this can be accomplished and we would welcome the opportunity to discuss it with you.

We call on the government to ensure that the National Housing Strategy legislation:

- affirms the recognition of the right to housing as a fundamental human right;
- implements accountability mechanisms through which those affected by homelessness or inadequate housing can hold governments accountable for the progressive realization of the right to housing;
- ensures that the Office of the Federal Housing Advocate and National Housing Council are independent, adequately resourced and given authority to make recommendations and require remedial action for compliance with the right to housing;
- provides for an adjudication body which includes both experts in human rights and persons with lived experience of homelessness or inadequate housing, to hold accessible hearings into systemic issues affecting the progressive realization of the right to housing and to recommend effective remedies;
- requires goals and timelines for the elimination of homelessness and access to adequate housing, in accordance with Canada’s obligations under international human rights law and commitments to the Sustainable Development Goals;

- mandates rights-based participation by, and accountability to, diverse individuals and communities affected by homelessness and inadequate housing, in all NHS mechanisms including the Office of the Federal Housing Advocate, National Housing Council, adjudication body, and community initiatives;
- provides resources and support for local lived-experienced-led monitoring of NHS programmes and for community initiatives to promote the right to adequate housing engaging all levels of government;
- provides for initiatives to identify and address the distinctive barriers, needs and rights of Indigenous peoples, co-developed with Indigenous peoples' organizations, as well as housing strategies for First Nations, Inuit and Métis Nation partners, negotiated on the basis of Inuit-to-Crown, government-to-government, nation-to-nation relationships, to ensure the right to housing of Indigenous peoples both on and off reserve, in rural and urban settings, consistent with the Declaration on the Rights of Indigenous Peoples.

The legislation implementing a rights-based national housing strategy provides an historic opportunity for the federal government to address, as a priority, a critical human rights issue at home and at the same time to provide leadership in human rights internationally. It is the first time that legislation implementing the right to housing has been contemplated in Canada, and it is critical that this be done right.

We look forward to ongoing dialogue with the government in the coming weeks, as this important legislation is brought forward.

Sincerely,