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## Commission for Social Development

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Follow-up to the World Summit for Social Development and the  
twenty-fourth special session of the General Assembly: priority

Theme: Affordable housing and social protection systems for all  
to address homelessness

### Statement submitted by Centre for Equality Rights in Accommodation, non-governmental organization in consultative status with the Economic and Social Council\*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* The present statement is issued without formal editing.



## Statement

The Centre for Equality Rights in Accommodation is a not-for-profit charitable organization in Ontario, Canada that has advocated for the progressive realization of the human right to adequate housing over the past 32 years. Our work focuses on preventing homelessness and promoting housing stability through advocacy, reform, and direct services, including by engaging with all three levels of government in Canada.

We provide legal information services to about 1,500 clients annually who face eviction and human rights violations in their housing. We also provide public education and training on human rights in housing by educating landlords, post-secondary institutions, communities, and vulnerable individuals to raise awareness and empower Ontarians to know and understand their housing rights. This work gives us unique and current insight into the issues faced by vulnerable renters and precariously housed and homeless people of different intersecting identities, including women, youth, racialized individuals, persons with disabilities, seniors, members of the two-spirit, trans, non-binary, lesbian, gay, bisexual, and queer communities, and newcomers to Canada.

The Centre for Equality Rights in Accommodation has special consultative status at the Economic and Social Council of the United Nations and maintains a strong working relationship with the United Nations 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 (“Special Rapporteur on adequate housing”).

Canada is experiencing an extreme housing and homelessness crisis. The Centre for Equality Rights in Accommodation is concerned about the increasing numbers of homeless people and the lack of affordable housing – in Ontario, in Canada, and around the world. This rapidly growing crisis illustrates the failure of governments to realize, even progressively, the international human right to adequate housing.

While the exact number of people affected by this crisis is difficult to determine due to the complexity of the issue, a recent estimate by The State of Homelessness in Canada 2016 reported that at least 235,000 Canadians experience homelessness in a given year, with at least 35,000 individuals experiencing homelessness on any given night. The numbers are potentially much higher, given that many people who are unhoused stay with friends or relatives, and are seldom included in emergency shelter counts.

In Toronto, for example, the housing crisis is worsening, with a recent report showing there has been a 69% increase in sheltered homeless people in the last five years (Toronto Foundation, Toronto’s Vital Signs). Further, accessing housing is increasingly difficult, with the price of home ownership growing four times faster than income, and the price of rent growing two times faster than income (Toronto Foundation, Toronto’s Vital Signs). The situation is also intensified by increased eviction rates, which can leave many renters at risk of homelessness or homeless. The City of Toronto reported over 19,000 eviction applications filed in 2014 (Eviction Prevention Framework, 2016). Indeed, those impacted the most by this crisis are vulnerable and marginalized groups, who face systemic barriers that perpetuate existing inequalities and exclusion.

The causes of our growing homelessness and housing crisis are multi-faceted. As the Special Rapporteur on adequate housing has reported, the financialization of housing treats housing as a market commodity rather than a social good, and this distortion has led to increased homelessness and a lack of adequate housing. The private sector cannot be relied on to ensure that those who need it have access to

adequate housing, especially those most vulnerable to housing precarity and homelessness. Furthermore, armed and other conflicts, climate change, and economic disparity have meant that communities are increasingly being displaced from their homes.

The Centre for Equality Rights in Accommodation applauds the Commission for Social Development for its decision to highlight the central and pervasive issue of affordable housing and homelessness in its 58th Session at the United Nations.

The solution to the housing crisis facing national and international communities lies in the progressive realization of the right to adequate housing, as contemplated by Articles 2 and 11 of the International Covenant on Economic, Social and Cultural Rights. The Committee on Economic, Social and Cultural Rights, which monitors the implementation of the Covenant, as well as the United Nations Office of the High Commissioner for Human Rights, and the Special Rapporteur on adequate housing have all contributed to our normative understanding of the right to adequate housing and the tools that States should use for its successful implementation.

A human rights-based approach to housing is the way to address widespread homelessness and the lack of adequate housing. In such an approach, homelessness would be defined in a way that acknowledges the absence of a home, addresses the systemic discrimination and social exclusion that feeds and perpetuates its existence, and empowers homeless people as rights-holders – the same as all other residents. Such an approach also recognizes that housing is more than just four walls and a roof. Rather, as the Office of the High Commissioner for Human Rights outlines, the right to adequate housing 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 (see the Office's the Right to Adequate Housing Toolkit).

Adequate housing is understood to include a number of key elements, including: affordability; security of tenure; accessibility; habitability; location close to employment and services; availability of services, materials, facilities and infrastructure, such as safe drinking water, adequate sanitation and affordable heating; and cultural adequacy.

A rights-based approach to housing would ensure that States prioritize their international human rights obligations, and direct resources and decision-making in a way that embraces their role as duty-bearers. It involves a shift away from notions of charity towards meaningful social justice. In a report to the United Nations General Assembly in January 2018, the Special Rapporteur on adequate housing made recommendations on the main components of a rights-based housing strategy, some of which include: recognizing housing as a human right; engaging in rights-based decision-making, which would review the impact of proposed decisions and policies on the human right to housing; coordinating governance and action; establishing goals, targets, timelines, and mechanisms to ensure adequate housing for all; establishing transparent, evidence-based monitoring; ensuring rights-based participation and leadership that includes diverse groups and communities, including those most affected by inadequate housing and homelessness; and establishing accountability mechanisms through which the right to adequate housing can be monitored, claimed, and enforced.

Recently, there has been some momentum in Canada on the right to adequate housing. In June, the federal government passed the National Housing Strategy Act, S.C. 2019, c. 29, s. 313, which recognizes for the first time in legislation the international human right to adequate housing and its role as a central, guiding principle in Canada's national housing policy, and establishes rights-based participation and accountability mechanisms.

The passing of this Act has provided further support for the work of our Centre. As the City of Toronto develops its next 10-year housing plan, and in the wake of the City's worsening housing and homelessness crisis, we are working collaboratively with a number of housing rights experts and organizations to urge the City to adopt a rights-based approach in its housing plan, centred on the international right to adequate housing, and complementing, at the local level, the National Housing Strategy that is being developed at the federal level. This approach will prioritize groups that are most vulnerable to housing precarity and homelessness.

It is imperative that governments adopt the right to adequate housing, particularly through legislation, as a means to address the current global housing and homelessness crises, and to build healthy, sustainable, thriving communities and nations. The Centre for Equality Rights in Accommodation welcomes the Commission for Social Development's focus on affordable housing and social protection systems for all to address homelessness and looks forward to the report from the Commission on its 58th Session.

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