

A Guide to Incorporating Human Rights Language into Your Written Submissions

Human rights frameworks and language are uniquely powerful. They can shape policies, influence decisions, and direct conversations toward justice, dignity, and inclusivity. This guide will equip you with the tools to effectively incorporate this powerful language into your written submissions for the National Housing Council's thematic review panels.

What Are Review Panels?

Review panels are important oversight and accountability mechanisms established in Canada's 2019 right to housing legislation, called the [National Housing Strategy Act](#). Their purpose is not just to suggest better housing policies but to conduct human rights-based hearings on systemic issues related to the right to housing. They provide the Government of Canada opinions and recommend actions needed to uphold the right to housing as guaranteed by international human rights law. These panels offer a fresh way for affected individuals to seek justice, placing their dignity and rights at the forefront of Canada's housing policies and investments. You can find more information about review panels [here](#).

The Importance of Incorporating Human Rights Language

Language in the context of human rights is more than just a tool for communication; it significantly impacts our understanding and approach to societal issues. Employing human rights language to advocate for housing shifts the perspective from charity to obligation, from aid to dignity, and from privilege to human right. It transforms the conversation from 'can we provide housing?' to 'how can we ensure everyone's right to adequate housing is fulfilled?'

When presenting written submissions to review panels, the power of language becomes crucial, influencing the outcomes of advocacy efforts. Therefore, embedding human rights language in our submissions is of utmost importance when dealing with the complex issue of fully realizing the right to adequate housing for everyone in Canada.

This guide will familiarize you with important human rights terms and their definitions and provide practical advice for effectively using this language in your submissions to review panels. Using this language consistently and accurately will highlight the urgency of the housing crisis and our call to respect, protect, and fulfill the right to adequate housing for all.

Key Definitions

These **definitions and principles** come from [Advancing Human Rights and the UN Special Rapporteur's reports on the Right to Adequate Housing](#). They're based on human rights treaties and obligations, including for housing advocacy. Using these terms in your submissions strengthens your arguments and highlights duty-bearers' obligations for housing rights.

- **Right to Adequate Housing:** In its broadest sense, the right to adequate housing is understood as the right to live in peace, security, and dignity.¹ The Committee on Economic, Social and Cultural Rights (CESCR) offers **seven minimum standards for what constitutes "adequate" housing:** *(Note that these elements do not entail the entirety of housing adequacy.)*
 - **Security of tenure:** Housing should offer steadfast security, ensuring legal protections are in place against threats such as forced evictions or harassment.
 - **Availability of services, materials, facilities, and infrastructure:** Housing should have readily available services and infrastructure, from safe drinking water and adequate sanitation to affordable heating facilities.
 - **Affordability:** Housing should not be a financial burden that compromises the enjoyment of other fundamental human rights. It should be priced such that it sustains a balanced livelihood.
 - **Habitability:** The environment within the housing should be safe, healthy, and secure. It should guarantee physical safety, provide adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards. It should be a space that contributes positively to the physical and mental well-being of its occupants.
 - **Accessibility:** Housing must meet the needs of disadvantaged and marginalized groups including persons with any form of disability.
 - **Location:** Housing must provide access to employment opportunities, health-care services, schools, childcare centres and other social facilities. Housing is not adequate if located in polluted or dangerous areas.
 - **Cultural Adequacy:** Housing must respect and take into account the expression of cultural identity.

The “right to adequate housing” is understood in reference to the characteristics of adequate housing, but it is much broader. It imposes on governments a range of obligations, referenced below, to ensure that everyone has access to adequate housing. **Access to justice** is a fundamental principle of human rights. It involves the ability for individuals to seek and obtain a remedy, through formal or informal justice systems, for any actions or failures to take appropriate or necessary action, which result in violations of the right to adequate housing..

- **Rights-Holders:** In the context of international human rights and the right to adequate housing, **all individuals and households, groups and communities, are rights-holders.** This concept recognizes individuals and groups as active subjects of law, capable of claiming their rights rather than merely passive recipients of services or charity.² The review panel hearings in Canada are specifically focused on rights-holders (both individuals and communities) and the systemic housing issues that most impact their enjoyment of the right to adequate housing. Recognizing Indigenous peoples as rights-holders, for example, means understanding both their individual and collective agency and self-determination in claiming their rights and ensuring meaningful

¹ Universal Declaration of Human Rights and [Article 11](#) of the [International Covenant on Economic, Social, and Cultural Rights \(ICESCR\)](#)

² [General Comment No. 3](#) of the UN Committee on Economic, Social, and Cultural Rights (CESCR)

participation in decision-making processes that affect their housing and land rights.

- o **Writing example:** “When decisions are being made about residents of informal settlements or encampments (especially in cases where there is a proposal to remove or evict encampment residents), it is crucial to recognize the existing residents as rights-holders whose right to security of tenure and whose viewpoints and concerns must be prioritized and integrated into any decisions about their homes and communities.”
- **Duty-Bearers:** Primary duty-bearers under international law include **government departments and other public institutions** who have an obligation to progressively realize the international and legislated right to adequate housing. This includes every level and jurisdiction of government within Canada and relevant Crown corporations like the Canada Housing and Mortgage Corporation (CMHC). As primary duty-bearers, they are responsible for preventing and addressing human rights violations. When working with Indigenous communities, for example, it is vital to recognize the unique duties and obligations owed to Indigenous peoples based on historical injustices and specific legal frameworks that shape their rights and responsibilities. At the same time, while States (governments) are the direct duty bearers, private individuals and corporations also have obligations under international law and, more importantly, must have duties imposed on them by governments to prevent violations of the right to housing and to ensure that their actions are consistent with the progressive realization of the right to housing.
 - o **Writing example:** “The Government of Canada, as a primary duty-bearer, has a legal obligation to respect and protect the rights of Indigenous peoples. This includes ensuring they are not disenfranchised from their land and addressing the historic injustices they have faced.”
- **Equality and Non-Discrimination:** The right to adequate housing applies to everyone equally. This means that **those who are disproportionately facing inadequate housing and homelessness are to be prioritized** to ensure equality of opportunity and outcome. Specifically, non-discrimination demands that all individuals be treated equally, irrespective of their status, identity or characteristics³. Any discrimination on the basis of nationality, place of residence, sex, national or ethnic origin, colour, religion, language, “social or economic situation (including homelessness and poverty) or any other status is prohibited, and any policies that have unintentional discriminatory impacts must also be addressed. In addition, respecting the rights of Indigenous peoples to self-determination, culture, language, and land is paramount to promoting non-discrimination and inclusive decision-making processes concerning housing and land rights.
 - o **Writing example:** “There is overwhelming data showcasing the disproportionate levels of inadequate housing and homelessness among intersectionally marginalized women, girls, two-spirit, and gender-diverse peoples as well as Indigenous peoples, racialized

³ [Article 2 of the Universal Declaration of Human Rights \(UDHR\)](#)

people, persons with disabilities, and other historically marginalized groups. All governments have an obligation to take positive measures to address these patterns of systemic discrimination and inequality.”

- **Affected Communities:** Affected communities include groups or individuals who are particularly under-resourced or marginalized, and therefore require special measures to protect and uphold their rights. This includes but is not limited to, women, children, ethnic minorities, racialized groups, persons with disabilities, migrants, displaced persons, and individuals identifying as 2SLGBTQ+ or non-gender conforming.⁴ When addressing systemic harm faced by Indigenous communities, for example, it is crucial to recognize the unique historical and contemporary context for these struggles, protect their rights to land, resources, and self-governance, and involve them in decision-making processes that affect their housing and land rights.
 - **Writing Example:** “As policy is being developed, it is necessary for affected communities (i.e. those who will be impacted by the policy) to be thoroughly involved in shaping and developing it, in monitoring outcomes and addressing shortcomings.”
- **Meaningful Engagement:** Meaningful engagement means that in public participation processes, **rights-holders must be able to engage actively, freely and meaningfully in the design and implementation of any policies or programs so as to ensure that their right to housing and other human rights are ensured.** Meaningful engagement and participation must result in practical, sustainable, and functional solutions that are fully compliant with human rights and meet community-specific needs.
 - **Writing Example:** “Ensuring meaningful engagement, particularly with rights-holders who are members of marginalized groups like those experiencing homelessness, requires the adoption of a human rights framework that shifts relative position of power to enable rights-holders to negotiate and ensure outcomes that are compliant with human rights and drive justice and equality.”
- **Progressive Realization:** The progressive realization of the right to adequate housing means that governments have an obligation to take deliberate, concrete, and targeted steps towards fully realizing this right. It acknowledges that the full realization of social, economic, and cultural rights, such as access to healthcare, education, and adequate housing, may take time to achieve and be limited by resources and other practical economic, social, or political considerations, but should still be achieved in the shortest possible time.⁵ Progressive realization requires governments to adopt plans or strategies with clear goals and timelines with effective monitoring and accountability to rights-holders. It imposes a higher standard for the realization of the right to housing in States such as Canada, which have ample resources, than in States facing more serious obstacles.

⁴ [General Comment No. 20 of the UN CESCR](#)

⁵ [ICESCR Article 2](#)

- o **Writing Example:** “The state must commit to the **progressive realization** of the right to adequate housing for all, including adopting a plan with clear goals and timelines and independent accountability for the elimination of all forms of homelessness. Understanding that the provision of adequate housing for everyone may not be immediately feasible in all states due to resource constraints, it is nonetheless expected that the state will continually improve its policies, allocate resources effectively, and take concrete steps towards ensuring that, within the shortest possible time, everyone has access to safe, affordable, and decent housing. ”
- **Maximum Available Resources:** When progressively realizing the right to adequate housing, applying "a maximum of available resources" means that a state is expected to use all the resources at its disposal to realize the right to adequate housing in the shortest possible time. This includes financial resources, potential resources like increased taxation of wealthy individuals or tax measures to incentivize rights-compliant or Crown land. Legislative measures, regulations, and policy changes, among other things, may be required. When working with Indigenous communities, it is important to acknowledge historical inequities and ensure that resources are directed toward addressing housing disparities and meeting their unique needs.⁶
 - o **Writing Example:** “In order to fully realize the right to adequate housing, it is imperative that the government deploys its maximum available resources. This would include actions like allocating a significant proportion of the budget towards public housing projects, mobilizing domestic and international funding, and leveraging private sector investments in affordable housing.”
- **All Appropriate Means:** The obligation to apply "all appropriate means" to realize economic, social, and cultural rights (including the right to adequate housing) means that States must:
 - o Take all necessary steps to ensure the equal enjoyment of these rights by individuals and groups within their jurisdiction, without discrimination of any kind, including not only financial resources but also legislative measures.
 - o Adopt proactive and positive measures to realize economic, social, and cultural rights, and not just refrain from violating these rights. This means going beyond financial investments to adopt deliberate, concrete, and targeted measures, including policies, taxation measures, legislation, and more.
 - o Prioritize the realization of economic, social, and cultural rights for those who are in greatest need. For housing, this includes Indigenous peoples and disadvantaged communities such as racialized, 2SLGBTQAI+, low-income, and new migrant households, people with disabilities, rural and remote communities, and particularly women and gender-diverse people within all these groups.⁷
 - o **Writing Example:** “To ensure the realization of the right to adequate housing for all residents, the city government should deploy **all appropriate means**. This includes not

⁶ [ICESCR Article 2](#)

⁷ [ICESCR Article 2](#)

only the development of affordable housing projects and policy interventions, but also community engagement efforts, public-private partnerships, and urban planning initiatives that prioritize residential inclusivity and accessibility”.

Practical Applications of Human Rights Language in your Written Submissions

- **Reference Human Rights Treaties and Declarations, along with authoritative commentary from UN human rights bodies:** Cite and refer to relevant human rights treaties and declarations, with particular emphasis on the right to adequate housing in [the International Covenant on Economic, Social and Cultural Rights](#) (ICESCR), to underscore your points.
- **Identify Rights-Holders and Duty-Bearers:** Clearly distinguish between those whose rights are at stake (rights-holders) and those who have obligations to respect, protect, and fulfill these rights (duty-bearers). This distinction helps highlight the accountability of duty-bearers.
- **Use Non-Discriminatory Language:** Use language that is inclusive and respectful, and that avoids bias or making assumptions about groups of people. Doing so will ensure that your writing accurately and fairly represents people and their experiences and doesn't reinforce stereotypes.
- **Highlight the Obligations of Duty-Bearers:** Draw on ideas like 'maximum available resources', 'all appropriate means', and 'progressive realization' to emphasize that duty-bearers are obligated to use their resources to fulfill the rights in question.
- **Speak to Intersectional Experiences:** Where relevant, highlight the intersecting experiences or needs of certain groups. You should also include any unique resources, funding, or support these communities may be entitled to under international law, or that they require for the realization of their right to housing. This further emphasizes the need for specific measures to uphold the rights of certain groups, especially where there are unique obligations, treaties, or agreements. (I.e. The United Nations Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child, the Convention on All Forms of Discrimination Against Women or the Convention on the Elimination of All Forms of Racial Discrimination.)
- **Assert the Right to Adequate Housing:** In all your submissions, uphold the right to adequate housing as a fundamental human right. You can use specific terminology to emphasize security, peace, dignity, and access to basic services.

We hope this guide is helpful as you create your written submission! Your commitment to understanding and employing human rights language is not just about the content of your written submissions, it's about contributing to a broader movement – one that places human dignity and rights at the forefront of advancing the right to adequate housing.

Additional Resources

- [The Universal Declaration of Human Rights \(UDHR\)](#)
- [International Covenant on Economic, Social, and Cultural Rights \(ICESCR\)](#)
- [General Comment No. 3: The Nature of States Parties' Obligations](#)
- [General Comment No. 4: The Right to Adequate Housing](#)
- [General Comment No. 20: Non-discrimination in economic, social and cultural rights](#)
- [Advancing Human Rights: A Guide for Canadian International Cooperation](#)
- [United Nations Declaration on the Rights of Indigenous Peoples](#)
- [United Nations Convention on the Rights of Persons with Disabilities](#)
- [Truth and Reconciliation Commission Calls to Action](#)
- [Missing and Murdered Indigenous Women and Girls \(MMIWG\) 2SLGBTQQIA+ Calls to Justice](#)