

WORKSHOP RECAP:

Claiming the Right to Housing in Northern Canada

**THROUGH THE
NATIONAL
HOUSING
STRATEGY
ACT**



Centre for Equality Rights in Accommodation
Centre pour les droits à l'égalité au logement



Who, what, where, when...

On September 15, 2021, 75 participants gathered from Yukon, the Northwest Territories, Nunavut, and other parts of Canada to identify systemic housing barriers and how to claim the right to housing in Northern Canada through the National Housing Strategy Act.

The event was part of a regional workshop series hosted by the Centre for Equality Rights in Accommodation, the National Right to Housing Network, and the Social Rights Advocacy Centre.

In partnership with:

Keepers of the Circle: offers onsite and on-the-land programs and services to communities situated in the historical Robinson-Huron Treaty territory, Temiskaming Shores and Kirkland Lake. Their services include Early Learning and Childcare; Family Support and Cultural Activities; and Pre-employment Training with a focus on Indigenous Women's Leadership and economic security. Operated by the Temiskaming Native Women's Support Group.

Safe at Home Yukon: founded in 2020 to continue implementing the recommendations of the 2017 Safe at Home Community-Based Action Plan to End and Prevent Homelessness in Whitehorse.

Yukon Anti-Poverty Coalition: facilitates the elimination of poverty in Yukon through awareness, advocacy and action. Their members are an action-based team who partner with other community members on issues involving food, shelter and access to services.

The image is a full-page background featuring a high-angle, aerial photograph of a densely populated urban area. The city is characterized by a mix of residential and commercial buildings, with many trees interspersed among the structures. In the far distance, a range of mountains is visible under a clear sky. The entire image is overlaid with a semi-transparent dark blue horizontal band across the upper third, which contains the main text in white. The bottom two-thirds of the image show the detailed texture of the city's architecture and greenery.

**We heard about the right
to housing and Indigenous
rights in Canada...**

The right to housing in Canada

Canada has recognized the right to housing under international human rights law by ratifying the International Covenant on Economic, Social and Cultural Rights (ICESCR) and other human rights treaties.

Canada has agreed that the Covenant obligations apply to all levels of government – municipal, provincial and federal.

Under the ICESCR, States are committed to:



"achieving progressively the full realization of the rights recognized in the Covenant, to the maximum of its available resources ... by all appropriate means, including particularly the adoption of legislative measures."

The UN Declaration on the Rights of Indigenous Peoples

With the passing of Bill C-15 in June 2021, the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) came into force in Canada. Among other rights under UNDRIP, Indigenous peoples have the rights to:



"...the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security."

"...be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions."

UNDRIP builds from other human rights treaties to protect the human rights of Indigenous peoples while also providing stronger protection for their rights to self-determination.

The National Housing Strategy Act

The National Housing Strategy Act (NHSA) is Canada's housing policy.

It includes the key principles of a human rights-based approach to housing and recognizes that:

**the right to
adequate housing
is a fundamental
human right**

**housing is
essential to the
inherent dignity
and wellbeing
of a person**

**Canada
is obliged to
progressively
realize the right
to housing**

3 key mechanisms under the NHSA

Three key mechanisms have been created under the NHSA to hold the federal government accountable to implement the right to housing.





Federal Housing Advocate

The Federal Housing Advocate is responsible to receive and review submissions brought forward by communities who are impacted by systemic housing issues.

Its role is to promote and ensure compliance with the federal government's policy to progressively realize the right to housing over time through various mechanisms and processes.

After reviewing submissions, the Advocate submits its findings and recommendations for the federal government to address the issues, and the government is obliged to respond within a set period of time.

The Office of the Federal Housing Advocate is located within the Canadian Human Rights Commission.

A large teal circle with a slight drop shadow, containing the text 'National Housing Council' in bold black font.

National Housing Council

The National Housing Council advises the Minister responsible for housing issues in Canada about the effectiveness of Canada's National Housing Strategy and to ensure consistency of the Strategy with the right to housing (as articulated in the National Housing Strategy Act).

The Council is also responsible to promote the participation and inclusion of vulnerable groups and people with lived experience of housing need or homelessness, in housing policy development.

The Council consists of 15 appointed members, both individuals and government representatives. The NHSA requires that its membership include representation from people who are impacted by housing issues, as well as people with human rights expertise.



Review Panel

The Review Panel hears selected cases of systemic housing issues that are identified by the Federal Housing Advocate.

The Panel is responsible for holding hearings to review systemic housing issues, with participation from people who are affected by the issue, as well as organizations with expertise in the right to housing.

Once a hearing has concluded, the Panel will submit a report with its recommendations to address the issues to the responsible Minister.

The Minister must then respond within 120 days, outlining the measures that will be taken to resolve the issues raised by the impacted groups.

Click below to learn more about the NHSA:

National Housing Strategy Act **- A Primer -**



We heard about housing rights in Northern Canada



Indigenous people's rights and gendered housing issues

There is a severe lack of affordable and appropriate housing that meets the needs of diverse women and women-led families.

As a result, many women and gender-diverse people rely on informal networks for housing or engage in dangerous survival strategies to access shelter and meet their basic needs, keeping them in situations of hidden homelessness and at a higher risk of exploitation and abuse.

Various human rights instruments, such as UNDRIP, ICESCR and the International Covenant on Civil and Political Rights (ICCPR), can help promote the rights of Indigenous women, girls, and 2SLGBTQQIA people. These instruments are an important part of thinking about how to address the crisis of Missing and Murdered Indigenous women and girls. Human rights frameworks can be used as part of a strategy for decolonization.

Indigenous people's housing must be understood as an integral component of the right to land.

Homelessness and discrimination in housing outcomes for Indigenous women are violations of their rights under the NHSA as well as other human rights instruments such as UNDRIP.

What we heard...

Housing issues in the Northwest Territories and Nunavut

- There is extreme poverty in Nunavut.
- Elder abuse is rampant.
- Food costs are extremely high.
- Housing inadequacy is high, and people are forced to live in inadequate homes that are often covered in mould which have led to many health issues.
- There are no shelters in many communities in Nunavut and the Northwest Territories, forcing many women and children fleeing abusive relationships to move away from their communities to seek shelter.
- Suicide rates are high, especially in Nunavut.
- Those working on housing issues in Nunavut are usually from the south and lack cultural competency and training.
- Inuit communities are often not asked to join the table in discussions around housing policy at the federal level.
- In the Northwest Territories, there are two main housing providers: the government, and one major corporation that owns most of the rental housing. As a result, there is a lack of housing options for individuals, and major repair issues have been left unaddressed.

What we heard...

Housing issues in Yukon

- The most critical housing issues include a lack of affordability and availability of housing, housing inadequacy, and discrimination in housing.
- The most vulnerable communities impacted include individuals with low income, youth, single men and women, and lone-parent families.
- Most support services can be found in the major city of Whitehorse and not in rural communities.
- The administration of social assistance is often discriminatory towards Indigenous populations.
- Housing issues have been exacerbated by the pandemic, with housing prices and rental rates increasing, and a need for more housing supply.

What we heard...

How the right to housing can address systemic housing issues

- Education about the right to housing framework is vital because people are not aware of their rights. It would be more helpful if it were framed in language that is more accessible.
- The framework is helpful for Indigenous groups because it can help governments reflect on their responsibilities to Indigenous peoples and other populations that are over-represented amongst those experiencing homelessness.
- Mechanisms under the right to housing framework, such as the Federal Housing Advocate, recognize the right to housing as an economic and social right and will receive submissions on systemic violations of the right to housing. This is a promising step and distinguishes the Advocate from traditional human rights mechanisms.
- For the right to housing framework to be most effective, a rights-based approach should be adopted by local governments in the North. Governments should work on implementing the right to housing and fulfilling their commitment to UNDRIP at the same time.
- The right to housing framework can be used to tackle systemic housing issues such as long waitlists for social housing, the lack of service providers that are culturally competent, and barriers to applying for funding from local housing corporations.

What we heard...

Innovative ways communities could address these issues

- Methods used in provinces can be adapted and used in Northern Canada. For example, in Ottawa housing activists advocated for a landlord registry to ensure that units meet certain standards when they are offered for rent.
- Communities could obtain funding for land surveys and land development to determine where best to build new housing and communities. This approach could include land usage planning which is important especially as the climate shifts in the Northern landscape.
- Communities could secure funding for housing projects that are run and led by Indigenous women.
- Communities could develop more housing options besides social housing or home ownership, especially in the Northwest Territories to add more rental housing options.
- Communities could enhance innovation through cultural competency and understanding community needs.

What we heard...

How local communities can be supported to address systemic housing issues

- Use the findings from this workshop to send recommendations to the Northwest Territories Housing Minister to improve housing.
- Use information learned from this workshop to promote advocacy for affordable housing to help create awareness and build confidence within communities to advocate for themselves.
- Use the new mechanisms under the NHSA. For example making a submission to the Federal Housing Advocate on the systemic housing issues that they face.
- Bring together a larger group of Northerners who are interested in housing issues and the right to housing, to further connect and advocate for their rights together.
- Develop a strategy to educate people about their housing rights.
- Advocate for governments to provide more support to Indigenous-led housing systems.

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