



A Human Rights Context for Addressing Poverty and Homelessness

About this Article:

This article discusses the interdependence of human rights, poverty reduction, access to adequate housing, and health. It describes how social and human rights frameworks can assist in designing and implementing programs and strategies to address poverty and homelessness, examines the history of international evolution of rights-based approaches and reviews increasing calls for similar approaches in Canada.

About This Series

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Since the adoption of the Universal Declaration of Human Rights in 1948, the global understanding of fundamental human rights has included social and economic rights such as:

- an adequate standard of living;
- housing;
- just and favourable conditions of work;
- social security;
- food; and
- the highest attainable standard of health.

A recent paper by Jackman and Porter sets out their arguments for entrenching international human rights standards within housing and anti-poverty strategies in Canada.

This summary presents an overview of their discussion.

Government commitments to international human rights must include measures to ensure that those who have been denied rights to housing and an adequate standard of living are able to claim and enforce these rights. The authors argue that understanding and challenging these issues as human rights violations, and empowering those who are affected to claim them, would ensure that such strategies address the structural disadvantage, social exclusion and denials of equal citizenship and dignity behind these problems.

International Developments

The authors propose that housing and anti-poverty strategies in Canada reflect and reinforce recent developments in international human rights. Procedures have recently been put in place at the United Na-

tions (UN) for rights claimants to enforce these rights in the same manner as they have been able to enforce civil and political rights in the past. Strategies in Canada should similarly incorporate references to these international human rights and include key mechanisms for claiming them. In addition, since homelessness and poverty have negative impacts on health and life expectancy and affect disadvantaged groups to a greater degree, they are also understood in international human rights terms as violations of rights to life, security of the person and equality – rights which are protected in the Canadian Charter of Rights and Freedoms.



Incorporating a human rights framework into housing and anti-poverty strategies in Canada would mean identifying:

- goals and timetables for the elimination of homelessness and poverty;
- specific rights that are protected;
- institutions to hear and adjudicate claims;
- options for remedies to be provided;
- independent evaluation and monitoring of

“Housing and anti-poverty strategies present an ideal opportunity to develop new forms of accountability at all levels of government, with clear goals and timetables and effective monitoring, complaints procedures, hearings and remedies.”

outcomes and implementation of remedies; and

- potential appeal processes.

The International Context

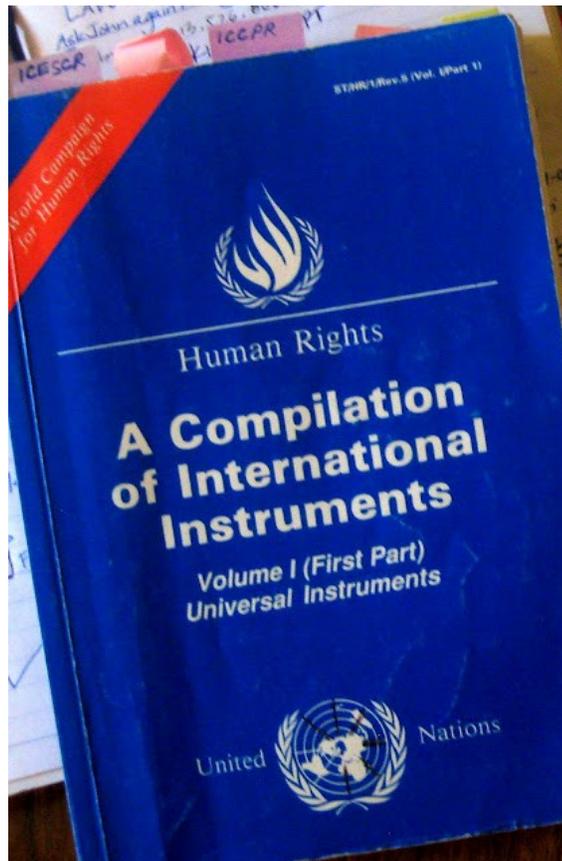
The authors explain that various international declarations, guidelines and treaties have called for countries, including Canada, to use rights-based strategies to address poverty and homelessness. Most OECD countries have already adopted strategies with goals such as:

- breaking the intergenerational cycle of poverty;
- promoting active inclusion of vulnerable groups in society and the labour market;
- ensuring decent housing for everyone;
- overcoming discrimination against members of vulnerable groups; and
- tackling financial exclusion and overindebtedness.

However, to date, most strategies lack key components of the internationally rights-based framework, and outcomes have been mixed.

The Canadian Context

The authors point out that UN human rights oversight bodies have expressed grave concern about the failure of Canadian governments to ad-



dress systemic poverty and homelessness across the country. UN human rights treaty monitoring bodies as well as the UN Special Rapporteur on Adequate Housing have strongly recommended that rights-based strategies be adopted to address the human rights crisis of poverty and homelessness in Canada.

At the same time, civil society organizations and stakeholder groups in Canada have become increasingly vocal in advocating for rights-based approaches. Proposals for rights-based strategies have also been supported by a range of experts and parliamentary committees.

Confronted with government inaction, affected groups have turned to the

courts for remedies. A major Charter case has recently been launched by persons experiencing homelessness in Ontario to demand effective, rights-based housing strategies.

Provincial Roles

While international human rights treaties are ratified by the federal government, provinces also assume responsibility for ensuring compliance. In the case of socio-economic rights, provinces often have the greater share of jurisdictional responsibility.

To date, while many provinces have instituted or are developing strategies to address poverty and homelessness, the authors suggest that there is still much work to be done. Most provincial strategies lack enforceable goals and time-tables for eliminating homelessness and fail to

provide for effective monitoring, complaints procedures, hearings and remedies as required by international human rights standards.

In summary, the authors argue that a human rights framework provides an invaluable approach to understanding and addressing problems of poverty and homelessness in Canada.

Reference: Jackman, M and Porter, B. International Human Rights, Health and Strategies to Address Homelessness and Poverty in Ontario: Making the Connection. Exchange Working Paper Series, Volume 3, Number 2. University of Ottawa, Ottawa, Canada. Available at rrasp-phirn.ca.



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