



Canadian
human rights
commission

Commission
canadienne des
droits de la personne

Housing

Promoting Human Rights-Based Municipal Encampment Responses

**Federal Housing Advocate's Presentation to
the Toronto Housing Rights Advisory Committee
6 February 2025**

Review of homeless encampments – timeline

Dec. 2022	Published research on encampments
Feb. 2023	Launched review
Oct. 2023	Release of Interim Report – What we heard & possible solutions
Feb. 13, 2024	Release of Final Report and recommendations
April 2024	Housing Plan and Federal Budget announce new funding for “human rights-based community action plans”
May 31, 2024	Minister’s written response to the Advocate
Sept. 22, 2024	Federal Gov’t announces start of official negotiations with provinces and territories
November 2024	Publication of Encampments and legal obligations report
March 2025	Publication of Fact Sheets on meaningful engagement

Human rights concerns

Governments failing to respect, protect and fulfill the human rights of encampment residents

- Basic needs of encampment residents not being met
- Encampment evictions and clearances violate human rights, increasing isolation and risk of harms
- Over-representation of First Nations, Inuit and Métis people in encampments
- Black and other racialized individuals, women, 2SLGBTQI+ individuals, people fleeing gender-based violence, youth, seniors and people with disabilities are at greater risk
- Shelters are inaccessible for many and are not an adequate solution
- People do not have access to adequate housing as well as services and supports
- Governments falling short on fulfilling their human rights obligations

Calls to action and recommendations

1. Federal Leadership and a National Plan rooted in human rights
2. Ensure people have the basic necessities of life
3. Stop forced evictions on public lands
4. Meaningful engagement with encampment residents
5. Implement UNDRIP and uphold Indigenous rights
6. Recognize and uphold Canada's human rights obligations
7. Accelerate offer of permanent housing options and address root causes of encampments

Federal government response so far

- Housing Plan & Federal Budget (April 2024) announced new funding for « human rights-based community action plans »
- Minister's formal written response to the final report and recommendations (May 31st)
- Launch of formal negotiations with provinces and territories (September 22nd)
- Federal government announces agreement with City of Toronto (Jan 22, 2025)

Human rights-based community action plans

At minimum, human rights-based community action plans should include:

- Urgent measures to protect the life, dignity and human rights of people who are living in encampments
- Transparent, human rights-based protocols for enforcing by-laws
- A commitment to repealing by-laws which contribute to the criminalization and insecurity of encampment residents
- Meaningful engagement of encampment residents in human rights-based community action plans
- Meaningful engagement of Indigenous governments and organizations
- Clear commitments and consistent human rights language from all political leaders

Ensure meaningful engagement with encampment residents

- Meaningful and sustained engagement is the key to any long-term solutions
- Solutions must offer a real choice that is an improvement on a person's current situation
- Supporting transitions into permanent housing can take time and sustained efforts to build trust and listen to the needs people are expressing

A human rights-based approach to meaningful engagement - 1

- Meaningful engagement must be accessible and designed to accommodate the realities of people
- Recognize power imbalances and design processes to address them
- Take the time to build trust and authentic relationships
- Prioritize inclusion and active listening
- Fully engage people living in encampments in decision-making and centre interventions on their well-being

A human rights-based approach to meaningful engagement -2

- Recognize that people living in encampments must deal with urgent priorities on a daily basis just to survive
- Integrate a trauma-informed approach and ensure cultural sensitivity in dialogue processes
- Provide resources to ensure the safety and security of people living in encampments
- Respect the rights of people to remain encampments and halt threats of eviction
- Work with encampment residents and their trusted actors to develop effective solutions to their housing challenges

Advocate's ongoing role

- Continued monitoring and advocacy
- Additional Resources:
 - In November, the OFHA published a report on the current state of Canadian jurisprudence: Encampments and Legal Obligations: Evolving Rights and Relationships
 - Before the end of the fiscal year, we will be producing some new fact sheets highlighting human rights-based practices for meaningful engagement with people living in encampment.

Thank you

Final Report

<https://www.housingchrc.ca/en/publications/upholding-dignity-and-human-rights-federal-housing-advocates-review-homeless>

Minister's response

<https://www.housingchrc.ca/en/publications/response-minister-advocates-report-homeless-encampments>

Fact Sheets

- **Recommendations for provinces and territories**

<https://homelesshub.ca/resource/fact-sheet-recommendations-for-provinces-and-territories-implementing-the-federal-housing-advocates-report-on-homeless-encampments-upholding-dignity-and-human-rights/>

- **Recommendations for municipalities**

<https://homelesshub.ca/resource/fact-sheet-recommendations-for-municipalities-implementing-the-federal-housing-advocates-report-on-homeless-encampments-upholding-dignity-and-human-rights/>

Encampments and legal obligations: Evolving rights and relationships

https://homelesshub.ca/wp-content/uploads/2024/11/Encampments-and-legal-obligations-evolving-rights-and-relationships_.pdf