

**Government of Canada**

**Interactive Dialogue with the Special Rapporteur on the Right to Adequate Housing**

**Response to the Addendum Report on Canada**

**March 9<sup>th</sup>, 2009**

Mr. President,

We would like to thank the Special Rapporteur on the Right to Adequate Housing for her report which focuses on the global economic and financial crisis and its impact on housing. We will limit our remarks to the addendum report on Canada by the former Special Rapporteur on the Right to Adequate Housing, Miloon Kothari.

The former Special Rapporteur on the right to adequate housing conducted his formal visit to Canada in October, 2007, where he met with federal and provincial government officials as well as representatives from civil society, including community-based housing and homelessness service providers and Aboriginal groups. We appreciated the Special Rapporteur's collaborative, open and collegial approach to his visit to Canada. We acknowledge his dedication to addressing homelessness and to ensuring that vulnerable groups have adequate access to housing. We take note in particular the important work the former Special Rapporteur undertook on gender-based discrimination in access to housing.

Despite our overall satisfaction with the Special Rapporteur's visit, there are a few key issues that were raised in his final report to which we will respond.

Canada is proud of its achievements in the area of adequate housing. Canada became party to the International Covenant on Economic, Social and Cultural Rights in 1976, and fully supports the progressive realization of Article 11 on the right of everyone to an adequate standard of living, including adequate housing. It is important to note that the Covenant allows States a margin of flexibility in determining precisely *how* they will implement the provisions. In Canada, we apply broad strategies through a combination of laws, policies, programmes, and administrative measures to implement our international legal obligations, within the framework of the strong constitutional human rights guarantees in our own *Charter of Rights and Freedoms*. We believe that these approaches are effective in complying with our obligations while reflecting the diversity of our federation. Therefore, we disagree with the Special Rapporteur's assertion that, in all cases, States must explicitly legislate the right to housing at all levels of government.

Within Canada's federal system, housing is a shared jurisdiction between federal, provincial, territorial and municipal governments. While this creates some complexities, it also has great benefits in terms of leaving much of the decision-making about matters affecting local communities in the hands of those communities. Canada would like to highlight the extensive efforts made to ensure cooperation between the different levels of

government. To provide one example, the federal, British Columbia, and Vancouver governments signed the Vancouver Agreement in 2000, aimed in part at ensuring coordinated efforts towards affordable housing. The Vancouver Agreement was awarded a United Nations Public Service Award in June 2005 and recognized as a “best practice” model for improving transparency, accountability and responsiveness in the public service. Canada is also considered a world leader in monitoring the housing needs of its population, both at national and local levels.

We would also highlight that the Government of Canada continues to work closely with non-governmental organizations, Aboriginal and other affected communities in undertaking a number of important measures to address the housing needs of Canadians. We would have liked to see more acknowledgement and understanding of Canadian federalism by the Special Rapporteur, as well as our commitment to working with various affected communities.

While we recognize that Canada faces a number of housing-related challenges and are working hard to respond to them on a continuous basis, we believe that the Report does not sufficiently take into account the strength of Canada’s commitment to housing and the number of substantial investments the federal, provincial, territorial and municipal governments are making to address the housing needs of Canadians. This involves major investments by all orders of government and incorporates a broad range of initiatives and programs targeting issues such as: affordability, renovation of aging housing stock, homelessness, social housing, and on-reserve housing. All levels of government are continuing to work together to address homelessness as a priority issue, supported by the federal Homelessness Partnering Strategy.

In September 2008, the Government of Canada announced \$1.9 billion over five years (2009-2014), for housing and homelessness programs for low-income Canadians. The Government of Canada’s 2009 federal budget made an additional \$2 billion investment over two years to build new and repair existing social housing for Canadians. Provincial and territorial investments will support these efforts. In addition, the federal government will also be making up to \$2 billion available over two years in direct, low cost loans to municipalities to finance improvements to housing-related infrastructure, such as sewers, water lines, and neighbourhood regeneration projects. Taken as a whole, the major investments that various levels of governments have made in a broad range of affordable housing and homelessness initiatives, combined with Canada’s extensive array of human rights and housing-related laws and policies, underscore the commitment Canada is making to address housing issues.

In conclusion, we believe that the former Special Rapporteur’s report on Canada might have been more useful if it had presented the current situation in Canada in a more balanced light. This would have taken greater account of the realities of our federal system, the excellent initiatives that we are undertaking, and more flexible approaches to the implementation of international obligations flowing from the particular characteristics of the *International Covenant on Economic, Social and Cultural Rights*. We also regret

that the former Special Rapporteur did not correct errors of fact in the report on which Canada commented.

Thank you Mr. President.