

THE RIGHT TO SOCIAL HOUSING IN CANADA

DAVID DESBAILLETS
LLD CANDIDATE-UQÀM

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d.desbaillets@gmail.com

DISSERTATION

Is there a legal right to social housing in Canada, whether directly, indirectly or implicitly?

DISSERTATION

Structure of dissertation:

Part I-Theoretical framework

Part II-The international human rights context and the way it relates to Canadian law

Part III-The Canadian and Quebec legal contexts with respect to the right to housing

Definition of social housing:

- 1) Simplicity
- 2) Universality
- 3) Breadth

International housing rights in Canada

Art.11(1) of the ICESCR:

Victoria(City) v. Adams (2009)

International housing rights in Canada

Kell v. Canada (2004)

RESEARCH AND KEY FINDINGS

The historical context with respect to housing rights

- 1) Charlottetown Accord and Charter
- 2) Canadian Assistance Plan (CAP)

The right to social housing in Canada

1) The Charter of Rights and Freedoms

2) The Canadian Human Rights Act and Human Rights Commission

The right to social housing in Quebec

The Quebec Charter of Rights and Freedoms (CDL)

Tanudjaja Application: legacy and criticism

1) Background

2) Outcome

3) Legacy

CONCLUSIONS AND RECOMMENDATIONS

Long term:

- Lobbying provincially/municipally aimed at improving tenancy laws to reflect basic human rights
- Campaign finance reform aimed at the municipal and provincial levels to get development money out of politics

Short/medium term:

- Pressure on the federal/provincial governments domestically
- Support the international/federal/provincial campaign to influence Canadian housing policy and public opinion on the right to housing