

[English](#) | [Français](#)

Ontario
Human Rights Commission
Commission ontarienne des
droits de la personne

search



[YOUR RIGHTS](#) [CODE GROUNDS](#) [SOCIAL AREAS](#) [EDUCATION & OUTREACH](#) [OUR WORK](#)

[Home](#) » [News Centre](#) » [OHRC statement on human rights and encampments and shelter closings](#)

OHRC statement on human rights and encampments and shelter closings

+ show tags

December 15, 2022

Ontario is facing a homelessness crisis that is causing deep and devastating impacts on our communities.

As part of the Poverty priority of its 2017–2022 Strategic Plan, the OHRC is conducting an ongoing provincewide consultation, **Poverty POV**, on the right to housing and the right to mental health and addiction care. So far, the consultation has revealed desperate situations, including a lack of affordable housing, profound economic inequality and significant gaps in mental health and addiction care.

Informal encampments are a stark example of this crisis. All levels of government in Ontario have formerly recognized that many people are experiencing homelessness and living in informal encampments or in shelters.

These citizens are rights-holders under human rights law.

Solutions to homelessness and informal encampments must be grounded in human rights-based approaches and delivered with respect and compassion. Overcrowded, inaccessible and unsafe shelter-beds one night at a time is no alternative to informal encampments and does not respect people's human rights. That does not respect the right to adequate, accessible and affordable housing. This is a right now enshrined in Canada's **National Housing Strategy Act (2019)**.

A recent **report** commissioned by the Office of the Federal Housing Advocate provides five urgent recommendations for all levels of government when addressing encampments. The OHRC supports the following recommendations:

1. **De-Centre Policing and Law Enforcement:** A rights-based approach to encampments requires all governments, including municipalities and the federal government, to end their practices of using trespass orders, bylaws, and policing to forcibly evict unhoused people from encampments.
2. **Municipal Governance & Interjurisdictional Responsibilities:** In adopting a rights-based approach to encampments, federal and provincial governments have an obligation to provide funding and services that offset the disproportionate impact faced by municipalities in addressing the housing crisis and the existence of encampments.

- 3. **Ensure the Meaningful Participation of Encampment Residents:** A rights-based approach requires meaningful and inclusive participation of people living in homelessness in the design and implementation of policies, programs, and practices that affect them.

- 4. **Recognize the Distinct Rights of Indigenous Peoples:** A rights-based approach requires governments to acknowledge Indigenous rights under the United Nations Declaration on the Rights of Indigenous Peoples, the Canadian Constitution, treaties, and case law. Governments should meaningfully engage all relevant Indigenous stakeholders and nations, as identified by Indigenous peoples themselves, in the development of policy approaches to encampments.

- 5. **Address the Conditions within Encampments and Provision of Basic Services:** A rights-based approach requires access to basic services, such as clean water, sanitation facilities, electricity, and heat.

The OHRC encourages the government to renew its efforts in making this a reality.

Like 0

Tweet

Share



- About the Commission
- Annual Reports
- Contact us
- Accessibility
- Privacy Statement

- Business Plans
- News Centre
- Expense Disclosure
- Feedback
- © King's Printer for Ontario

Open Data