

Open letter to Mayor Savage and HRM Councillors September 2, 2020

We are writing this open letter in the wake of the City's forced eviction and clearance of the encampments of a large number of people who are homeless and, more recently, the Halifax City Council's decision to suspend the police response to the lack of affordable housing in this City.

At the same time, the Mayor and many City councillors have endorsed the evident truth that 'Housing is a human right'.

This recognition of the right to housing comes with certain well-defined obligations on all levels of government, including the City and Province, towards people living in homeless encampments.

In 2020, the United Nations Special Rapporteur on the Right to Housing, Leilani Farha, a Canadian, released a [*National Protocol for Homeless Encampments in Canada: a Human Rights Approach*](#). The National Protocol is a set of rules for governments, including municipalities like Halifax, to follow when addressing the needs of people who are experiencing homelessness.

The guidelines are based on the *International Covenant on Economic Social and Cultural Rights* which Canada ratified in 1976 and which creates binding obligations on Canada (and Nova Scotia) in the protection of basic human rights of all.

Members of Council should be aware that the path toward the protection and fulfillment of the right to housing includes several key requirements:

- Forced evictions are a gross violation of human rights and must be prohibited.
- The City needs to engage with people living in homeless encampments in a meaningful way in order to identify acceptable alternatives.
- Any court action to remove people living in homeless encampments should be only taken as a last resort.
- Any relocation of people should not result in the fracturing of family relationships or the continuation or exacerbation of homelessness
- The City has a positive obligation to ensure that people in homeless encampments have access to the basic necessities, including:
 - adequate facilities for clean drinking water,
 - hygiene and sanitation,
 - waste management,
 - cooking and fire safety,
 - harm reduction measures,
 - protection of people's personal safety, and,
 - social supports and services.

The rights of indigenous people living in homeless encampments, given their dramatic overrepresentation among people experiencing homelessness in Halifax and their distinct relationship and right to self determination, must be particularly addressed by government to ensure that their rights are protected, respected and fulfilled. Given the violence and discrimination experienced by

indigenous women, the government also has an urgent obligation to protect them from further violence and discrimination.

It is incumbent on Halifax City Council, particularly given its acknowledgement that 'housing is a human right' to fulfill these human rights obligations by implementing the principles in the Protocol in the days and months ahead.

There can be no more forced evictions into deeper homelessness and both ongoing and meaningful consultation must be held with rights holders - those people residing in homeless encampments and elsewhere who have been denied meaningful access to affordable housing.

The Mayor and Halifax Council members have acknowledged the right to housing. Now is the time to recognize that with rights come duties on all levels of government to fulfill those obligations on an urgent basis.

Wayne MacKay, Vince Calderhead, Claire McNeil, Katrin MacPhee, Mark Culligan, Mitch Broughton, Andrea MacNevin, Asaf Rashid

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