



CANADA WITHOUT POVERTY  
CANADA SANS PAUVRETÉ

**Submission to the UN Human Rights Committee's on the Proposed General Comment on  
Article 6 (the Right to Life)**

**The Interdependence of Poverty, Homelessness and Hunger with the Right to Life**

**Submitted by  
Canada Without Poverty  
June 26, 2015**

**Introduction and Overview**

1. Canada Without Poverty (CWP) submits this brief to the United Nations Human Rights Committee (the Committee) following the Committee's invitation to provide written information on the preparation for General Comment No. 36 on Article 6 (the right to life) as protected by the International Covenant on Civil and Political Rights (ICCPR).
2. Founded in 1972 and operating as a leading national anti-poverty organization, CWP has represented the low-income population in Canada for over 40 years. Many of CWP's members are living in poverty and our Board of Directors is comprised of people with direct, personal experience of poverty, both past and present. CWP seeks to provide meaningful and effective representation of people living in poverty, promoting a better understanding of the lived experience of poverty in Canada and addressing problems of stigmatization and discrimination experienced by low income people.
3. CWP has a network comprised of over 1,000 members across the country made up of individuals living in poverty as well as organizations representing low-income individuals. With a pan-Canadian reach, CWP is often called upon by parliamentary committees, civil society, and the media to speak about poverty as it relates to various stages of the life-cycle and vulnerable demographic groups.
4. Under our former name, the National Anti-Poverty Organization, CWP was the first NGO to appear before the UN Committee on Economic Social and Cultural Rights in 1993. CWP continues to promote the implementation of human rights as the fundamental basis for the eradication of poverty and acts as a central resource point on poverty and human rights in Canada.
5. CWP supports comments by ESCR-Net, the Social Rights Advocacy Centre and the Global Initiative for Economic, Social and Cultural Rights on preparation for General Comment No. 36 on Article 6, and relies upon their submission for deeper analysis of the concept of interdependence.

6. During the 114<sup>th</sup> session of the Committee, CWP will be presenting on the right to life under the ICCPR as related to economic and social rights in Canada. The following comments are in keeping with and reflect our submissions for the Committee<sup>1</sup> review of Canada.

### **The Interdependence of Right to Life and Economic and Social Rights**

7. The interdependence of civil and political rights with economic, social and cultural rights is a well-accepted principle, commonly referenced in General Comments and other international and regional human rights documents and jurisprudence.<sup>1</sup> There may be no clearer example of this interdependence than the relationship between extreme poverty (and its manifestations – homelessness, hunger) and the right to life.
8. Poverty has been recognized by the World Health Organization as the single largest determinant of health affecting both mental and physical health outcomes. This manifests in a number of adverse health issues including depression, diabetes, heart disease and other chronic conditions. These conditions can lead to ill health and the contraction of otherwise preventable life threatening diseases.
9. It is well established that homelessness has important health implications. Homeless people are at increased risk of dying prematurely and suffer from a wide range of health problems. Homeless people also face significant barriers that impair their access to health care.<sup>2</sup>
10. Studies have also shown that living in shelters, rooming houses, and hotels, in other words, homelessness, is associated with much higher mortality than expected on the basis of low income alone. Deaths of homeless people due to cold weather has also been well documented.<sup>3</sup>
11. Persons who are marginalized are more likely to experience manifestations of poverty and thus barriers to the right to life. In a Canadian study, a 21-year difference was found in the life expectancy of individuals between the poorest and wealthiest residents of the city.<sup>4</sup>

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<sup>1</sup> See for example: Poverty and the International Covenant on Economic, Social and Cultural Rights. Statement of the Committee on Economic, Social and Cultural Rights at: <http://www2.ohchr.org/english/bodies/cescr/docs/statements/E.C.12.2001.10Poverty-2001.pdf>; UN Human Rights Committee, Review of Canada (1999) CCPR/C/79/Add.105 at para. 12; and the “Street Children” Case (Villagrán Morales et al.). Judgment of November 19, 1999. Series C No. 63, para. 144 where the court establishes that the right to life includes not only the right to exist and not to be arbitrarily deprived of life, but also the right not to be impeded from access to conditions that ensure a decent existence or a life with dignity.

<sup>2</sup> See for example: Dr. Stephen W. Hwang, “Homelessness and health” CMAJ (January 2001), online: <http://www.cmaj.ca/content/164/2/229.short>.

<sup>3</sup> See for example: Leilani Farha, UN Special Rapporteur on the right to adequate housing, “Every time Winter’s Extreme Cold Claims a Life, We have Failed the Homeless” <http://www.theguardian.com/commentisfree/2015/mar/03/every-time-winters-extreme-cold-claims-a-life-we-have-failed-the-homeless>; and Daniel Otis, “Second homeless man dead as bitter cold envelops city” Toronto Star (January 2015) online:

[http://www.thestar.com/news/gta/2015/01/06/second\\_homeless\\_man\\_dead\\_as\\_bitter\\_cold\\_envelops\\_city.html](http://www.thestar.com/news/gta/2015/01/06/second_homeless_man_dead_as_bitter_cold_envelops_city.html).

<sup>4</sup> [http://media.metroland.com/thespec.com/statistics\\_flash/](http://media.metroland.com/thespec.com/statistics_flash/).

12. These groups include women, people with disabilities, migrants, youth and children, indigenous peoples and other disadvantaged groups.
13. The relationship between women's premature death and domestic violence in the home is well documented. Many women experiencing domestic violence have few housing options, which means they are compelled back to a violent situation or are compelled into homelessness. Either way, their lives are at stake.<sup>5</sup>
14. This Committee has previously recognized the connections between homelessness and the right to life. In its concluding observations on Canada in 1999, the Committee stated that it was "concerned that homelessness has led to serious health problems and even to death"<sup>6</sup>.
15. In light of these facts, the right to life imposes a positive obligation on States to take steps to ensure an adequate standard of living in keeping with their international human rights obligations. By failing to establish positive measures to address barriers to the realization of economic and social rights, particularly for the most vulnerable, States are failing to uphold their obligations under Article 6 of the ICCPR.

### **Recommendations**

We agree with the submissions and recommendations made to the Committee in preparation for General Comment No. 36 on Article 6 by ESCR-Net, the Social Rights Advocacy Centre and the Global Initiative for Economic, Social and Cultural Rights.

We support their suggested recommendations and paraphrase them, in part, here:

- A. The Committee should reaffirm the interdependence of the right to life with economic and social rights and clarify that access to adequate housing, food, health care, water, sanitation and other requirements of life are not dependent on the status accorded to economic and social rights under the domestic law of a State party to the ICCPR.**
- B. The Committee should clarify that article 6 imposes obligations for the state to address socio-economic and other systemic factors leading to violations of the right to life through the adoption of strategies with goals, timelines and independent monitoring and complaints procedures.**
- C. The Committee should ensure that the right to life is interpreted consistently with the right to substantive equality and non-discrimination.**
- D. The Committee should clarify that the right to life may result from state action or inaction, or may be the unintended consequence of policies or programmes or may be related to failure to provide comprehensive plans and strategies.**

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<sup>5</sup> See for example: Miloon Kothari, Special Rapporteur on the Right to Adequate Housing, "Women and Adequate Housing" (2006), <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G06/111/66/PDF/G0611166.pdf?OpenElement>.

<sup>6</sup> Concluding Observations of the Human Rights Committee: Canada, CCPR/C/79/Add.105 (7 April 1999), para. 12.

