

Pillar 5: Recognition of Indigenous Rights

RETHINKING MUNICIPAL POLICY RESPONSES TO ENCAMPMENTS:
BUILDING A HUMAN RIGHTS APPROACH IN ONTARIO



Our final pillar is the recognition of Indigenous rights through encampment responses, an issue discussed in all the human rights documents we reviewed. This is important especially within the settler colonial context both because Indigenous people are over represented among people experiencing homelessness in Canada, and because the Canadian state has unique obligations towards Indigenous peoples, especially concerning public lands.

Exploratory Questions

We used these questions to assess the extent to which municipalities had recognized Indigenous rights within their encampment responses . They show our guiding lens, as applied across the different jurisdictions we observed in Ontario.

- *Is there acknowledgement of Indigenous Rights in the protocol?*
- *Is there recognition of the need to consult with Indigenous people and/or Indigenous service providers in the protocol?*



Report Findings

Despite the importance of recognizing Indigenous rights as part of an encampment response, there was no mention of Indigenous rights in the documents we reviewed, and this is a key gap in municipal encampment responses.

Some protocols did discuss Indigenous service responses. However, these municipalities were the exception rather than the norm; most municipal protocols offered little or no recognition of Indigenous-led service approaches.

Furthermore, only one encampment protocol mentioned the importance of Indigenous leadership with respect to decisions regarding the appropriate use of, and access to, public lands. This highlights a substantial gap between stated commitments to reconciliation and the policies guiding encampment responses.

REALIZING THE RIGHT TO HOUSING:
MUNICIPAL POLICY RESPONSES TO ENCAMPMENTS