Not a Luxury: Home, Humanity and Human Rights
Wollongong, Australia
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Thank you.

It's an honour to be here today, especially as a guest on the traditional Country of the Dharawal people - whose connection to home and land has endured the history of this country.

A land acknowledgement is a good place to start a keynote at a homelessness conference. It reminds us of what it means to have a home, to be home and what it means to be homeless.

For months and months now when I think about home my mind most often turns to Palestine. Where home in all of its meanings - physical, ancestral and existential - is under real threat. In Gaza over the course of 28 months more than 90% of homes have been bombed and demolished. 2 million people have been displaced 4, 6, even 10 times. Thousands upon thousands have been killed and injured and orphaned. This is what the UN calls a genocide, carried out with

the support and complicity of many western democracies.

We have learned over the past 28 months that genocide is made possible by the systematic dehumanization of people. This machinery of dehumanization allows leaders to render certain populations — Palestinians — 'acceptable collateral for the interests of empire,' as Omar El Akkad has written. And I would like us to understand that it is, in fact, the same machinery that manufactures homelessness right here at home.

So this morning, I want to talk about home - not just as a physical structure, but as the foundation of our humanity - and how that foundation has been systematically dismantled, and its impact.

Let’s start in my home. On my sofa -- where I spend Sunday mornings drinking tea, with a book and my dog, Bean. My sofa plays a huge role in my life. There's this corner that is just right. When life gets rough, after a hard week, when a sister is sick, or the world has gone mad, everyone in my family knows, "it's time to take to the sofa." The phrase itself makes me feel better. My sofa is enormous – L -shaped and at least 9

feet long. It’s been host to family and neighbour gatherings for countless sporting events, election-nights, and So You Think You Can Dance season finales.

When I travel, I miss my sofa as much as my kids, my partner, my dog.

Looking around my home, I see that it’s a configuration of spaces that play multiple roles: functional, social, emotional, artistic, historic.

My dining room has a big-slab-of-wood table that seats 10 easily and more when necessary. It's the circumference for family and friend gatherings, where board games are won and lost, the weekend paper spread out, and 1,000 piece puzzles are put together and taken apart, where big home-cooked turkeys, and maklouba are served up alongside arguments about climate change, rounds of giving thanks, and tears over genocide and other atrocities.

My front foyer -- a place for a million pairs of shoes, where snowsuits have been wrestled on and off,

doubles as a dance floor where friends and strangers lose inhibition and find joy.

The poetry of home

I have a deep relationship with home.

For 30 years my career has focused on the human right to housing understood as the right to live in peace, security and dignity.

As the UN Special Rapporteur on the right to housing, I spent six years visiting people in their homes, in every region of the world, talking to them about their home truths. I have probably been to more homes than most people.

I visited an older man in Seoul living in a dormitory unit just larger than a coffin. He whispered to me his humiliation of a failed marriage and lost job.

I remember the single mother in San Diego, whom I met in a church parking lot, living in her car with her two teenage daughters and three-year-old -- she had done everything right and still couldn't afford the rent.

And the conversation I had with a young mother from the Congo, living in a windowless Paris motel room, beside a bar and the men's bathroom. She'd been raped on her journey to Europe and her fear that it would happen again filled the space between us.

I have seen people make "home" out of nothing -- corrugated steel, branches, tents, shipping containers. Invariably, there's an effort to make it home: a clothesline, carefully tended plants, a framed photo on a rickety table, kids' toys under the bed, a rice cooker in the corner, a plastic chair for the weary.

No matter the context, I am invited into these homes, offered tea, a biscuit, and a chat. The humanity in the interaction always overwhelms me.

The emotional connection to home, its relationship to our darkest and sunniest corners, our secrets, and despair is real and deep. Home -- as both concept and material reality -- has such richness.

No matter where I have been, the country, the city, the neighbourhood, the home – the people experiencing

housing precarity and homelessness – where home hangs by a thread – say remarkably similar things. In particular, and often through tears, they say that they just want to be seen. To be treated like human beings. They cling to their homes and with it their dignity, their humanity.

Home moves us beyond structure and touches what it is to be human, to exist. The richness of home finds expression in poets and writers - especially those displaced by conflict and colonialism.

I think of Warsan Shire's now famous poem 'Home'. She was born in Kenya to Somali parents, and captures the refugee experience:

"no one leaves home unless home is the mouth of a shark"; "You only leave home when home wont let you stay"

Identity is interwoven with your home. When we are displaced from our homes the disruption isn't just material, there's a disruption in how we understand ourselves, a disruption to our sense of belonging.

Mohammed El Kurd, a Palestinian writer protesting forced evictions in Sheikh Jarrah, East Jerusalem writes "I cried not for the house but for the memories I could have inside it." In a forward to his beautiful and painful book, the poet Aja Monet comments “These words remind me that home is a series of shared memories, not brick and mortar. Home is where we go to remember and re-visit who we’ve always been.”

Métis/Cree poet Jessie Thistle talks about home not as "a structure of habitation"; but as something understood through Indigenous worldviews - about spiritual and cultural belonging, and relationship to land, water, place, family, kin.

Aboriginal and Torres Strait Islanders express home as far more than shelter. Some have described home as family. Others include community, culture, spirituality, and land and Country.

Lauren Tynan [TIE-nun] from [trawl-wool-way] Trawlwulwuy, describes Country as "the web that connects humans to a system of Lore/Law and knowledge that can never be human-centric."

From all of this I see: home is everything – and perhaps more than everything we can conceive as humans. Which of course means its loss, is a loss of everything.

It is this deep and interdependent relationship between home and being human; home and humanity that draws me to housing work.

Home loses its poetry

In recent times, these ideas of home have been dismantled. For decades, governments have pivoted housing away from its inhabitants toward those with pecuniary interests. In doing so, they've taken something essential from us.

The roots of this are colonial, but found revived expression in the late 70s and 80s when western nations embraced neo-liberal ideology. Think: Margaret Thatcher. Reaganomics. Think: Hawke, Keating, Howard. Neo-liberalism has always been a bipartisan project.

It wasn't always this way. In the thirty years after World War II, on the understanding that everyone deserved a home, the federal government stepped in. The 1945

Commonwealth-State Housing Agreement funded states to build public housing at scale. Homelessness was a discrete problem, not a social phenomenon.

The retreat began in the mid-1950s, when the Menzies government started redirecting funds away from public rental housing — wanting to create Australia as [quote] "a nation of little capitalists" — and began selling off what had been built.

Then came the full neoliberal dismantling. In the 80s and 90s, developers had free rein while governments simply stopped building. In Australia, the stock of social housing has barely changed in twenty-five years, falling further and further behind population growth. Those needing deeply affordable housing were left in the dust.

[Social housing accounted for more than 6% of occupied dwellings in 1996. By 2021, it was barely above 4%. https://theconversation.com/the-housing-and-homelessness-crisis-in-nsw-explained-in-9-charts-200523]

The theory was that benefits for those at the top would trickle down to those at the bottom. It didn't work. It trickled up. Many got poorer, and the lowest income

households found it harder to pay rent and feed their kids.

And then things got worse.

At the beginning of the 21st century, housing became financialized — treated almost exclusively as an instrument of wealth generation rather than a place to live. In this country that meant cheap money and generous tax incentives which encouraged property investment.

As I reported to the UN Human Rights Council in 2017, and it remains true today: residential real estate has become the biggest business in the world, valued at more than 285 trillion USD — double the world's GDP and more than all the world's stocks and bonds combined.

[12.4 trillion; stocks 3.7; super 4.5]

In Western countries this meant the invasion into housing by large financial firms, private equity and the like. Here in Australia homes have been taken over by mostly small-time individual investors and speculators – and they are proving successful with almost 55% of household wealth found in residential

real estate – that's more than the combined total of wealth stored in stocks and superannuation, in fact.

While smaller investors have been the norm here, the big players have started to arrive. Build to rent accommodation is picking up steam here -- owned by institutional investors and specialized property developers like Starwood, Greystar, and Real Estate Investment Trusts like Mirvac and Stockland. Overseas pension funds – like the Teacher's pension fund from the province where I live (Ontario Teachers' Pension Plan) are also players, particularly in your student accommodation market. Their goal is simple: maximum return from every square metre.

And then there short-term rental platforms like Airbnb, which have effectively removed thousands of homes from residential use entirely. In coastal communities like Byron Bay, more than 30% of housing stock is now listed for tourists, not tenants. In some towns, nearly all new homes built over the past decade went straight to short-term rentals.

Financialized housing or treating housing as an investment has been made particularly attractive here because of the favourable tax regime in place.

Negative gearing allows investors to offset property losses against wage income, while a 50% capital gains tax discount rewards holding assets long-term.

Together, these don't just reward property investment — they make it the rational choice. They make it rational to own a 2nd, or 3rd or 5th property while some people cannot afford a first. More than a third of these tax benefits flow to the wealthiest 10% of income earners. The tax system is not a neutral backdrop to the housing and homelessness crisis. It is one of its engines.

Another engine is that governmens chose to starve public housing: for decades they stopped building, sold off units and allowed public housing to deterioriate — meanwhile waitlists have grown to multiple thousands of households. The message sent: we're putting our stock in the private market to provide for human need.

This tax system coupled with de-investment of public housing puts so much pressure on the housing market and means that anything affordable becomes prey for investors. The perfect conditions for homelessness to accelerate.

Housing -- Where are the People?

The broad impact of this is that home as a place to dream, to create identity, to connect to land and community is growing distant. Tenants are profit and loss calculations not bearers of inalienable rights.

We've replaced homes and humanity with assets, valuations, ledgers, returns on investment. Securities, [pause] but no security.

The poetry of home has been erased, the home-humanity connection severed. When you dehumanize home, you dehumanize people.

When tenants are considered only for their potential to increase property value and profits, they are reduced to something less than human. Essential, but dispensable once they no longer fulfill their function.

In a world where people are only of interest for their ability to contribute to someone else's capital gains, those who have no economic means, people living in

homelessness, who may need social housing to survive, count for less and less.

When people count for nothing, you can do to them what you will. It makes it easier to take policy decisions that contribute to homelessness and that are cruel. Like:

⇒ Raising rents to rates that people cannot afford -- forcing people out of their homes, with nowhere affordable to go.

⇒ Discharging people from psychiatric care back into homelessness — treating the illness while abandoning the conditions that caused it.

⇒ Forcibly evicting homeless people from tents they erect in parks when they have no other accommodation -- a measure known to hasten death.

[In Australia people sleeping rough die 22 to 33 years earlier than their housed neighbours. More than 2,000 people are sleeping rough in NSW — up 25% in a single year. First Nations

people, 3% of the general population, make up 20% of those experiencing homelessness.]

Treating housing as an investment vehicle is not just an economic choice, it's a choice about who counts and who doesn't. Certain people become dispensable. Collateral damage. And when homelessness becomes too obvious, and the government's inhumanity too plain – they blame the victim – to erase their own responsibility and to justify their harsh treatment.

The logic that informs this — in its most extreme expression — is a moral abyss. It is what this and other colonial countries were founded on. It is what we are witnessing in Gaza. Genocide becomes possible when the humanity of a people has been systematically erased.

This is why we must insist that housing is a human right. Not a privilege. Not a commodity. Not an asset class. A right. That recognizes we are all born in equal dignity and respect and where that is a our starting point.

Because without it, some people will always count for less.

Returning Home

But the question that keeps me up at night is, how do we return 'home' – to everything that word means? The home that Warsan Shire, Jessie Thistle, Mohammed El Kurd and Lauren Tynan [TIE-nun] speak of. To home that is human and a human right?

Unfortunately, it's not as easy as clicking our heels like Dorothy in the Wizard of Oz while repeating "there's no place like home."

A return home requires that we challenge neoliberal ideology and develop an alternative vision with different values that puts primacy on humanity. As Kevin Bell, former Supreme Court Justice in Victoria said: "values produce actions and outcomes. If you do not have the right values, you will not have the right actions and outcomes."

A younger version of myself – one that existed before October 2023 - would have said that an alternative right, universally agreed upon, vision and values

already exist in the form of international human rights law.

I might have started our discussion by telling you that under international law homelessness is a violation, and requires urgent and priority measures by all orders of government.

I might have talked about the standards that attach to the right to housing under international law, like affordability based on income, security of tenure, prohibitions on legal evictions that result in homelessness, and the requirements habitability, accessibility, and cultural appropriateness.

I might have talked about human rights processes that require the meaningful engagement of people in housing need to design policies and programs aimed at ensuring enjoyment of the right to housing.

I might have talked about how human rights is an accountability framework, that governments must establish mechanisms to hold themselves and third-party actors, like investors, accountable to human rights standards.

I might have indicated that human rights require governments to take reasonable steps continuously and to spend the maximum resources available to them to solve homelessness, including using the tax system to do so.

I might even have mentioned the need for legislation that affirms housing is a fundamental human right that can be claimed.

Now, however, after the last 28 months and ongoing, I am just not so sure what to think of international human rights law – from where all of these standards on the right to housing are derived.

For thirty years, I've dedicated my life to human rights work, believing in the power of international law to protect human dignity. But I find myself in an unfamiliar place now - my core certainties shaken.

It's not international law that’s the problem. It's the system, I keep telling myself. Or is that right? Weren't the laws born of the system? It's a cage and I'm rattling around in it.

I was listening to Amnesty International head, Agnes Callamard, awhile back, hoping she might provide a path forward. I was struck by something she said, it was something like: Ok, international law and its systems are fraught. But What's Plan B? There's no Plan B.

That gave me pause. It drove me back to the opening words of the Universal Declaration of Human Rights which talks about "the inherent dignity and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace."

The human family.

I want to believe in, put my stock in, support, defend, be part of the human family. The human family I see on the streets across the world fighting for justice and dignity of the oppressed.

Human rights attach to us because of our being human, they aren't earned, and they don't exist just because they are written on papers that States have committed to. The right to housing is one of those rights.

And while the language of human rights may not be particularly poetic, human rights can play precisely the role that poetry does.

As Black-American feminist Audre Lorde said: "Poetry is not a luxury. It is a vital necessity of our existence. Poetry is not only dream or vision, it is the skeleton architecture of our lives."

Just like poetry, human rights are the architecture of our lives. They provide an outline of what human wholeness, well-being and potential can look like.

Human rights can re-orient relationships to focus on our shared humanity, and the promotion of human dignity. They can re-set the terms of the world around us -- so that when we see a home, it is just that - a home.

Despite my own ambivalence, I'll be honest — some of what I've learned about NSW's approach has given me pause, lodged a little good feeling in me. A Minister for Homelessness. A ten-year, people-centred strategy, that recognizes housing as a fundamental human right. I still smile when I read those words in a

government document! These don’t have to be small things. These could be the beginning of a true values shift.

But you must remember. A value proclaimed is not a value protected. Australia remains the only Western democracy without a national human rights act — despite a Parliamentary inquiry recommending one in 2024. NSW has no state equivalent — though a Human Rights Bill is currently before parliament.

We already know what human rights law can do when it exists. Just a few days ago the Queensland Supreme Court delivered a landmark ruling. The City of Moreton Bay had spent $1.4 million in a single year evicting homeless people from parks. They sent rangers, police, a bulldozer and an excavator to destroy tents and remove personal belongings. Justice Paul Smith ruled it was a breach of human rights. The council is now barred from clearing the encampment. Not a solution to homelessness, but a small victory nonetheless.

That ruling was made possible by Queensland's Human Rights Act. And Queensland's Act doesn't even explicitly protect the right to housing. The court reached its decision through related rights — dignity,

protection from harm. Imagine what enforceable law with an explicit right to housing could do.

When national and state human rights acts come — and they must — the right to housing must be in them. Not an aspiration. An enforceable claim. Protection from homelessness not as charity, but as law.

We now know what it looks like when governments are not held accountable to international human rights law. It's hard to take.

I think the way to salvage human rights is to do the right thing at home.

Build the legal infrastructure in a meaningful full-hearted way.

And while you here in NSW are waiting for it — ensure NSW's Homelessness Strategy is implemented as if the right to housing **is already** domestic law. Meet the same standards, the same obligations, hold your governments and other actors accountable, and most importantly listen to the people in need. Be guided by them. Do what international human rights law requires, for humanity.

Show the world what it looks like when home is treated like it's everything.

Thank you.