

REFRESHING HUMAN RIGHTS FOR OUR TIME AND PLACE

BY PAUL HUNT*

I. INTRODUCTION

Human rights have made a major contribution to society in Aotearoa New Zealand, but they urgently need refreshing for our time and place. In this Country, human rights are mainly associated with combatting discrimination. This struggle is of huge importance and, in the Human Rights Commission, most of our work is devoted to fighting discrimination. But human rights are not only about discrimination, they also include a range of other rights, including the right to a decent home grounded on Te Tiriti o Waitangi.¹

Successive governments of Aotearoa New Zealand have legally agreed to implement these “other human rights”, but they have failed adequately to do so. Moreover, some of these human rights are almost unknown and invisible in Aotearoa New Zealand. Agreeing fundamental standards in the United Nations (UN) in New York and Geneva and giving them negligible explicit attention in Wellington is disgraceful and undermines trust and confidence in government.

Human rights in Aotearoa New Zealand have other elemental problems, too. They need refreshing because human rights talk has become excessively legalistic and often divorced from everyday lives. Also, most people think that human rights only place responsibilities on governments, whereas human rights place responsibilities on governments, business, and individuals.

Further, in relation to human rights, we have yet to strike a healthy balance between “I” and “we”, that is between individual and community. In 2020, two pillars of the British establishment, Sir Paul Collier and Sir John Kay, published a slim volume called *Greed is Dead: Politics After Individualism*.² The authors are leading economists and, after reading the book, I was left wondering what they had been doing for the last 40 years. Nonetheless, the book makes important points about what has been called “destructive individualism”.³

* In 1995, Paul Hunt graduated from the University of Waikato with a Masters of Jurisprudence (First Class Honours). In 2011, he was made an Honorary Professor in Te Piringa – Faculty of Law at the University. In 2021, the University of Waikato awarded him an Honorary Doctorate, on which occasion he gave a public lecture. This article is closely based on his public lecture. In 2019, Professor Hunt was appointed New Zealand’s Chief Human Rights Commissioner. His lecture, and this article, are given in his private capacity.

1 New Zealand Human Rights Commission Framework Guidelines on the right to a decent home in Aotearoa (August 2021) <www.hrc.co.nz/files/7416/2784/4778/Framework_Guidelines_on_the_Right_to_a_Decent_Home_in_Aotearoa_FINAL.pdf>.

2 Paul Collier and John Kay *Greed is Dead: Politics After Individualism* (Penguin Random House UK, 2021).

3 Helen Lewis “Paul Collier and John Kay v Destructive Individualism” (BBC, 19 September 2020). <www.bbc.co.uk/programmes/m000mkv4>.

Community is vital to human beings because it brings a sense of belonging. The Norwegian Prime Minister Erna Solberg, who has been forced to confront violent white supremacists, recently observed, “you don’t attack what you feel you belong to”.⁴

So, how can we address these and other constraints which are holding back human rights? How can we refresh human rights for our time and place? We have to begin by reflecting on the relationship between values and human rights.

II. THE RELATIONSHIP BETWEEN VALUES AND HUMAN RIGHTS

Prime Minister Ardern often talks about values. When she addressed the UN General Assembly in the shadow of 15 March 2019, she affirmed the Universal Declaration of Human Rights and said:⁵

What if we no longer see ourselves based on what we look like, what religion we practice, or where we live. But by what we value. Humanity. Kindness. An innate sense of our connection to each other. And a belief that we are guardians, not just of our home and our planet, but of each other.

In June 2021, at the Government’s turbulent hui on countering terrorism and violent extremism, she emphasised:⁶

We are seeking guidance and ideas on strengthening our counter terrorism strategy in a uniquely New Zealand way – recognising our treaty relationship, our diversity, and our values.

The Prime Minister is right to emphasise the critical importance of values. They are the “glue” that holds a society together.

Values inform human rights. Crucially, human rights embody values. Human rights are designed to ensure that our values are not inadvertently overlooked, or deliberately sacrificed on the altar of political expediency. Human rights help to ensure that, confronted by a national crisis, global pandemic, or other emergency, our values are not unfairly compromised.

Human rights are a check on what Alexis de Tocqueville called “the tyranny of the majority”.⁷ They are not only a check on “the tyranny of the majority”, they are also a check on the tyranny of the powerful. At root, human rights provide a check on the abuse of public power. Their primary purpose is to protect our values.

III. WHICH VALUES?

If values inform human rights, and human rights embody values, which are among the values esteemed in Aotearoa New Zealand?

4 As quoted by Jacinda Ardern, Prime Minister of New Zealand “Speech to inaugural Countering Terrorism Hui” (He Whenua Taurikura, Christchurch, 15 June 2021) <www.beehive.govt.nz/speech/speech-inaugural-countering-terrorism-hui>.

5 Jacinda Ardern, Prime Minister of New Zealand “New Zealand National Statement to United Nations General Assembly 2019” (UN General Assembly, New York, 25 September 2019) <www.beehive.govt.nz/speech/new-zealand-national-statement-united-nations-general-assembly-2019>.

6 Ms Ardern, “Speech to inaugural Countering Terrorism Hui”, above n 4.

7 Alexis de Tocqueville *Democracy in America* (Joseph Epstein, revised edition, Bantam Classic, 2000) (first published in France by Sever and Francis, 1835).

Te Ao Māori is underpinned by whanaungatanga (kinship) and whakapapa, which I understand to mean more than genealogy but an expansive network in which all life is included. In this worldview, relationships between people – past, present, and future – are of central importance. Also, the relationship between people and the natural world is crucial.

Kaitiakitanga (stewardship), a system of reciprocal rights and responsibilities, arises from these relationships. Kaitiakitanga includes intergenerational responsibilities and it also has spiritual dimensions. Mana (authority, power, leadership) requires the maintenance of these relationships and responsibilities.

Te Ao Māori reflects an indivisible relationship between Māori and whenua, which is reinforced by Te Tiriti o Waitangi. It includes an abiding sense of love for Papatūānuku (the earth) to which tangata whenua belong.

In Aotearoa New Zealand, our values encompass Te Ao Māori and the worldviews of other communities. These values not only include whakapapa, whanaungatanga, kaitiakitanga and mana (as already outlined), they also include manaakitanga (respect), dignity, decency, fairness, equality, freedom, wellbeing, safety, autonomy, participation, partnership, community, and responsibility.

These are the values that provide the bedrock of society in this country. They are the values embodied in human rights. If human rights become estranged from these values, human rights lose their legitimacy, authority, currency, and relevance.

IV. DYNAMIC VALUES AND THE GOLDEN RULE

Values – like culture – are not set in stone. Values evolve as generations come and go. Because values evolve, so must human rights, but without compromising their essence.

What is the “essence” of human rights? This question bears upon some of the most profound ethical issues which have tormented moral and political philosophers since time immemorial. Here I cannot do the question justice, instead I provide two brief responses.

First, the “essence” of human rights coalesces around kaitiakitanga (stewardship), manaakitanga (respect), dignity, wellbeing, and the fair treatment of individuals and communities.

Second, the “essence” of human rights is encapsulated in the Golden Rule which, arguably, is found in all major world religions and informs all major cultural ethical systems. The Golden Rule has a negative and positive form. The negative form is, “Do *not* do to others what you do not want done to you”. The positive form is, “Do to others what you would have them do to you”. The Golden Rule might have an important role to play as we journey towards a multicultural society based on Te Tiriti o Waitangi.⁸

However, my main point is that human rights are inalienable. They belong to everyone by virtue of their humanity, and they cannot be expunged. But human rights are *not* unchanging. They are dynamic. As UN Secretary-General Boutros Boutros-Ghali put it in his opening address to the World Conference on Human Rights held in Vienna in 1993, “human rights are ... in constant movement”.⁹

8 For an interesting introduction to the Golden Rule see James Liu and Matthew MacDonald “Towards a Psychology of Global Consciousness Through an Ethical Conception of Self in Society” (2016) 46 *Theory of Soc Behav* 310.

9 Steven L B Jensen *The Making of International Human Rights: The 1960s, Decolonization and the Reconstruction of Global Values* (Cambridge University Press, 2016) at 1.

If human rights become static, they are relics from the past, and run the risk of hindering progress.

In Aotearoa New Zealand, the dynamism of human rights enables them to play a constructive role as we confront our colonial past and build a multicultural society based on Te Tiriti o Waitangi, in which everyone can meaningfully participate with dignity and respect.

A. Relationships, responsibilities, and rights

In 2020, conscious of the values New Zealanders esteem, I re-framed human rights as the “three Rs”.¹⁰

1. Relationships

At the heart of human rights and Te Tiriti o Waitangi are respectful relationships between individuals and communities. I often hear inspiring stories about our rich multiculturalism grounded on Te Tiriti. But I also hear about communities talking past each other. We need to give more attention to thoughtful relationship-building between communities.

2. Responsibilities

Although this provision is often overlooked, the Universal Declaration of Human Rights confirms that individuals have “duties to the community”.¹¹ Of course, responsibilities are integral to Te Tiriti. The response to COVID-19, such as social distancing, self-isolation and, whenever possible, getting vaccinated, shows that most of us understand we have responsibilities to our communities. Most of us grasp that we have a responsibility not to discriminate on any of the prohibited grounds, such as disability, gender, and sexual orientation. Many of us accept we have some sort of responsibility to safeguard the environment.

We need to be much clearer that human rights not only grant entitlements to, but also place responsibilities on, all of us.

Nonetheless, I acknowledge we must be very careful about the idea of placing human rights responsibilities on individuals. If a society is plagued by systemic disadvantage, as ours is, and we then place responsibilities on disadvantaged individuals and communities, this runs the risk of reinforcing their disadvantage. Also, there is a risk that those in authority will try to make individuals’ human rights *conditional* upon the discharge of their responsibilities, which would be a travesty.

Working in the UN, I always avoided saying individuals have human rights responsibilities because I knew this argument would be misused by authoritarian and feudal regimes.

Here in Aotearoa New Zealand, for several reasons, it is appropriate to talk about individuals’ human rights responsibilities, but the argument needs careful attention to ensure it does not accidentally do more harm than good.

3. Rights

As we have seen, human rights are about fairness and manaakitanga. They dignify individuals and empower communities. In the UN, successive governments of Aotearoa New Zealand have

10 For example, see Paul Hunt “How to resist those who roll their eyes at mention of human rights” Stuff.co.nz (16 October, 2020) <www.stuff.co.nz/national/politics/opinion/123104180/how-to-resist-those-who-roll-their-eyes-at-mention-of-human-rights>.

11 *Universal Declaration of Human Rights* A/RES/217(III) (1948) (UDHR), Article 29(1).

promised to advance civil, political, workers', social and cultural rights, and the rights of indigenous peoples.¹² This broad understanding of human rights reflects what humans value. It also chimes with Te Tiriti.

Understood as the “three Rs”, human rights have to be brought home. They must be situated and implemented within our unique historical, demographic, environmental and legal context, including Te Tiriti o Waitangi. There are signs this is going to be very challenging.

V. “DON’T WORRY, WE IMPLICITLY DELIVER HUMAN RIGHTS”

I have often been told by diplomats, some of them representatives of authoritarian, racist, misogynistic, homophobic States, “Don’t worry, our laws and policies may not explicitly mention human rights, but they *implicitly* shape all that we do.”

More surprising, I have heard the same argument from diplomats of liberal, democratic States. Since my appointment to the Human Rights Commission, I have heard versions of this argument on Lambton Quay and in the Beehive.

This self-serving, patronising argument masks human rights. It drains power away from individuals and communities to those in authority. It means only those in authority know whether and when human rights are being taken into account and, if they are, how they are interpreted and applied. Such arbitrariness is deeply objectionable and inconsistent with human rights.

Explicitly framing something as a human right, matters: without the status of a human right, it is shorn of its transformative, emancipatory, and relational promise.

How can we make explicit human rights more operational and relevant to the everyday lives of everybody?

VI. HUMAN RIGHTS IN THE “ERA OF IMPLEMENTATION”

In 2005, UN Secretary-General Kofi Annan made a speech on human rights in which he emphasised that “the era of declaration is now giving way, as it should, to the era of implementation.”¹³

What he meant was that since 1945 the international community has negotiated – or “declared” – an impressive and extensive battery of international human rights instruments, and now the time has come to take the treaties and other instruments off the shelves and make them real – or “implement” them – in everyday lives.

This major shift – from declaration to implementation – has dramatic implications for the UN, which I have written about elsewhere.¹⁴

In brief, what I call the UN human rights “mainland”, such as the UN Human Rights Council, can draft and *declare* human rights but it is not designed to *implement* them. UN human rights implementation must take place in UN operational agencies, such as the World Health Organisation.

12 Notably, the right to a healthy environment is beginning to cement its place in the international code of human rights, e.g., see *The human right to a safe, clean, healthy and sustainable environment* A/HRC/48/L.23/Rev.1 (2021).

13 Kofi Annan, UN Secretary-General “Address to the UN Commission on Human Rights” (UN Commission on Human Rights, Geneva, April 7 2005) <www.un.org/sg/STATEMENTS/index.asp?nid=1388>.

14 Paul Hunt “Configuring the UN Human Rights System in the ‘Era of Implementation’: Mainland and Archipelago” (2017) 39 Hum Rights Q 489.

In other words, in the era of implementation, the UN needs both its human rights “mainland”, such as the UN Human Rights Council, *and* an “archipelago” of human rights initiatives spread across UN operational agencies.

The shift from declaration to implementation also has dramatic implications at country-level. The “mainland” and “archipelago” analogy applies in Aotearoa New Zealand.

In Aotearoa New Zealand, the human rights “mainland” includes the Ministry of Justice, Crown Law and Ministry of Foreign Affairs. But, for the most part, they are not designed to *implement* human rights. Human rights implementation must take place in local and central agencies, such as the Ministries of Health, Education and Social Development.

So, in the era of implementation, Aotearoa New Zealand needs its human rights “mainland”, such as the Ministry of Justice, *and* an “archipelago” of human rights initiatives across central agencies. Human rights implementation will be impossible without the positive engagement of “mainland” and “archipelago” in Aotearoa New Zealand.

VII. COMPLIANCE AND IMPLEMENTATION

It’s important to distinguish compliance and implementation. Put simply, *compliance* is usually a tick-box exercise, late in a policy process, to check whether there’s conformity with a law or rule. *Implementation* is totally different: it refers to interventions and initiatives that are designed to make something happen on the ground in real-life.

So, if the government wishes to implement the rights to healthcare and health protection and reduce rheumatic fever, it turns to the Ministry of Health, District Health Boards, and Ministry of Housing and Urban Development.

Lawyers, probably from the Ministry of Justice, are likely to undertake a human rights *compliance* check. But *implementation* must be done by sectoral professionals working in central agencies, such as health professionals, housing experts, educationalists, environmental experts, town planners, economists and so on, working hand-in-glove with local communities and respecting the credo “nothing about us, without us”.

During the era of human rights declaration, lawyers were indispensable. They are trained to draft treaties and other international instruments. But they cannot “do” implementation, except in relation to courts and prisons. During the era of human rights implementation, a wide range of sectoral professionals have to step-up. If we depend on lawyers to *implement* the right to health, for example, we will all die prematurely.

VIII. HUMAN RIGHTS CAPABILITY

Successive governments in Aotearoa New Zealand have not adjusted to the “era of implementation” heralded by Kofi Annan in 2005.

In Aotearoa New Zealand, human rights – which embody our values – should be on the policy table early in the policy making progress. That’s what’s needed in the “era of implementation”: human rights-shaped policies. The “era of implementation” is less about going to court, it is more about integrating human rights into policies.

International human rights law is legally binding in Aotearoa New Zealand. Whether it is brought into our *national* law or not, international human rights law is legally binding, in international law, in Aotearoa New Zealand.

But integrating human rights into policies, depends upon public officials having some familiarity with human rights. Regrettably, with some honourable exceptions, central agencies lack the human rights capability required for this new “era of implementation”. The exceptions are largely associated with disability rights, women’s rights, and racism and, to a limited degree, children’s rights

As you would expect, the Ministry of Justice and Crown Law have human rights capability in relation to the New Zealand Bill of Rights Act 1990, but this capability does not extend across the spectrum of international human rights that are legally binding on Government.

Political leadership is needed to elevate the importance of human rights in the public sector. It’s not rocket science: each central agency needs to have one or two human rights officers who help and support policy makers within their agency. The human rights officers would help their agency colleagues to integrate human rights into policies and other initiatives. In their turn, agencies’ human rights officers should be supported by the Ministry of Justice, the Human Rights Commission, and similar organisations.

If governments are unwilling to enhance human rights capability within the public service, if they are unwilling to bring international human rights to bear upon policy making initiatives, why bother to draft and ratify human rights treaties in the first place?

What’s the role of the Human Rights Commission in all this?

IX. THE MISNAMED HUMAN RIGHTS COMMISSION

The Human Rights Commission is misnamed. Its primary focus is non-discrimination and civil and political rights, such as the prohibition against torture and freedom of speech. Its primary focus is not the full range of human rights set out in the UN: civil, political, workers’, social and cultural rights, and indigenous peoples’ rights.

The report of the Royal Commission of Inquiry into the terrorist attacks in Christchurch on 15 March 2019 wrote:¹⁵

“Despite its name, the Human Rights Act [which establishes the Human Rights Commission] only focuses on one human right, the right to be free from discrimination.”

One of the leading international authors on national human rights institutions discusses the New Zealand and Canadian human rights commissions and says:¹⁶

... as antidiscrimination bodies, their focus has been largely on civil and political rights. While the commissions could promote compliance with the full range of international human rights treaties that these countries have ratified, they remain first and foremost antidiscrimination agencies.”

15 Royal Commission of Inquiry into the Terrorist Attack on Christchurch Mosques on 15 March 2019 *Ko tō tātou kāinga tēnei Report of the Royal Commission of Inquiry into the Terrorist Attack on Christchurch Mosques on 15 March 2019* (Volume 1, Part 2, published 26 November 2020) <<https://christchurchattack.royalcommission.nz/the-report/download-report/download-the-report/>> at 81.

16 Sonia Cardenas *Chains of Justice: The Global Rise of State Institutions for Human Rights* (University of Pennsylvania Press, 2014) at 86.

Three leading New Zealand human rights scholar-practitioners describe the predecessor of the Human Rights Act as “primarily an anti-discrimination statute”.¹⁷

The earlier legislation to which the authors refer has now been greatly improved but, in my view, the amendments did not alter the DNA of the Human Rights Commission which continues to lean towards non-discrimination.

I am being critical of neither my predecessors, nor my fellow commissioners, nor Commission staff. I am simply pointing out an institutional bias that is rooted in legislation.

X. WHO PAYS THE PIPER CALLS THE TUNE?

The perennial problem facing all national human rights institutions across the globe is how to ensure their independence from Government. So far as I am aware, no country has solved this problem.

The New Zealand Government has done well to put in place several safeguards to ensure the Commission’s independence, for example, an *independent* panel advises on Commissioner appointments, all political parties are then consulted, and the final decision is made by the Governor-General, following advice from the Government.

As Chief Commissioner, I have never been subjected to any inappropriate pressure and I have made decisions without fear or favour. On one occasion, I took a position which deeply angered a high-ranking political figure. Later I discussed this with a Minister. He brushed it off with “Paul, you were doing your job”.

Sometimes difficult questions arise, and I need a wide range of views, including from government. The government’s views will not be determinative, but I need to know what they are. In this situation, officials will sometimes decline to give a view on the grounds that I am independent! I often find myself saying, “I know I am independent, nonetheless I would very much welcome your views, and I reserve the right not to adopt them.”

Despite the devices put in place to safeguard the Commission’s independence, at the end of the day the Commission, as an independent Crown Entity, reports to, and is funded by, Government. There is no *perfect* alternative but there is a *better* alternative.

A recent Ministerial Review favoured consideration of the Commissioners becoming Officers of Parliament, like the Ombudsman, Auditor-General, and Parliamentary Commissioner for the Environment.¹⁸

In my opinion, this option should be considered, in light of Te Tiriti o Waitangi, art 1 (kāwanatanga), art 2 (rangatiratanga) and art 3 (understood as a pledge of equality and balance).

17 Judy McGregor, Sylvia Bell and Margaret Wilson *Human Rights in New Zealand: Emerging Faultlines* (Bridget Williams Books, 2016) at 33. Human Rights Act 1993, s 5(1) sets out the Commission’s “primary functions” which are weighted towards non-discrimination, see ss 5(1)(c), (d) and (e). Parts 1A (discrimination by Government), pt 2 (unlawful discrimination), pt 3 (resolution of disputes about compliance with pts 1A and 2), and pt 4 (establishing the Human Rights Review Tribunal) are primarily about non-discrimination. The Human Rights Act 1993 requires the Commission to provide two free public services: one is for mediation/dispute resolution, the other is legal advice via the Office of Human Rights Proceedings. Both of these immensely valuable free public services are primarily about non-discrimination. In other words, the label on the tin says “human rights” but inside is primarily one (very important) component of human rights: non-discrimination.

18 Judge Coral Shaw *Ministerial Review of the Human Rights Commission in relation to the internal handling of sexual harassment claims and its organisational culture* (May 2018) <www.beehive.govt.nz/sites/default/files/2018-05/180515-HRC-Review.pdf> at 5.

XI. UNIVERSAL DECLARATION OF HUMAN RIGHTS

The Universal Declaration of Human Rights, adopted by the UN in 1948, is one of the most important documents of the 20th century. It provides the foundation for all international human rights. For the first time in human history, over 50 nations agreed a code of conduct for how States must treat everyone within their territory.

The Declaration sets out what States must not do (e.g., no torture) and what they must do (e.g., ensure that everyone has access to a fair trial, food, a decent home, and healthcare and health protection.) By any stretch, this is remarkable.

Of course, the Declaration is a very easy target. For example, the State drafters were not remotely representative of the people of the world and many of their States were dreadful human rights abusers. Also, the Declaration reflects a highly individualistic worldview. But it is simplistic to dismiss the Declaration – and international human rights law that was built on it – as western.

In 2016, Steven Jensen wrote a fine book called *The making of international human rights: the 1960s, decolonization, and the reconstruction of global values*.¹⁹ Following a meticulous study of the archives, he concludes that the Global South – in particular Jamaica, Ghana, the Philippines and Liberia – were in the vanguard of human rights universalism during the 1960s. He argues that these countries “brokered the breakthrough of international human rights law and laid foundations for what has been called ‘the human rights revolution’ in the 1970s”.²⁰ He says that, in the 1970s, the West took over the human rights baton from the Global South. Jensen teasingly concludes, “the Global South civilized the West”.²¹

I spent about 20 years working on human rights at the global level and during that time I heard a lot of criticism of human rights. Some States complained that human rights are western. But non-governmental organisations (NGOs) complained that human rights are too weak. It was rare for any NGO, from any region of the world, to complain that human rights are western. Today, I don’t hear protestors in Myanmar dismissing human rights as a western construct.

Dismissing the Universal Declaration of Human Rights – and international human rights generally – plays into the hands of those in power and diminishes individuals and communities.

But should our understanding, and implementation, of the Declaration be refreshed for our time and place? Absolutely.

XII. CONCLUSION

Over the last year or so, the New Zealand Human Rights Commission has joined forces with the National Iwi Chairs Forum, and an NGO called Community Housing Aotearoa, and prepared *Framework Guidelines on the right to a decent home in Aotearoa*.²²

The *Guidelines* aim to bring home to Aotearoa New Zealand the right to a decent home grounded on Te Tiriti o Waitangi. They take into account New Zealand’s unique social, demographic, historical and legal context, including settler colonisation and Te Tiriti.

19 Jensen, above n 9.

20 At 277.

21 At 279.

22 *Framework Guidelines*, above n 1.

The *Guidelines* aim to raise the profile of the right to a decent home among local and national government, and among individuals, communities, hapū and iwi. Adopted by the Commission's Board, the *Guidelines* were publicly launched in August 2021.

More recently, the Commission has established a housing inquiry in accordance with its powers under the Human Rights Act 1993.²³ In December 2021, the inquiry published its first report which is called *Strengthening Accountability and Participation in the Housing System*.²⁴ The inquiry applies the *Guidelines* to the housing and human rights crisis confronting Aotearoa New Zealand.

It is hoped the *Guidelines*, together with the housing inquiry, will help policy makers strengthen their efforts and help rights-holders hold local government, central government, and the private sector to account for their human rights responsibilities.

This is one way of refreshing human rights for our time and place. It may be summarised like this:

- Convey that human rights embody important and dynamic values.
- Emphasise they are for *everyone*, not just some people, while giving careful attention to disadvantaged individuals and communities.
- Bring human rights home, for example, contextualise them within Aotearoa New Zealand's history of colonisation and the country's foundational document: Te Tiriti o Waitangi.
- Place human rights at the disposal of communities.
- Make them as operational as possible.
- Insert them in policies and other initiatives.
- Insist that human rights are not just about "me", they are also about "us" i.e. belonging and community.
- They are not just about entitlements, they are also about responsibilities and building harmonious relationships.
- Hold duty-bearers accountable for human rights promises, but not necessarily accountable before the courts.
- Maintain the wide vision of human rights set out in the Universal Declaration of Human Rights. Not just non-discrimination and civil and political rights, but also workers' rights, social rights, cultural rights, indigenous peoples' rights, and the fast-evolving human right to a healthy environment.
- All underpinned and reinforced by Te Tiriti o Waitangi.

23 Human Rights Act 1993, specifically art 5(2)(h).

24 New Zealand Human Rights Commission *Housing Inquiry First Report: Strengthening Accountability and Participation in the Housing System* (December, 2021) <www.hrc.co.nz/files/2716/3944/7313/Housing_Inquiry_Strengthening_Accountability_and_Participation_FINAL-compressed.pdf>.