Guideline 1: In Aotearoa, the housing system must be explicitly based on values, the international right to a decent home, Te Tiriti o Waitangi and evidence of what works.

Guideline 2: Grounded on Te Tiriti, the international right to a decent home is more than a right to shelter, bricks, mortar or a house. It is the human right to a warm, dry, safe, accessible, healthy, decent home, as understood by Te Ao Māori. By way of shorthand, these Guidelines refer to the ‘right to a decent home’.

Guideline 3: Agreed by successive New Zealand governments, the right to a decent home is ethically compelling and binding on New Zealand in international law. This human right does not favour one particular socio-economic system, but it requires that the selected system is consistent with human rights and democratic principles, enhances enjoyment of the right to a decent home, and honours Te Tiriti.

Guideline 4: The international right to a decent home must be located and applied within the unique historical, demographic, economic, social, cultural and legal context of Aotearoa.

Guideline 5: Te Tiriti and the right to a decent home not only place obligations on national and local government, they also place responsibilities on others, including the private sector, landlords and tenants.

Guideline 6: Use the right to a decent home grounded on Te Tiriti to: empower individuals, hapū, iwi and communities in their engagement with government; help policy makers strengthen their housing initiatives; and help ensure that housing commitments are honoured.

Guideline 7: Use the right to a decent home grounded on Te Tiriti as a framework on which everyone who is committed to tackling the housing crisis can build.

Guideline 8: The right to a decent home grounded on Te Tiriti requires acknowledging and addressing the impacts of colonisation, systematic dispossession of Māori from their land, and destruction of their traditional ways of living, including communal land ownership. Te Tiriti o Waitangi and the United Nations Declaration on the Rights of Indigenous Peoples have a critically important role to play in advancing the right to a decent home in Aotearoa.

Guideline 9: Values, such as whanaungatanga (kinship), kaitiakitanga (stewardship), manaakitanga (respect), dignity, decency, fairness, equality, freedom, wellbeing, safety, participation, partnership, community and responsibility, are embodied in the right to a decent home. These values, and the right to a decent home grounded on Te Tiriti, must lie at the centre of all housing-related initiatives in Aotearoa**.**

Guideline 10: All housing initiatives must comply with the seven UN ‘decency’ housing principles read with Te Tiriti o Waitangi: habitable; affordable; accessible for everyone; services, facilities and infrastructure; location; respect for cultural diversity; and security of tenure. If homes and housing initiatives do not comply with a ‘decency’ principle they are not complying with the right to a decent home, unless it can be shown that all reasonable steps have been taken to comply with the principle. (For more on ‘Obligations and Violations’, see section 4.)

Guideline 11: Because the right to a decent home includes freedoms, all restrictive housing laws, regulations, rules and practices must be fair, reasonable, proportionate and culturally appropriate.

Guideline 12: A decent home must be accessible to everyone without discrimination on prohibited grounds, such as disability, ethnicity, religion, age, gender or sexual orientation. Effective measures, designed to address the unfair disadvantage experienced by some individuals and communities, are required.

Guideline 13: In accordance with international human rights treaties and declarations, ensure all individuals and communities have the opportunity for active and informed participation on housing issues that affect them. Additionally, Te Tiriti requires government to work in partnership, and share decision-making, with its Tiriti partners.

Guideline 14: National and local government must have an overarching housing strategy. The housing strategy must be based on human rights and Te Tiriti. The Te Tiriti and human rights-based housing strategy must have the right to a decent home at its centre.

Guideline 15: All significant housing initiatives must be subject to constructive accountability i.e. initiatives must be assessed against the human right to a decent home grounded on Te Tiriti. The review element of accountability should be carried out by a political body, such as parliament or a local council, together with one or more independent bodies, such as integrity agencies.

Guideline 16: If the government’s aid programme includes housing initiatives, it has a responsibility to ensure the initiatives are consistent with the right to a decent home and, where the recipient country has indigenous peoples, the United Nations Declaration on the Rights of Indigenous Peoples.

Guideline 17: Despite progressive realisation and resource availability, the right to a decent home grounded on Te Tiriti places measurable obligations on government. Full implementation of the right to a decent home may be progressively realised over time. But national and local government must take deliberate, concrete and targeted steps towards realisation of the right to a decent home. Government has a specific and continuing obligation to move as expeditiously and effectively as possible towards the human right’s full implementation. Progress (or otherwise) must be tracked by suitable indicators and benchmarks. Attention should be given to identifying the core or immediate obligations of the right to a decent home in Aotearoa i.e. obligations that are not subject to progressive realisation. When prioritising in relation to the right to a decent home, certain conditions apply, such as consideration of colonisation and its continuing impacts, Te Tiriti and the most disadvantaged individuals and communities, including those living in poverty.

Guideline 18: National and local government have obligations arising from the right to a decent home grounded on Te Tiriti. These are obligations to respect, protect and fulfil the right to a decent home grounded on Te Tiriti. The obligation to respect places a responsibility on the government to refrain from interfering directly or indirectly with the enjoyment of the right to a decent home grounded on Te Tiriti. The obligation to protect means that the government must prevent third parties, such as private landlords, from interfering with the enjoyment of the right to a decent home grounded on Te Tiriti. The obligation to fulfil requires the government to adopt all appropriate measures, including legislative, administrative and budgetary, to ensure the full realisation of the right to a decent home grounded on Te Tiriti. Breaches of these obligations may give rise to violations of the right to a decent home grounded on Tiriti.

Guideline 19: The United Nations confirms that the private sector has obligations arising from the right to a decent home. Further attention should be given to (a) clarifying the responsibilities of the private sector in relation to the right to a decent home grounded on Te Tiriti and (b) identifying suitable constructive accountability arrangements in relation to these private sector responsibilities.

Guideline 20: These Guidelines are a step towards a better understanding of the right to a decent home grounded on Te Tiriti. They provide a framework on which we can all build. All stakeholders are encouraged to develop and apply the framework with a view to enhancing the right to a decent home grounded on Te Tiriti for everyone in Aotearoa.