



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

In our capacity as Chair and Rapporteur for follow up to concluding observations of the Committee on Economic, Social and Cultural Rights respectively, we have the honour to refer to the examination of the fourth report of New Zealand at the Committee's sixty-third session, held in March 2018. In the concluding observations (E/C.12/NZL/CO/4), the Committee requested New Zealand to provide, within 18 months, written information on the steps undertaken to implement the recommendations contained in paragraphs 13 (a), 35 (b) and 40 of the concluding observations.

The Committee welcomes the follow-up report (E/C.12/NZL/FCO/4) received in April 2020 under its follow-up procedure. The Committee examined the report at its sixty-eight session, held in October 2020, and wishes to communicate the following assessment:

Paragraph 13 (a): Family violence strategy – Sufficient progress. The Committee notes with appreciation the range of measures taken by the State Party in relation to this recommendation, including the adoption of a priority programme of work in April 2018; the Joint Venture for a whole-of government response to family violence and sexual violence that also pursues partnership with Maori (establishment of Te Rōpū in September 2018); the largest ever investment into family and sexual violence in the 2019 Wellbeing Budget; amendments to the Family Violence Act 2018; and the passing in 2019 of the Domestic Violence – Victims' Protection Act. Accordingly, the Committee assesses that there has been sufficient progress in response to the Committee's recommendation, and requests the State Party in its next periodic report to provide information and statistics on the implementation of relevant legislation and programmes.

Paragraph 35 (b): Sanctions regime in social security – Insufficient progress. The Committee notes the State Party's response that "it has taken steps to remove sanctions which have a negative impact on children and review the system of benefit obligations and sanctions...." Specific measures referenced in this regard are the repeal in 2019 of section 192 of the Social Security Act 2018, which sanctions sole parent beneficiaries who do not apply for Child Support." The Committee notes further that the State Party has indicated that its agreed Work Programme "includes exploration of sanctions and obligations suggested by the WEAG (Welfare Expert Advisory Group) for removal, with a focus on those that impact children." The Committee remains concerned that the sanctions regime disproportionately restricts access to social security benefits by vulnerable and disadvantaged groups, and that large parts of the social security sanctions and obligations regime remain in place. It accordingly assesses that there has been insufficient progress and recommends urgent action to remove the sanctions and obligations identified in Recommendation 11 of the final report of the WEAG.

Her Excellency
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Paragraph 40 (chapeau): National housing strategy – Insufficient progress. The Committee notes that the State Party indicates that it “does not have a national housing strategy, but the Ministry of Housing and Urban Development (HUD) has a number of initiatives underway that form a human rights focused national programme.” The Committee further notes the information provided concerning the various plans, policy statements as well as legislative amendments outlined in its follow-up report to address the various components of the right to adequate housing. It notes in particular the Public Housing Plan 2018 – 2022, the Maori and Iwi Housing Innovation (MAIHI); and the Policy Statement on housing and urban development; the Health Homes Standards; the proposed reforms to legislation governing residential tenancies; the Transitional Housing programme; the Housing First programme; and the Creating Positive Pathways for People with a Corrections History Trial initiative. It further notes the HUD’s involvement in the Waitangi Tribunal – Housing Kaupapa Inquiry.

The Committee regrets the lack of specific information regarding measures to address the significant increases in housing costs leading to housing becoming increasingly unaffordable for many families, as well as information on available legal safeguards and remedies in cases where the evictions of people from their homes could lead to homelessness.

While a number of housing policies, programmes and initiatives have been adopted, the Committee remains concerned by the lack of an overarching human rights-based national housing strategy to ensure a holistic, integrated and inclusive approach to addressing housing as a human right as envisaged in article 11 of the Covenant read with general comments no. 4 and 7. It accordingly assesses that insufficient progress has been made on this recommendation, and looks forward to information on progress made on the adoption of a human rights-based national housing strategy in the context of its next periodic report.

The Committee looks forward to continuing its constructive dialogue with the Government of New Zealand, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Covenant.

Please accept, Excellency, the assurance of our highest consideration.



Renato Zerbini Ribeiro Leão
Chair
Committee on Economic, Social
and Cultural Rights



Sandra Liebenberg
Rapporteur for follow-up
Committee on Economic, Social
and Cultural Rights