



Peace Movement Aotearoa

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New Zealand's human rights response raises questions

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A combined intervention to the UN Human Rights Council, delivered by the Women's International League for Peace and Freedom (WILPF) last night on behalf of 12 non-governmental, union and iwi organisations*, questions the sincerity of the government's response to human rights recommendations.

The intervention was made during the adoption of the outcome report on the second Universal Periodic Review (UPR) of New Zealand's human rights performance by UN Human Rights Council member and observer states, and is available at <http://www.converge.org.nz/pma/nzupr-ngos-2014.pdf>

At the time of the UPR review in January 2014, UN member states made 155 recommendations to improve human rights in Aotearoa New Zealand. The government's response was released in May, and while at first glance it seemed impressive with 121 recommendations accepted and 34 rejected, unfortunately on closer examination it is not so positive.

Firstly, in relation to the accepted recommendations, the combined intervention raised concerns about the sincerity of the government's response. Its responses frequently do not address the point of the respective recommendation, for example, those regarding the UN Declaration on the Rights of Indigenous Peoples and on consultation with Maori; or are misleading, for example, in relation to access to education, access to buildings for persons with disabilities, the level of official development assistance, and the national human rights action plan; or both.

In other instances, the government incorrectly stated that legislation is consistent with its human rights obligations when it is not; for example, claiming that its counter-terrorism legislation "complies with the legal safeguards enshrined in the ICCPR", whereas the UN Human Rights Committee (which monitors state party compliance with the ICCPR) has clearly stated provisions of the legislation are incompatible with the human rights protected in Article 14.

Secondly, most of the rejected recommendations relate to international human rights instruments and to the constitutional and legislative framework, indicating a lack of

commitment by the government to meaningful protection and promotion of human rights both now and in the future.

In the intervention, the NGOs, union and iwi organisations stated that they are deeply concerned at the lack of full protection for human rights under New Zealand's current constitutional arrangements. While this has dangers for all of us, it is particularly harmful for hapu and iwi because successive governments have not hesitated to deny their rights when doing so is perceived to be to the political advantage of the government of the day.

The combined intervention reiterated the UPR recommendations about the constitutional and legislative framework, as well as those from the UN human rights treaty monitoring bodies and Special Procedures, and urged the government to begin a process of constitutional change that will give full effect to the Treaty of Waitangi, and to its obligations under the international human rights instruments.

* Peace Movement Aotearoa, the Aotearoa Indigenous Rights Trust, Auckland Catholic Diocese Bicultural Working Party, Christian World Service, Human Rights Foundation, Network Waitangi Otautahi, Ngati Huarere ki Whangapoua Trust, Pax Christi Aotearoa New Zealand, Pacific Centre for Participatory Democracy, Te Runanga o Nga Kaimahi Maori o Aotearoa (NZ Council of Trade Unions Runanga), Te Runanga o te Whanau, and WILPF Aotearoa call on the government to fully implement all the accepted UPR recommendations, to reconsider those it has rejected, and to develop a transparent action plan to do this.

Links:

- On Facebook - <https://www.facebook.com/notes/peace-movement-aotearoa/nz-human-rights-response-raises-questions/693372760710096>
- On Scoop - <http://www.scoop.co.nz/stories/PO1406/S00319/response-to-human-rights-recommendations-questioned.htm>
- Further information on New Zealand's UPR, including NGO submissions and analysis, is available at <http://www.converge.org.nz/pma/nzupr.htm>