



**Human Rights Council, 12th session
14 September - 2 October 2009
Agenda item 6**

**Intervention on the Adoption of the Outcome Document
of the Universal Periodic Review of New Zealand**

24 September 2009

Mr President,

The Women's International League for Peace and Freedom (WILPF) welcomes this opportunity to speak on behalf of our section¹ and four other national NGOs in Aotearoa New Zealand².

We note with appreciation the recommendations made during the UPR; and New Zealand's acknowledgement that while it takes its human rights commitments seriously, there are still areas where improvement is needed.

We are particularly disappointed by New Zealand's lack of support for several human rights instruments³, and by the inadequate reasons it has given for its failure to support them. We therefore urge New Zealand to move quickly to ratify the Migrant Workers Convention⁴, ILO 169, and the ICESCR⁵ Optional Protocol; and to announce its full support for the United Nations Declaration on the Rights of Indigenous Peoples.

We remain extremely concerned at the lack of full protection for human rights under New Zealand's current constitutional arrangements⁶. While this lack of protection is dangerous for all New Zealanders, it is particularly harmful for hapu and iwi Maori because New Zealand governments do not hesitate to deny their rights in favour of the rights of others when they perceive this to be to their political advantage.

¹ WILPF Aotearoa

² Action for Children and Youth Aotearoa (ACYA), Aotearoa Indigenous Rights Trust (AIR Trust), Human Rights Foundation, and Peace Movement Aotearoa

³ A/HRC/12/8/Add.1, 7 July 2009

⁴ Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

⁵ International Covenant on Economic, Social and Cultural Rights

⁶ For more information, please refer to A/HRC/12/NGO/35, 8 September 2009

We therefore reiterate the recommendations of the UPR, as well as earlier recommendations from treaty monitoring bodies and Special Procedures, and urge New Zealand to begin a process of constitutional change that will give full effect to the Treaty of Waitangi, as well as to its obligations under the international human rights instruments.

We urge New Zealand to develop alternatives to imprisonment for persons convicted of all but the most serious offences. Shipping containers are not appropriate housing for prisoners.

We call on New Zealand to reconsider the pending legislation⁷ which lowers the age of criminal responsibility of twelve and thirteen year old children; and to clarify its response to the recent public referendum on Section 59 of the Crimes Act⁸.

Finally, we urge New Zealand to move rapidly towards achieving full gender pay equity, to ensure that women are well represented in decision making positions in all sectors of society, and to increase its efforts to reduce violence against women.

Thank you Mr President.

⁷ Children, Young Persons, and Their Families (Youth Courts Jurisdiction and Orders) Amendment Bill, 2009

⁸ Section 59 of the Crimes Act prohibits acts of violence against children