

Kirikiroa Human Rights Network UPR Stakeholder Submission Consultation

The Kirikiriroa Human Rights Network grew out of Taku Manawa (My Human Rights) which is a project aimed at increasing human rights capacity and capability in communities. The Taku Manawa project is facilitated by the New Zealand Human Rights Commission. The network is made up of a number of organisations and aims to increase the ability of people, especially those who work with ethnic and religious communities, to monitor human rights violations and advocate more effectively for the realisation of human rights that impact on them.

Network members frequently advocate on behalf of individuals and groups where race relations and human rights are an issue and run human rights education activities.

The network also acts as a link between the Human Rights Commission and communities disseminating human rights and race relations information both ways.

Six members of this network met to identify human rights concerns for contribution to a stakeholder's submission.

Key Priority Themes:

Right to Life, liberty and Security

Every New Zealand citizen has the right to *feel* safe and *be* safe. The right to security of the person has been interpreted in this context as the state's responsibility to protect the physical integrity of its citizen's from abuse by official authorities as well protecting the physical integrity of its citizens from abuse by other citizens.

The key issue and concern that was highlighted in the discussion was the vulnerability in the community and the prevalence of incidents that happen to and or within ethnic communities. However due to no collection of data on racially motivated crimes there is a lack of statistical data and evidence to back up the concerns. Collection of this data would enable ethnic communities and support groups to better advocate for their communities' right to life, liberty and security.

CERD recommendations (2007) New Zealand should "study ways and means of assessing on a regular basis the extent to which complaints for racially motivated crimes are addressed in an appropriate manner within its criminal justice system. It should envisage, in particular, collecting statistical data on complaints, prosecutions and sentences for such crimes." CERD/C/NZL/CO/17, page 6.

Recommendation – New Zealand Police to collect statistics on the number of racially motivated crimes.

Equality and Non-Discrimination

A recent Campbell Live segment canvassed opinion of New Zealander's on this issue, where the majority (76%) agreed that NZ was racist. The Ethnic and religious communities live through racial discrimination and sees the issue as prevalent. Some of the members report incidents in relation to their employment situation, employment process, government

departments in terms of some of the language that is used in their documents, racial profiling (especially in the media).

Recommendation – More awareness created within government agencies and private sector employees (including the media) through professional development training on what the NZ legislation states in terms of discrimination, and introducing more accountability for people who breach this.

Democratic Rights

The Governments use of urgency and shortened select committee process as well as removing the ability to vote for certain local bodies has resulted in a loss of democratic process

There is a lack of knowledge within ethnic communities of democratic and political systems resulting in an inability to participate in the processes that affect them. There is limited knowledge in ethnic communities about their rights under national and international human rights instruments. None of the stakeholders of this submission were aware of the 2009 UPR report, final report and recommendations or of the optional protocols available to them for redress.

Ethnic communities are limited in their ability to engage in the UPR Civil Society Engagement process due to a lack of informed participation and accessibility issues including language support. There has been no consultation between Government and ethnic communities on either the 2009 UPR progress or in preparation for the 2013/14 UPR.

UPR workshops were held during the day which was inaccessible for many due to day time work commitments. Information regarding the process and workshops was only in English on government websites or via government email networks. The length of time given between introduction workshops and deadline for making submissions was not long enough for authentic participation.

Recommendation One – that the government follow proper process in allowing the public adequate time to make submissions on bills before the house, and only use urgency in extreme cases.

Recommendation Two - NZ Government develops a strategy in collaboration with ethnic representatives on engaging ethnic communities in the UPR process and implement it immediately to allow ethnic communities to be involved in the 13/14 UPR updates.