

In this submission, NZEI Te Riu Roa provides information as stipulated in the General Guidelines for the preparation of information under the Universal Periodic Review.

International human rights instruments

NZEI supports the New Zealand Council of Trade Unions report to the International Labour Organisation (ILO) on New Zealand's non-ratifications of ILO Conventions on fundamental human rights. These are Convention 87 on Freedom of Association and the Right to Organise (which includes the right to strike), and Convention 138 Minimum Age (which covers child labour). New Zealand practice is generally recognised as being better than that of many countries which have ratified these conventions. NZEI recommends that the Government seek advisory assistance from the ILO with a view towards ratifying both these conventions.

NZEI notes that the government has not ratified ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. New Zealand was one of four countries to vote against the UN Declaration on the Rights of Indigenous Peoples. NZEI supports the call made by a large number of organisations in a submission to this review for New Zealand to reverse its position.

Recommendations for Action:

Rights to and in Education

- NZEI contends that for education to be provided equitably and universally, it must be provided and funded by the State. The increasing pressure for Government support by private education providers, in early childhood, the compulsory sector and tertiary education threatens to undermine a universal state education system based on inclusive human rights values.
- The development of policy to review the use of public funds to support private education providers that cannot adequately meet the State's human rights goals.
- State support and provision for a national network of quality public early childhood education services where the priority is education rather than profit.
- The development of a national programme of human rights education to inform children of their rights and responsibilities under United Nations Convention on the Rights of the Child (Article 42).

Women's issues

- Reform New Zealand law to effectively protect the rights of victims of sexual violence.
- Reform New Zealand law to close the gaps in protection of women against discrimination.
- Ensure the rights of women prisoners, and their infants and babies, are met.
- Introduce a plan to ensure compliance with ILO Maternity Convention 183 and a plan to progressively lengthen paid parental leave to 56 weeks including 4 weeks paid leave for partners/ spouses.
- Accelerate Phase 3 of the Pay and Employment Equity Plan of Action for the private sector including consultation with trade unions on pay and employment equity legislation.
- Increase the minimum wage and index it to 2/3rd of the average wage in line with the recommendations of the 1973 Royal Commission on Social Security.
- Include responsible contracting policies in Government procurement processes to ensure gender equity processes and consideration.
- Strengthen the employment relations legislation to increase collective bargaining.

Protecting economic, social and cultural rights

- Support legal enforcement of economic, social and cultural rights in domestic courts.
- Ratify Optional Protocol to the International Covenant on Economic, Social and Cultural Rights if adopted by UN General Assembly.
- Develop a comprehensive national plan of action to address poverty across New Zealand.



Frances Nelson
National President
NZEI Te Riu Roa