



19 June 2014

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UN Human Rights Council

Twenty-sixth session, 10-27 June 2014

Item 6:

Consideration of UPR reports

NEW ZEALAND

Mr President,

Amnesty International welcomes New Zealand's engagement with the UPR and its acceptance of recommendations to incorporate international human rights instruments into its domestic legal framework<sup>1</sup> and to take recommendations by UN human rights bodies into account.<sup>2</sup>

However, New Zealand continues to have persistently high levels of inequality in the areas of health, education, employment and income,<sup>3</sup> and over 280,000 children live in relative poverty without adequate access to quality housing, food, and medicines which create additional challenges in health and education.<sup>4</sup> Amnesty International is therefore deeply concerned at New Zealand's rejection of recommendations to provide greater legal protection of economic, social and cultural rights within the New Zealand Bill of Rights Act,<sup>5</sup> and to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.<sup>6</sup> This stance undermines the government's commitment to eliminate child poverty,<sup>7</sup> erodes the principle of indivisibility of rights

<sup>1</sup>A/HRC/26/3, Recommendation 128.31 (Nicaragua).

<sup>2</sup>Ibid, Recommendation 128.47 (Netherlands).

<sup>3</sup>Oxfam New Zealand *Working for the few: Political capture and economic inequality* (accessed from <http://www.oxfam.org.nz/reports/working-few-political-capture-and-economic-inequality#sthash.3EwrTrGJ.dpuf>) and Perry, B. *Household incomes in New Zealand: Trends in Indicators of Inequality and Hardship 1982 to 2011*. Ministry of Social Development (2012) (accessed from <http://www.msd.govt.nz/about-msd-and-our-work/publications-resources/monitoring/household-incomes/>).

<sup>4</sup>Rutherford, H "Children in poverty vastly underestimated" Stuff (accessed from <http://www.stuff.co.nz/national/politics/9771016/Children-in-poverty-vastly-underestimated>).

<sup>5</sup>A/HRC/26/3, Recommendation 128.33-35 (Ukraine, Uruguay and Spain)

<sup>6</sup>A/HRC/26/3, Recommendation 128.8-11 (Montenegro, Spain, Tunisia, Portugal)

<sup>7</sup>Government's response to recommendations by the Children's Commissioner's Expert Advisory Group on Child Poverty 28 May 2013 (accessed from

[http://www.beehive.govt.nz/sites/all/files/Government's response to the Childrens' Commissioner's EAG report.pdf](http://www.beehive.govt.nz/sites/all/files/Government's%20response%20to%20the%20Childrens'%20Commissioner's%20EAG%20report.pdf)).

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and puts into question New Zealand's leadership role in the protection of *all* human rights. At the very least, its commitment must be matched by genuine action at the national level to protect and promote all human rights.

We welcome New Zealand's reference to the Constitutional Advisory Panel recommendations to further consider enhanced protections of economic, social and cultural rights,<sup>8</sup> and urge the government to commit to continuing this process.

Finally, Mr President.

Looking ahead, we welcome New Zealand's promise to create a second national human rights action plan centred around its UPR commitments<sup>9</sup> and urge the government to use this process to ensure effective and tangible improvement in the promotion and protection of economic, social and cultural rights.

Thank you, Mr President.

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<sup>8</sup> NZ Response to Recommendations 128.32-35 (Togo, Ukraine, Uruguay, Spain) (accessed from <http://www.hrc.co.nz/international-human-rights-new/upr-1314-nzs-second-universal-periodic-review/>).

<sup>9</sup> A/HRC/26/3, Recommendation 128.42-44 (Burkina Faso, Cote d'Ivoire, Spain)