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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Thirty-second session**  
Geneva, 21 January-1 February 2019

### **Draft report of the Working Group on the Universal Periodic Review\***

**New Zealand**

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\* The annex is being circulated without formal editing, in the language of submission only.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its thirty-second session from 21 January to 1 February 2019. The review of New Zealand was held at the first meeting, on 21 January 2019. The delegation of New Zealand was headed by the Hon. Andrew Little, Minister of Justice. At its 10th meeting, held on 25 January 2019, the Working Group adopted the report on New Zealand.

2. On 15 January 2019, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of New Zealand: Brazil, Saudi Arabia and Slovakia.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of New Zealand:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/32/NZL/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/32/NZL/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/32/NZL/3).

4. A list of questions prepared in advance by Belarus, Belgium, Germany, Liechtenstein, Portugal, on behalf of Group of Friends on national implementation, reporting and follow-up, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to New Zealand through the troika. These questions are available on the website of the universal periodic review.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation noted that the National report had been drafted following a nationwide public consultation process to seek views on human rights issues that were important to New Zealanders, with input from many civil society individuals and organizations.

6. New Zealand was a diverse, proudly multicultural Pacific nation, with over 200 ethnic groups and 160 languages. It had specific constitutional relationships with the Cook Islands and Niue, as well as Tokelau, as part of the Realm of New Zealand.

7. It was strongly committed to sustainable development at home and internationally, and supported the 2030 Agenda. The principles behind the Sustainable Development Goals were embedded in domestic policies. The Goals also provided a framework for the country's international development cooperation, especially in the Pacific, and other international engagement.

8. New Zealand had been founded on a partnership between Māori, the tangata whenua, indigenous people, of New Zealand and the Crown (or Government). The year 1840 marked the signature of the founding constitutional document, Te Tiriti o Waitangi (the Treaty of Waitangi), intended to formalise an enduring partnership between Māori and the Crown. Today, the Treaty was recognised for its constitutional significance and historical and continuing importance. However, the rights of Māori had been largely ignored for generations.

9. The impacts of colonisation continued to be felt, through entrenched structural racism and poorer outcomes for Māori. Successive governments had committed to providing a platform for new and continued relationships with iwi Māori (Māori tribes). Providing

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redress for the historical actions and inaction of the Crown through Treaty settlements was crucial for addressing historical Treaty grievances. Treaty settlements were comprehensive agreements, with legal force, that settled all of a Māori claimant group's historical claims against the Government. Sixty-one percent of Treaty settlements were now complete. While continuing to focus on remaining settlements, the Government was also moving to a post-settlement phase. That was why it had established a new Māori/Crown relations portfolio, Te Arawhiti meaning "the bridge" between Māori and the Crown.

10. The delegation noted that some New Zealanders faced more barriers than others. Māori and Pacific populations experienced long-standing disparities. For example, Māori life expectancy was lower and unemployment rates were higher. The LGBTQI community, new migrants to New Zealand, and the many New Zealanders living with disabilities also faced discrimination and challenges that many others did not. Also, while New Zealand had been held up as a leader in gender equality, women were still not on an equal footing with men in society. Those inequities stemmed from both direct and structural discrimination.

11. New Zealand was trying a range of approaches to tackle these disparities, recognising that it would take time to overcome them. The Government was taking substantive actions to address inequity and discrimination. It was reviewing the criminal justice system, with a focus on the disproportionate representation of Māori, and the role that colonisation, structural discrimination, and intergenerational trauma had played therein. It planned to specifically acknowledge gender identity, in addition to sex, as a prohibited ground of discrimination in law. It was exploring ways to reduce violence, abuse and neglect of disabled people.

12. Tied to the above was the concept of wellbeing, at the core of the current Government's vision. New Zealand would be the first country in the world to deliver a "Wellbeing Budget", reporting its progress against measures highlighting the health and wellbeing of the people, environment and community. The Wellbeing Budget would embed the notion of wellbeing into public policy.

13. Although New Zealand had a high-quality education system, more could be done to achieve equitable and excellent outcomes for all learners. Close attention was being paid to the needs of Māori and Pacific learners, disabled students, and those who required extra learning support. The Government was also reducing barriers to post-school education by offering free tertiary education for new students in their first year (increasing to three years over time).

14. Regarding employment, a comprehensive regional economic development programme focused on realising the potential of New Zealand's regions outside the major metropolitan areas. The programme was designed to create economic opportunities and strengthen social capability and capacity. The Government was investing in targeted projects geared towards increasing productivity, creating employment opportunities, raising incomes, promoting Māori development, and improving connectivity and transport in regional areas.

15. Rural areas had higher rates of youth not in employment, education and training. Rates were also disproportionately higher for Māori and Pacific peoples. To support those young people, the Government had invested in innovative schemes to tackle youth unemployment like Mana in Mahi (Strength in Work), which helped young people into apprenticeships.

16. As New Zealanders who spent their time caring for others did not always enjoy the necessary support, the Government was developing a new action plan to support the thousands of New Zealanders who cared for friends or family because of a health condition, injury or disability. It had further increased New Zealand's paid parental leave entitlement from 18 weeks to 22 weeks, with a further increase to 26 weeks planned for 2020.

17. Delivering better outcomes for families was linked to the strong commitment to achieving a significant, sustained reduction in child poverty. To help address that problem, the new Child Poverty Reduction Act set out a framework regarding accountability for reducing child poverty and improving child wellbeing. Successive governments would be required to set child poverty reduction targets on a number of measures.

18. New Zealand was developing its first Child and Youth Wellbeing Strategy which would bring a focus on children and their families across government. The Strategy would

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have a particular focus on improving the lives of children in poverty, and those facing additional challenges and disadvantages, and would be published this year.

19. Home ownership rates were falling. Housing demand and needs in New Zealand outstripped supply and the costs of housing were rising. The Government was determined to help New Zealanders realise their dream of home ownership through initiatives like Kiwi Build, a work programme that will deliver affordable, good quality homes for first home buyers. It was also increasing public housing significantly over the next four years.

20. Regarding the environment, New Zealand was known as clean and green, and the Government wanted to maintain that reputation. Although New Zealanders enjoyed a high-quality environment, that environment and the country's natural resources were under increasing pressure. Climate change also significantly impacted the cultural, economic and social rights of New Zealanders. The Government was committed to high environmental standards, domestic and international action on climate change, and the transition towards a low-emissions, climate-resilient economy.

21. The Government was working to ensure healthier communities by investing in critical public health services – rebuilding hospitals, expanding the nurse workforce and investing in mental health services. The delegation noted that mental health was an issue in New Zealand and that the national suicide rate was unacceptable. Given the need to improve the lives of the thousands of New Zealanders with mental health issues, the Government had conducted a ministerial inquiry into mental health and addiction, focusing on equity of access to services, better outcomes and suicide prevention. The inquiry had found inequalities within the system and mental health outcomes, especially for Māori. The Government was reviewing the Inquiry's recommendations, which would be used to drive the change needed to address New Zealand's mental health issues.

22. Efforts to make communities safer focused on reducing crime through early intervention and positive engagement with those most at risk of harm from addiction, offending and victimisation. People at risk were often families and young persons who suffered deprivation or were on the periphery of gangs involved in criminal offending. Early engagement was the best way to stop intergenerational cycles of trauma, offending and imprisonment.

23. The delegation noted the need to address head-on the challenges presented by the justice system. The country had one of the highest incarceration rates per capita in the world, which had risen in recent years. Māori were disproportionately represented at every stage of the criminal justice system, as both offenders and victims.

24. New Zealand was struggling with prison capacity and prisoner violence. To effect transformational change of the justice system, the Government had initiated a programme called *Hāpaitia te Oranga Tangata* (safe and effective justice). Its goals included reducing offending and thereby the prison population by 30 percent within the next 15 years. Because the Government wanted any programme of change to be sustainable and inclusive, it was working together with Māori and communities on criminal justice reform. Last year the Government held a Criminal Justice Summit in which it heard from Māori, victims, practitioners, and former criminals. The key message was the importance of partnering with Māori to ensure solutions work for Māori.

25. New Zealand had unacceptably high levels of family violence. One in three women in New Zealand experienced physical, emotional or sexual violence from a partner in their lifetime. Māori women, queer women, trans women, women living with a disability and young women experienced more violence, and were more likely to be re-victimised.

26. Last year, New Zealand passed legislation that allowed victims of family violence to take a new type of leave from their employment, separate from sick leave or annual leave, to help support them out of violent situations. This was the first such legislation in the world. New family violence legislation scheduled to come into force in 2019 aimed to keep victims of family violence safe, hold perpetrators to account, and promote consistent, collaborative responses to people experiencing family violence.

27. The delegation noted that New Zealand had been the first country in the world to give women the right to vote. Women held some of the highest offices in the country. The current

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Prime Minister was not only the third female Prime Minister, but also only the second in the world to give birth while in office. Notwithstanding historic achievement in gender equality, New Zealand could do more to ensure a truly inclusive and fair society. It had a severe problem with gender-based violence. Women were still concentrated in lower-paid occupations while also doing the majority of unpaid caring responsibilities. The Government had a strategy to support the appropriate valuation of New Zealand women's contribution in the labour market, including the introduction of an equal pay bill the previous year. On a positive note, women also made up nearly 40% of Parliament – the highest level ever.

## **B. Interactive dialogue and responses by the State under review**

28. During the interactive dialogue, 77 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

29. Denmark noted that the Convention against Torture Initiative stood ready to explore avenues to assist the Government with regard to the possible withdrawal of New Zealand's reservations to the Convention against Torture.

30. Egypt appreciated progress achieved by New Zealand in the promotion of human rights including the adoption of a national plan for following up on the implementation of the recommendations from the previous review.

31. El Salvador noted with satisfaction New Zealand's accession to the Optional Protocol to the Convention on the Rights of Persons with Disabilities, and efforts for asylum-seekers and refugees.

32. Estonia noted positive steps taken to ensure the implementation of recommendations from the previous review, in particular the launching of an interactive online tool and efforts to increase the protection of the rights of children.

33. Fiji congratulated New Zealand for its National Plan of Action for the Protection and Promotion of Human. It commended New Zealand for action to build a systematic approach to family violence and initiatives on climate change.

34. France welcomed the priority afforded by New Zealand to the defence and promotion of Human Rights.

35. Georgia commended New Zealand for submitting two national action plans under the Open Government Partnership. It welcomed the establishment of the Royal Commission of Inquiry and Serious Offences Unit.

36. Germany commended New Zealand for an exemplary record of accomplishment on human rights and efforts to improve the situation of marginalized groups, in particular intensified efforts to reduce child poverty.

37. Greece appreciated New Zealand's achievements in the field of human rights, especially on gender equality. Greece commended measures to tackle domestic violence and to alleviate social and economic disparities.

38. Honduras commended New Zealand for implementing the recommendations received in previous reviews and noted the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

39. Hungary noted action taken to implement recommendations from the previous cycle. It welcomed the designation of child poverty as a priority and commended the introduction of the Child Poverty Reduction Bill last year.

40. Iceland was pleased with cooperation to advance gender equality and to protect the rights of LGBTI persons and of persons with disabilities, and the developments described in the National report.

41. Indonesia welcomed amendments made to the Human Rights Act to strengthen New Zealand's Human Rights Commission. It took note of violence prevention programmes and dissemination activities involving the Māori community.

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42. The Islamic Republic of Iran shared the concerns of the Human Rights Committee about the lack of a comprehensive national strategy to combat racism, racial discrimination, xenophobia and other forms of intolerance.
43. Iraq welcomed New Zealand's cooperation with mandate holders and treaty bodies. It appreciated policies and strategies to protect the Māori and other indigenous minorities.
44. Ireland welcomed New Zealand's commitment to upholding the rights affirmed by the Declaration on the Rights of Indigenous Peoples and to the fundamental importance of the Treaty of Waitangi.
45. Italy appreciated the commitment of the authorities to address family and sexual violence. Italy also noted efforts to reduce the gender pay gap, eradicate child poverty and address bullying at school.
46. Kyrgyzstan welcomed efforts undertaken and practical measures by the Government in promoting human rights but indicated that more should be done.
47. Lao People's Democratic Republic commended New Zealand for its efforts in promoting and protecting human rights at home and overseas, in particular economic, social and cultural rights.
48. Madagascar welcomed the compensation provided to victims of domestic violence and the establishment of a new elder abuse response service and encouraged New Zealand to continue with these actions.
49. Maldives commended institutional and legislative measures taken by New Zealand. It was encouraged by the non-discrimination policy within the education system, which allowed children with special educational needs to enrol at state schools.
50. Mexico acknowledged plans presented within the framework of the Open Government Partnership, as well as efforts made to combat child poverty, domestic and gender-based violence, and the specific situation faced by the Māori.
51. Mongolia welcomed measures taken to improve the socio-economic situation of the Māori and Pacific communities. It highlighted the establishment of a Ministry on the rights of children and the introduction of the Child Poverty Reduction Bill.
52. Montenegro urged the Government to take the necessary action to address concerns with high levels of gender-based violence and low levels of reporting, particularly among the Māori and the absence of a comprehensive strategy in this regard.
53. Myanmar appreciated efforts by New Zealand for the protection of the rights of children and the introduction of the Child Poverty Reduction Bill. Myanmar noted that New Zealand was the first country that had secured women's right to vote.
54. Nepal noted the successful implementation of initiatives to ensure participation of women in leadership positions. Nepal applauded the commitment by New Zealand to fulfil its humanitarian responsibilities and provide protection to refugees.
55. Netherlands commended the Government for prioritising the development of a comprehensive action plan under the auspices of the Human Rights Commissioner, and in particular for targeting gender-based violence in consultation with relevant stakeholders.
56. Nigeria commended New Zealand for cooperation with human rights mechanisms and its strategy on migrants, including their settlement and integration, as well as measures to protect migrant workers from exploitation.
57. Oman welcomed the broad consultations undertaken by New Zealand in preparation of the National report, efforts to bolster human rights institutions and changes in legislation to strengthen the National Human Rights Commission.
58. Pakistan appreciated efforts made by New Zealand aimed at eliminating the gender pay gap and increasing women's participation. It was concerned that women were still significantly under-represented in senior leadership positions.

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59. Paraguay commended New Zealand for its new legislation aimed at preventing and punishing forced and early marriages and female genital mutilation and encouraged the country to effectively implement this law.
60. Peru recognized the progress made by New Zealand in the promotion of human rights, especially through programmes developed in consultation with the Māori such as the Whanau Protect and E tu Whanau.
61. The Philippines commended New Zealand for its implementation of the Waitangi Treaty Framework in relation to the Māori People, and encouraged it to share its experience globally. It commended measures to prevent the exploitation of migrant workers.
62. Portugal welcomed New Zealand's strong commitment towards the respect and the protection of human rights.
63. Qatar appreciated the legislative and institutional measures adopted by New Zealand aimed at promoting and protecting human rights, particularly the National Plan of Action for the Protection and Promotion of Human Rights.
64. Republic of Korea was encouraged by actions to promote the rights of vulnerable groups including indigenous people, and noted with appreciation that New Zealand had strengthened its legal and institutional architecture for human rights.
65. Republic of Moldova welcomed improvements in the field of youth and children's rights, through the Child Poverty Reduction Bill, and efforts to engage young people in the preparation of the national report.
66. In response to comments concerning the rights of indigenous peoples, the delegation reported on the establishment of a new Government agency to strengthen partnership with the Māori people. There were more Māori MPs and Cabinet members, and relations between the Government and the Māori people had been strengthened in areas where the Māori people were at a disadvantage such as health and education and their overrepresentation in the criminal justice system.
67. The Māori Development Ministry implemented a partnered approach between the Government and the Māori people. For example, Te Ture mō Te Reo Māori (the Māori Language Act) provides for the revitalization of the Māori language. The delegation also described action adopted in the context of the Ministry of Children and in the context of the family and sexual violence work.
68. The incidence of family violence and violence against women was unacceptable and the Government intended to substantially reduce its occurrence and had adopted a number of initiatives. There is an Undersecretary to the Minister of Justice with a dedicated role to reduce domestic violence. Major government agencies and departments were developing a National Action Plan to address the problem. The resultant integrated system would prioritize victims and focus on prevention.
69. The gender pay gap is one of the lowest in the world but it is still a problem and there are ongoing measures to reduce it. The Government is promoting women in the public sector in management and governance roles.
70. As for abortion, the Government was committed to cease approaching abortion as a criminal issue and to view it as a health issue. The Law Commission had issued recommendations, which were under consideration, and would require legislative changes.
71. Concerning migrants, the delegation recalled that the New Zealand Migrant Settlement and Integration Strategy sets out the Government's approach to effectively settle and integrate migrants. Moreover, the county had an active enforcement of its labour code to ensure migrant workers are not exploited. With regard to refugees, New Zealand had committed to increasing its refugee quota from 750 to 1000, rising to 1500 by 2020.
72. New Zealand did its utmost to combat human trafficking and slavery. Trafficking in persons was criminalized and defined in such a way that it did not require transnational movement of victims to qualify as a criminal offence and also covered trafficking within the country.

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73. Concerning persons with disabilities, the goal was to make New Zealand a place where persons with disabilities had an equal opportunity to achieve their goals and aspirations. This would be ensured by an inclusive education system for persons with disabilities, improving their health, ensuring they had employment and economic security, and receiving support in the justice system. In that respect, the country's Disability Strategy, which had been co-designed by disabled persons and governmental experts, guided the work of the Government.
74. Russian Federation was concerned at the lack of a clearly defined constitutional legislative basis for protecting human rights in New Zealand, as reflected in the absence of a written constitution.
75. Rwanda commended New Zealand's adoption of several programmes and policies aimed at advancing gender equality and the empowerment of women. Rwanda encouraged New Zealand to adopt more proactive measures to combat family and sexual violence.
76. Senegal highlighted the adoption of recent measures by New Zealand to combat family violence, particularly the creation of a dedicated agency tasked with building a cohesive, whole-of-government response to family and sexual violence.
77. Serbia commended the creation of the International Human Rights Governance Group aimed at leading cross-government work related to human rights monitoring and reporting. Serbia appreciated the role of the New Zealand Human Rights Commission.
78. Seychelles commended New Zealand for the progress made on the rights of women and children, noting the development of a national agency to foster a harmonized approach towards family and sexual violence.
79. Singapore acknowledged the continuing efforts made by New Zealand aimed at improving the well-being of its indigenous peoples across all sectors and to safeguard their rights, and commended efforts to promote gender equality.
80. Slovakia acknowledged the active engagement of New Zealand with the Office of the High Commissioner for Human Rights and other UN bodies. Slovakia appreciated policies aimed at improving the living conditions of children and women.
81. Slovenia welcomed progress made at the institutional level through amendments to the Human Rights Act. Slovenia indicated that certain issues should be addressed, such as the place of the Treaty of Waitangi in the country's unwritten constitution.
82. Spain congratulated New Zealand for the work of its Human Rights Commission in following-up to the recommendations accepted during the universal periodic review.
83. Sri Lanka took note of efforts to increase diversity in the New Zealand police and requested information on the experience in this regard. It commended the Child Poverty Reduction Bill and the new Ministry for Children.
84. The State of Palestine welcomed efforts to promote children's rights, including the adoption of child protection policies and the creation of a new government department. It commended steps taken on the issue of housing.
85. The Syrian Arab Republic welcomed the National report of New Zealand, as well as the reports by the Office of the High Commissioner for Human Rights and stakeholders participating in the UPR process.
86. Thailand commended New Zealand for identifying in its report specific areas requiring strengthening. Thailand welcomed the new Ministry of Children, the Migrant Settlement and Integration Strategy, and efforts to reduce inequalities faced by the Māori.
87. Togo welcomed the ratification of seven international human rights conventions and encouraged New Zealand to expedite the procedure for accession to the International Convention for the Protection of All Persons from Enforced Disappearance.
88. Tunisia hailed efforts to reinforce the legislative and institutional framework for human rights, in particular by increasing the powers of the National Committee for Equality and ratification of several international treaties.



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89. Ukraine welcomed efforts to eliminate discrimination against women, including the establishment of the Parliamentary Under-Secretary to the Minister of Justice, and the new Integrated Safety Response approach to ensure prompt safety for victims of domestic violence.
90. United Kingdom of Great Britain and Northern Ireland paid tribute to efforts to promote media freedom. It encouraged New Zealand to engage constructively with the findings of the Royal Commission on Mental Health and Addiction.
91. United States of America supported continued efforts to counter domestic violence. It encouraged the enforcement of regulations aimed at increasing the transparency of foreign migrant recruitment and compliance with employment and immigration requirements.
92. Uruguay welcomed information that New Zealand was considering acceding to the International Convention for the Protection of All Persons from Enforced Disappearance and to the Optional Protocol to the CRC on a communications procedure.
93. The Bolivarian Republic of Venezuela was concerned by the precarious nature of the protection of human rights in New Zealand, as these rights lacked constitutional status in the country.
94. Viet Nam commended New Zealand for its achievements on gender equality and initiatives for the protection and promotion of the rights of persons from vulnerable groups, such as the Migrant Settlement and Integration Strategy.
95. Afghanistan commended New Zealand for its human rights achievements since the last review and on steps taken to increase the participation of women in senior public service posts and state sector boards and committees.
96. Algeria noted with satisfaction New Zealand's adoption of new legal provisions in the field of education, in particular legislation amending the 2017 Law on Education that established the country's objectives and priorities on the issue.
97. Argentina commended New Zealand on the adoption of the National Plan of Action for Human Rights, the establishment of the International Human Rights Governance Group and the signature of the Declaration on Safe Schools.
98. Armenia welcomed the establishment of an International Human Rights Governance Group, actions aimed at the protection and promotion of women's rights, and progress in the protection of the rights of the child.
99. Australia acknowledged the implementation of recommendations from the previous review. Australia commended continued efforts by New Zealand to address child poverty and wellbeing, as well as disparities in education, employment, income and health.
100. Bahamas recognized work by New Zealand to promote youth justice, to reform the disability support system, and improve the realisation of the rights to housing, as well as the introduction of a number of legislative instruments.
101. Bangladesh shared concerns about the absence of a comprehensive national policy to combat racism, racial discrimination, xenophobia and other forms of intolerance. It indicated that New Zealand should continue efforts to address domestic violence.
102. Barbados commended New Zealand for the initiatives undertaken by its International Human Rights Governance Group to spearhead work related to the country's monitoring of and reporting on human rights.
103. Belarus noted with satisfaction the adoption of the National Plan of Action for the Promotion and Protection of Human Rights, as well as measures to combat human trafficking, including national plans and the improvement of legislation.
104. Belgium congratulated the Government on the development of the National Plan of Action for the Promotion and Protection of Human Rights but indicated that further progress could be achieved in combating discrimination and gender-based violence.

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105. Benin congratulated New Zealand for progress achieved in the promotion and protection of human rights and the implementation of the recommendations from the previous cycle.

106. Botswana commended New Zealand for the establishment of the Ministry of Children, as well as the enactment of the Vulnerable Children's Act. Botswana noted legislative reforms, including the amendment of the Human Rights Act.

107. Brazil commended New Zealand for protecting the Bill of Rights Act by enabling senior courts to assess the consistency of ordinary laws with fundamental rights and for adopting the Disability Strategy 2016-2026.

108. Bulgaria commended the high level of women's representation and the trend towards 50% representation of women among senior leaders of the public service and highlighted the child centred approach of the Ministry for Children.

109. Canada urged New Zealand to provide additional funding to community groups and to refuges for women victims of violence and to invest efforts in the prevention of violence, specifically by promoting the involvement of men and boys.

110. Chile commended progress made to promote and protect human rights in New Zealand, particularly through institutional reforms and national legislation and the implementation of recommendations accepted in the previous UPR cycle.

111. China welcomed progress achieved in the protection of human rights by New Zealand. China was concerned about the discrimination suffered by the Māori and the fact that the rights of women, children and migrants were not effectively protected.

112. Croatia observed that there were over 100, 000 New Zealanders of Croatian heritage today and noted that Croatian immigrants had been welcomed and integrated in the country, constituting a good example of tolerance and human rights promotion.

113. Cuba noted that the national report highlighted progress made by New Zealand in updating its human rights infrastructure and institutions, and also identified existing challenges, particularly regarding the standard of living of the Māori and gender equality.

114. With regard to comments on the human rights framework, the delegation recalled that New Zealand implemented its human rights obligations through a mixture of legislation, administrative measures and the common law. Though the country did not have a written constitution, it had strong institutions and strong conventions in support of existing laws.

115. The Bill of Rights Act enjoyed very important status, with the courts checking legislation for its consistency with that instrument. One of the changes the Government had pledged to make was to ensure that when a court declared a piece of legislation to be inconsistent with the Bill of Rights the Parliament would have to respond in an appropriate way. The Government intends to amend the Human Rights Act to make it clear that Act prohibits discrimination on the grounds of gender identity. It was also noted that changes had been made to ensure that the Human Rights Review Tribunal received additional staffing to help it eliminate its backlog and keep up with its workload.

116. Unratified human rights instruments were regularly reviewed by Government and such action would continue in light of recommendations received. Moreover, a National Plan of Action for the Protection and Promotion of Human Rights, included all of the recommendations from the UPR and the Treaty Body examinations.

117. In relation to indigenous rights, the delegation recalled that the Treaty of Waitangi was recognised as a foundational document for New Zealand, of both historic and ongoing importance and covering both individual and collective rights. Its principles are partnership, protection and participation. Moreover, the courts had held that the treaty was part of the context in which legislation is interpreted.

118. In response to comments regarding climate change, the delegation stated that New Zealand was very aware that climate change was affecting the country. Its neighbours in the Pacific region along with other small island developing states were uniquely vulnerable to that phenomenon. New Zealand was committed to taking collaborative action to support its Pacific neighbours.

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119. The Government had introduced several policy initiatives to achieve its commitment of transitioning to a low emissions economy by 2050. It had passed a Zero Carbon Act, amended New Zealand's emissions trading scheme, and established an independent Climate Change Commission. Some NZD 100 million had been earmarked for a Green Investment Fund. It was embarking on actions geared to stimulating investments in low-emissions projects. A similar measure entailed the planting of 1 billion trees by the year 2028.

120. The delegation noted that the wellbeing approach informed Government policy and the deployment of the country's budget. The Child Poverty Reduction Act established a number of measures and objectives. The legislation required the Government to develop and publish a strategy for the wellbeing of all children with a particular focus for those in poverty and those with greater needs, and would include children with disabilities. The Child and Youth Wellbeing Strategy would provide a framework for action by government departments and civil society actors.

121. In conclusion, the delegation thanked States that made recommendations and provided constructive comments and members of civil society for their contributions. The delegation indicated that UPR was a valuable opportunity for New Zealand to review its human rights situation and measure its improvement. New Zealand remained committed to engaging constructively with the UPR and to making further efforts for the enhanced promotion and protection of human rights.

## **II. Conclusions and/or recommendations**

**122. The following recommendations will be examined by New Zealand, which will provide responses in due time, but no later than the forty-first session of the Human Rights Council:**

**122.1 Consider acceding to the international instruments to which it is not yet party, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization, the 1954 Convention relating to the Status of Stateless Persons, and the International Convention for the Protection of All Persons from Enforced Disappearance (Honduras);**

**122.2 Ratify the broad range of international human rights instruments such as, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization (Russian Federation);**

**122.3 Hold national consultations with relevant stakeholders in the consideration of becoming a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Seychelles);**

**122.4 Redouble its effort in disseminating to its public on the importance of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

**122.5 Consider joining the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Islamic Republic of Iran); Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Afghanistan); Consider ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines) (Sri Lanka);**

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- 122.6 **Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt);**
- 122.7 **Sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Bangladesh);**
- 122.8. **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Kyrgyzstan) (Benin) (Bolivarian Republic of Venezuela);**
- 122.9 **Adopt, in view of the large number of refugees received by the country, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay);**
- 122.10 **Consider ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Tunisia);**
- 122.11 **Take all necessary steps to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**
- 122.12 **Finalize the accession of the International Convention for the Protection of all Persons from Enforced Disappearance (Armenia);**
- 122.13 **Accelerate the process of acceding to the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq);**
- 122.14 **Accelerate steps towards acceding to the International Convention for the Protection of All Persons from Enforced Disappearance (Greece);**
- 122.15 **Accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Senegal);**
- 122.16 **Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Italy);**
- 122.17 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France) (Belgium) (Benin);**
- 122.18 **Expedite consideration of acceding to the International Convention for the Protection of All Persons from Enforced Disappearance as well as of ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Ukraine);**
- 122.19 **Continue the consideration of ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Georgia);**
- 122.20 **Become a party to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Slovakia);**
- 122.21 **Accelerate the process of ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Paraguay);**
- 122.22 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Montenegro) (El Salvador);**
- 122.23 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Bolivarian Republic of Venezuela);**
- 122.24 **Ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization (Madagascar) (Denmark);**
- 122.25 **Ratify the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization (Benin) (Madagascar);**
- 122.26 **Consider withdrawing existing reservations to the international human rights treaties (Ukraine);**

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- 122.27 **Withdraw its reservations to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);**
- 122.28 **Adopt an open, merit-based process when selecting national candidates for United Nations Treaty Body elections (United Kingdom of Great Britain and Northern Ireland);**
- 122.29 **Take the necessary steps so as to render economic, social and cultural rights justiciable in the domestic courts in line with the International Covenant on Economic, Social and Cultural Rights (Portugal);**
- 122.30 **Continue to work to fully harmonize national law with the provisions of the Convention on the Rights of Persons with Disabilities (Chile);**
- 122.31 **Carry out the necessary legislative reforms to ensure the respect in fact and in law of the principle of the equality of all human rights and guarantee its protection (Spain);**
- 122.32 **Consider the possibility of developing and adopting a written Constitution, as well as adequately ensure constitutional or legislative recognition of the Treaty of Waitangi (Russian Federation);**
- 122.33 **Give constitutional rank to the Bill of Rights Act and incorporate therein the right to privacy and economic, social and cultural rights (Bolivarian Republic of Venezuela);**
- 122.34 **Strengthen the human rights obligations of the Bill of Rights Act of 1990 by defining them as supreme law (Germany);**
- 122.35. **Adopt an appropriate procedure so that, in the future, any law or legislative reform is subject to a prior analysis of its impact on human rights (Spain);**
- 122.36 **Adopt the necessary measures to provide the Human Rights Review Tribunal with the necessary resources for its proper functioning (Mexico);**
- 122.37 **Continue to strengthen national human rights institutions (Nepal);**
- 122.38 **Provide to the New Zealand Human Rights Commission with sufficient financial and human resources to carry out its work (Spain);**
- 122.39 **Establish a national mechanism for reporting and follow-up of the implementation of international human rights recommendations received by the State, through effective inter-institutional coordination systems to link progress with the objectives of the 2030 Agenda (Paraguay);**
- 122.40 **Continue to strengthen its coordination mechanisms; deepen efforts to ensure the protection of vulnerable persons and groups and continue efforts to further improve their situation (Barbados);**
- 122.41 **Strengthen measures aimed at combating discrimination against different groups in a situation of vulnerability, investigating and punishing the perpetrators of such acts (Argentina);**
- 122.42. **Improve anti-discrimination legislation for ensuring protection of the rights of the ethnic minorities, including Māori and Pasifika Communities (Islamic Republic of Iran);**
- 122.43 **Strengthen its efforts to fight discrimination, including by enhancing institutional capacity to systematically document, investigate and prosecute any racially motivated crimes (Rwanda);**
- 122.44 **Continue efforts to combat racial discrimination and hate speech and promote diversity and tolerance (Tunisia);**

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- 122.45 Put in place a solid legislative framework to combat racism, racial discrimination, xenophobia, other forms of intolerance including racial and religious hatred (Madagascar);
- 122.46 Adopt a comprehensive national strategy to combat racism, racial discrimination, xenophobia and other forms of intolerance, including racial and religious hatred (Togo);
- 122.47 Investigate all acts of racial discrimination and ensure that perpetrators are prosecuted and sanctioned (Pakistan);
- 122.48 Develop and implement a national plan of action against racial discrimination, xenophobia and hate crime (Pakistan);
- 122.49 Continue to strengthen its legal and institutional architecture for human rights to level the ground for each ethnic and cultural group with effective economic, cultural and social measures (Republic of Korea);
- 122.50 Take strong measures to eliminate discrimination against women and discrimination based on gender identity (Madagascar);
- 122.51 Add gender identity, gender expression or sex characteristics as specifically prohibited grounds of discrimination in Article 21 of the Human Rights Act of 1993 (Iceland);
- 122.52 Amend the Human Rights Act of 1993 to explicitly prohibit discrimination on the basis of gender identity and intersex status (Australia);
- 122.53 Deepen its commitments to the global advancement of human rights by increasing its technical and other cooperation with other United Nations members, particularly Small Island Developing States and Least Developed Countries (Barbados);
- 122.54 Encourage adopting climate change related planning and management strategies including conducting nationwide assessment of climate change risks (Maldives);
- 122.55 Continue its efforts to address the ongoing challenges, including the impact of environment through the implementation of the Environmental Health Action Plan (Lao People's Democratic Republic);
- 122.56 Pursue and implement the Zero Carbon Bill and the Environmental Health Action Plan, having taken into account the special vulnerabilities, views and needs of women, children, youth, persons with disabilities, and local and marginalised communities (Fiji);
- 122.57 Promote the role of its private sector by developing and adopting a national action plan to implement the United Nations Guiding Principles on Business and Human Rights (Thailand);
- 122.58 Adopt appropriate regulations, including through a business and human rights plan, to ensure that the response of the private sector to eventual disasters, and especially that of insurance companies, is respectful of New Zealand's human rights commitments (Spain);
- 122.59 Clarify the definition of "terrorist", and review the Terrorism Suppression Act so that to ensure those designated as "terrorists" could enjoy justice (Islamic Republic of Iran);
- 122.60 Conduct training programs aimed at raising awareness of those working in the criminal justice system on relevant human rights standards (Qatar);
- 122.61 Strengthen the availability of legal assistance for women, especially for Māori and migrant women (Peru);

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- 122.62 Facilitate women's access to legal aid, in particular for Māori women, migrant women and women from ethnic minorities, as well as women living in rural and remote areas (Togo);
- 122.63 Continue the efforts to prevent discrimination in New Zealand's criminal justice system (Indonesia);
- 122.64 Step up efforts to prevent and combat all forms of discrimination, especially in the criminal justice system (Italy);
- 122.65 Put an end to discrimination against Māori, and ensure that all prisoners receive equal treatment in accordance with minimum standards for humane treatment and that conditions in prisons and detention centres comply with international human rights standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (Bolivarian Republic of Venezuela);
- 122.66 Continue to work to enhance the rights of Māori and other indigenous minority groups in New Zealand, and provide increased rehabilitative support for Māori prisoners (Ireland);
- 122.67 Take action to ensure the provision of physical and mental health services for those in detention facilities, as well as to reduce overcrowding in prisons (United States of America);
- 122.68 Carry out further work to reduce prison overcrowding and improve the access of convicted persons to quality medical services (Belarus);
- 122.69 Reconsider the relevant legal acts in the part relating to the age of criminal responsibility, with a view to its possible increase (Serbia);
- 122.70 Raise the minimum age of criminal responsibility in line with international human rights standards (Iceland); Increase the age of criminal responsibility (Montenegro);
- 122.71 Redouble efforts in addressing human trafficking (Nigeria);
- 122.72 Intensify efforts to prevent, investigate, prosecute and punish acts of trafficking (Botswana);
- 122.73 Take effective measures on prevention, investigation, prosecution and sanctioning of human trafficking (Serbia);
- 122.74 Adopt effective measures to combat human trafficking and to protect the rights of migrant workers (China);
- 122.75 Intensify further efforts in the area of the fight against trafficking in persons, including improving the practice of enforcing legislation with a view to bringing to justice and punishing those responsible for trafficking in persons under the articles on trafficking (Belarus);
- 122.76 Consider introducing legislation requiring businesses to report publicly on transparency in supply chains, to eliminate practices of modern slavery in New Zealand and beyond its borders (United Kingdom of Great Britain and Northern Ireland);
- 122.77 Continue to pursue convictions under domestic anti-trafficking laws, including stringent penalties for offenders, and to take steps to reduce demand for forced labour, including in supply chains (United States of America);
- 122.78 Strengthen control over employment agencies in order to prevent cases of human trafficking, commercial sexual exploitation and labour exploitation (Belarus);
- 122.79 Continue to strengthen the legal framework for combating trafficking of human beings within the framework of the Government's Action Plan for the Prevention of Human Trafficking (Oman);

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- 122.80 **Increase employment opportunities for marginalized groups, and notably Māori, Pasifika, women and disabled persons (Hungary);**
- 122.81 **Address discrimination in employment against indigenous persons, individuals belonging to ethnic minority groups, and individuals with disabilities, including those with intellectual disabilities, and remove barriers to their participation in the labour market in addition to funding further community support services, to include post-learning opportunities (United States of America);**
- 122.82 **Continue its efforts to achieve equal wage between women and men in public service, and work towards eventual elimination of gender pay-gap (Myanmar);**
- 122.83 **Take measures to eliminate gender wage gap (Syrian Arab Republic);**
- 122.84 **Continue to work towards full equality between men and women, particularly in order to reduce the pay gap (Croatia);**
- 122.85 **Continue to implement measures to increase the representation of women in leadership positions in the public and private sectors, and to eliminate the gender pay gap (Cuba);**
- 122.86 **Continue to strengthen policies and measures in the area of women's empowerment and the promotion of equal opportunities for employment and wages at the national level (Oman);**
- 122.87 **Collaborate closer with the private sector and other relevant organisations and associations to find ways to remove structural or policy barriers that can impede women from contributing more in the workplace and in all sectors (Singapore);**
- 122.88 **Make efforts to extend childcare service for promoting women's social and economic participation (Republic of Korea);**
- 122.89 **Continue its efforts in order to further the protection of Economic and Social Rights of vulnerable persons, including persons with disabilities (Greece);**
- 122.90 **Formulate and implement effective policies geared towards the elimination of poverty (Botswana);**
- 122.91 **Continue efforts to increase the availability of adequate and affordable housing for all segments of society while paying particular attention to low-income families (Qatar);**
- 122.92 **Continue its efforts in increasing the availability of quality affordable housing and to ensure equitable housing for the elderly, persons with disabilities, and all ethnic groups (State of Palestine);**
- 122.93 **Initiate multi-sector, systems-level actions to address barriers to women and girls' access to equitable sexual and reproductive health outcomes (Australia);**
- 122.94 **Enhance mental health policies with a view to guaranteeing that persons with mental health conditions and psychosocial disabilities have access to appropriate mental health services, including community-based care, which respect their dignity and human rights (Brazil);**
- 122.95 **Remove abortion from the Crimes Act of 1961 and amend the Contraception, Sterilisation and Abortion Act of 1977 so abortion is decriminalized and implement recommendation "Model A" from the Law Commission's report on "alternative approaches to abortion law" (Iceland);**
- 122.96 **Remove abortion from the Crimes Act 1961 and review the Contraception, Sterilisation and Abortion Act 1977 to ensure that abortion is decriminalized in all circumstances, and all women and girls can access safe and legal abortion as an integrated component of sexual and reproductive health**



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services, in reference also to the adoption of SDG target 3.7 and 5.6 (Netherlands);

122.97 Eliminate, in accordance with the recommendation by CEDAW, abortion from the Crimes Act 1961 and amend the Law on Contraception, Sterilization and Abortion of 1977 in order to completely decriminalize abortion by amending legislation through the implementation of Recommendation A of the Legal Committee on “alternative approaches to the Law on Abortion” (Uruguay);

122.98 Reform the law on abortion and take a human rights-based approach by implementing Model ‘A’ from the Law Commission report of October 2018 on ‘alternative approaches to abortion law’ (Canada);

122.99 Take immediate steps to combat solitary and solitary confinement in medical facilities applied to juveniles, persons with intellectual or psychosocial disabilities, pregnant women, breastfeeding mothers in prison and in all health care institutions (Syrian Arab Republic);

122.100 Progress with efforts in addressing disparities in mental health and improve services for vulnerable groups (Sri Lanka);

122.101 Continue efforts for the adoption of additional measures to address the disparities registered by the SOGISC community with regard to access to services in the entire health system (Uruguay);

122.102 Consider putting an end to non-consensual medical procedures which affect intersex persons (Chile);

122.103 Continue its efforts, and ensure that all children from all ethnic groups are provided with quality education (State of Palestine);

122.104 Review all education legislative and policy settings to ensure that schools provide accessible inclusive education for all (Hungary);

122.105 Continue efforts to reduce discrimination against women and, in particular take legislative measures to strengthen the representation of women in management posts, in the private and public sector (France);

122.106 Continue efforts to ensure the representation of women in positions of leadership in all sectors (Nepal);

122.107 Further work towards achieving gender equality and higher women’s representation in senior leadership positions (Republic of Moldova);

122.108 Take concrete steps to ensure that gender parity in the public service is reached by 2020 in line with the current trajectory (Bahamas);

122.109 Redouble the efforts of the Government for the development and implementation of public policies aimed at the real and effective reduction of inequality gaps between men and women, including the fight to eliminate domestic and sexual violence against women (Paraguay);

122.110 Continue efforts for combating violence against women and increasing women’s representation in leadership roles in the public sector (Afghanistan);

122.111 Continue its efforts to combat violence against women (Armenia);

122.112 Ensure the protection of women and girls, and guarantee their right to physical and psychological integrity and a life free from violence (Bolivarian Republic of Venezuela);

122.113 Review and strengthen its efforts to respond to and prevent domestic violence and sexual and gender-based violence (Australia);

122.114 Continue strengthening measures to eradicate violence against women, specifically, domestic and sexual violence (Chile);

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- 122.115 Continue to combat sexual and gender-based violence especially among ethnic minorities and domestic violence against women and children (Estonia);
- 122.116 Continue efforts to ensure prevention of violence against women and domestic violence through the strengthening of women's programmes and national plans (Tunisia);
- 122.117 Intensify measures to address domestic violence and sexual violence against women (Philippines);
- 122.118 Take further efforts to combat gender-based violence, such as violence in family and partner relationships (Kyrgyzstan);
- 122.119 Continue its efforts to combat gender-based violence and extend technical assistance in promoting women's rights in accordance with international and regional frameworks (Viet Nam);
- 122.120 Consider developing a unified national strategy on combatting violence and abuse against women (Republic of Moldova);
- 122.121 Prioritize the development of a comprehensive, multi-sectoral national strategy to combat sexual and family violence, including among the Māori people, which also addresses violence against men and boys (Bahamas);
- 122.122 Develop a comprehensive strategy on combating gender-based violence against women (Belgium);
- 122.123 Develop and adopt a comprehensive national strategy to combat all kinds of violence against women (Islamic Republic of Iran);
- 122.124 Develop a national strategy to combat abuse and violence against women (Slovenia);
- 122.125 Implement and allocate sustainable resources for the long term to combat family and sexual violence aimed at developing a comprehensive and coherent prevention strategy for gender-based violence against women (Netherlands);
- 122.126 Continue its efforts to develop a comprehensive government strategy for tackling domestic violence (Ireland);
- 122.127 Develop and implement a cross-party strategy on family and sexual violence and ensure its continuous effective implementation (Pakistan);
- 122.128 Continue to fight against all forms of gender-based violence, including sexual and domestic violence by guaranteeing in particular that all victims benefited from protection and had access to medical and legal aid (Hungary);
- 122.129 Strengthen measures to investigate and punish gender-based violence, especially by guaranteeing the right to access to justice for women and girls (Argentina);
- 122.130 Strengthen measures to protect victims of violence against women and girls, particularly among minority communities, including through ensuring access to quality multi-sectoral responses for survivors covering safety, shelter, health, justice and other essential services (Rwanda);
- 122.131 Continue to strengthen efforts to combat domestic and all forms of gender-based violence, including sexual violence, particularly in relation to Māori and Pasifika women and girls, as well as women and girls with disabilities (Iceland);
- 122.132 Intensify efforts aimed at combating domestic violence and abuse against women, including Māori women and children (Ukraine);

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- 122.133 Continue to deploy adequate resources to strengthen responses to instances of family and sexual violence and to make improvements for victims, perpetrators and their families (Barbados);
- 122.134 Continue to ensure justice and social protection for domestic violence against vulnerable groups, particularly women from indigenous and Pacific peoples (Myanmar);
- 122.135 Take effective measures to reduce domestic violence, including the adequate support and assistance of victims (Croatia);
- 122.136 Strengthen efforts to combat domestic violence (Iraq);
- 122.137 Continue the policy for the prevention of domestic violence and all other forms of violence (Algeria);
- 122.138 Promptly enact the “Family and Whanau Violence Legislation Bill” and ensure that adequate resources are allocated for its effective implementation (Seychelles);
- 122.139 Take further steps to address the needs and rights of indigenous women and girls, while implementing the Family and Whanau Violence Legislation Bill (Brazil);
- 122.140 Concentrate its efforts in addressing domestic violence particularly in communities and populations experiencing higher levels of family violence and investigate the discrepancy between the increased incidence of family violence problems and offenses reported, and the downward trending numbers of apprehensions and prosecutions (Canada);
- 122.141 Set up the planned dedicated unit to formulate a whole-of-government response to family violence and sexual violence as soon as possible, and that it is sufficiently resourced with adequate funding and expertise to ensure its effectiveness (Singapore)<sup>1</sup>;
- 122.142 Effectively combat violence against women and to reduce child poverty (China);
- 122.143 Take further measures to reduce violence against women and children (Qatar);
- 122.144 Further strengthen its efforts to combat domestic violence and child abuse in all settings (Mongolia);
- 122.145 Continue to develop legislation aimed at fighting against domestic violence, in particular child abuse (France);
- 122.146 Continue its efforts to combat child abuse in all settings (Georgia);
- 122.147 Develop a national strategy for the promotion and protection of the rights of all children in implementation of the UN Convention on the Rights of the Child (Bulgaria);
- 122.148 Increase financial aid for children in difficulty in order to guarantee their right for further education (Algeria);
- 122.149 Undertake further prioritized measures to substantially reduce the increased rate of child poverty (Bangladesh);
- 122.150 Continue to move forward in the area of child poverty and take targeted measures to reduce child poverty, and also ensure that all children are free from violence abuse and neglect (Hungary);

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<sup>1</sup> The recommendation as read during the interactive dialogue: “Set up the planned dedicated agency to formulate a whole-of-government response to family violence and sexual violence as soon as possible, and that it is sufficiently resourced with adequate funding and expertise to ensure its effectiveness (Singapore)”

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- 122.151 Continue with affirmative action on children in vulnerable situations and child poverty reduction programmes and initiatives (Sri Lanka);
- 122.152 Accelerate efforts for the adoption of the law to combat child poverty and prioritize the allocation of resources for its implementation (Mexico);
- 122.153 Prioritise the enactment of legislation to reduce child poverty and advance child wellbeing, aligned with the Convention on the Rights of the Child and the Treaty of Waitangi (Slovenia);
- 122.154 Continue its ongoing efforts to reduce all forms of inequalities and discrimination among children, for Māori and Pasifika children in particular (Maldives);
- 122.155 Work to combat discrimination against vulnerable children, including Māori and Pasifika children, children belonging to ethnic minorities, refugee and migrant children and children with disabilities (Syrian Arab Republic);
- 122.156 Continue its efforts to extend welfare services and assistance to all persons with disabilities (Bulgaria);
- 122.157 Continue its efforts in implementing legislation and strategies to promote and protect the rights of children and young people and persons with disabilities (Philippines);
- 122.158 Harmonize its national legislation on the rights of persons with disabilities, especially in relation to inclusive education, with international standards (Peru);
- 122.159 Strengthen efforts to combat marginalization and discrimination of children with disabilities, especially in their access to health, education, care and protection services (Belgium);
- 122.160 Grant children with disabilities the right to quality inclusive education and to increase the provision of reasonable accommodation in primary and secondary education in line with international standards (Portugal);
- 122.161 Continue the development of inclusive education programs for children with disabilities (France);
- 122.162 Respect the rights of persons with mental health conditions and psychosocial disabilities in line with the Convention on the Rights of Persons with Disabilities, including by combatting institutionalization, stigma, violence and overmedicalization, and by developing community-based and people-centred mental health services which promote inclusion in the community and respect their free and informed consent (Portugal);
- 122.163 Promote assisting models for minorities (Kyrgyzstan);
- 122.164 Continue with measures to promote the rights of ethnic minorities, in particular the Māori (Senegal);
- 122.165 Take all appropriate measures to enhance Māori and Pasifika representation in government positions at all levels, in particular at the local council level, including through the establishment of special electoral arrangements (Pakistan);
- 122.166 Provide Māori and Pasifika with adequate access to education and the labour market (Russian Federation);
- 122.167 Continue efforts to protect and promote the rights of indigenous peoples through appropriate measures in law, policy and practice with conformity with international human rights obligations (Mongolia);
- 122.168 Continue with efforts to promote human rights for indigenous people (Egypt);

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- 122.169 Continue enhancing the relationship and cooperation between the government and the indigenous people (Estonia);
- 122.170 Continue to harmonize its national regulations with the Declaration on the Rights of Indigenous Peoples (Peru);
- 122.171 Include in the National Plan of Action for the Protection and Promotion of Human Rights the United Nations Declaration on the Rights of Indigenous Peoples and the Treaty of Waitangi, and implement them (Bolivarian Republic of Venezuela);
- 122.172 Develop, in consultation with the indigenous peoples, and if necessary with the technical assistance of the Expert Mechanism on the Rights of Indigenous Peoples, an action plan to harmonize the legislation and existing policies with the United Nations Declaration on the Rights of Indigenous Peoples (Mexico);
- 122.173 Develop, in partnership with Māori, a national strategy or plan of action to align public policy and legislation with the United Nations Declaration on the Rights of Indigenous Peoples (Canada);
- 122.174 Strengthen joint work with the Māori people aimed at the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (El Salvador);
- 122.175 Continue to have more active and closer partnership with Māori for effective implementation of the commitment and sustainable settlement process (Myanmar);
- 122.176 Continue to improve steps in addressing a number of human rights challenges affecting the Māori People such as family and sexual violence and the disparities in terms of health outcomes (Indonesia);
- 122.177 Continue to work to implement actions to improve the standard of living of the Māori communities, particularly to reduce disparities in health indicators and levels of schooling (Cuba);
- 122.178 Address existing entrenched socio-economic inequalities, including in areas of health, employment and education, affecting indigenous people (Bangladesh);
- 122.179 Adopt effective measures to protect in a concrete manner the rights to health, education, employment, and housing of the Māori and other indigenous peoples to eradicate discrimination against them (China);
- 122.180 Continue to focus on specific programmes and actions aimed at improving health and education outcomes for Māori and Pacific communities (Sri Lanka);
- 122.181 Strengthen measures aimed at ensuring equality for all citizens, especially those of indigenous people of Māori and Pasifika, and ensuring their full rights within the legal system and in the labour, health and education sectors (Syrian Arab Republic);
- 122.182 Design a strategy to tackle social inequalities experienced by Māori and Pasifika communities in health, housing, employment, education, social services and justice (United Kingdom of Great Britain and Northern Ireland);
- 122.183 Take concrete steps to improve education and participation rates for Māori and Pacific communities in New Zealand so that these are equal with other ethnic groups (Bahamas);
- 122.184 Continue its efforts in addressing all forms of discrimination against migrants (Nigeria);

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122.185 **Enhance its support to migrants by continuing to combat and deter the exploitation of migrant workers and promote their full participation in and contribution to society (Thailand);**

122.186 **Further strengthen efforts to protect migrant workers and foreign students against exploitation (Philippines);**

122.187 **Improve the conditions of migrant workers and asylum-seekers (Iraq);**

122.188 **Continue to effectively implement its Migrant Settlement and Integration Strategy (Viet Nam);**

122.189 **Ensure the human rights of asylum seekers (Afghanistan);**

122.190 **Harmonize the legal framework on migration and asylum with international standards, particularly in terms of detention and access to complaint procedures (Mexico);**

122.191 **Take the necessary measures, including the possible revision of the Immigration Amendment Act 2013, to ensure that detention of migrants and asylum seekers is applied only as a measure of last resort in a manner proportionate to each individual case and for as short a period as possible (Portugal);**

122.192 **Review immigration policies reportedly resulting in mass detention of migrants and asylum seekers (Bangladesh);**

122.193 **Ensure that asylum-seekers are only detained in strict accordance with New Zealand's international human rights obligations (Germany);**

122.194 **Ensure that asylum-seekers have the right to regular review of their detention status and have adequate access to lawyers, their families, health providers and support groups (Germany).**

123. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

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## **Annex**

### **Composition of the delegation**

The delegation of New Zealand was headed by the Hon. Andrew Little, Minister of Justice and composed of the following members:

- Andrew Kibblewhite, Chief Executive, Department of the Prime Minister and Cabinet New Zealand;
- Rajesh Chhana, Deputy Secretary Policy, Ministry of Justice, New Zealand;
- Michael Gill, Private Secretary, Office of the Minister of Justice, New Zealand;
- Dan Ohs, Ministerial Adviser, Office of the Minister of Justice, New Zealand;
- Jillian Dempster, Permanent Representative, New Zealand Permanent Mission to the United Nations, Geneva;
- Rahera Ohia, Deputy Chief Executive, Te Puni Kōkiri, New Zealand;
- Chris Bunny, Deputy Chief Executive, Ministry of Business, Innovation and Employment, New Zealand;
- Fiona Carter-Giddings, General Manager, Ministry of Social Development, New Zealand;
- Angela Hassan-Sharp, Unit Manager, Ministry of Foreign Affairs and Trade, New Zealand;
- Jarrod Clyne, Deputy Permanent Representative, New Zealand Permanent Mission to the United Nations, Geneva;
- David Crooke, Chief Advisor, Ministry of Justice, New Zealand;
- Lauren McIntosh, Senior Adviser, Ministry of Justice, New Zealand;
- Emily Buist-Catherwood, Policy Officer, Ministry of Foreign Affairs and Trade, New Zealand.