

ADVANCE QUESTIONS TO NEW ZEALAND

CZECH REPUBLIC

- How does the Government of New Zealand address the human rights situation of indigenous people?
- The national report mentions a summit to be held in April 2009 on drivers of crime in relation to the issue of Maori being more likely to be involved in criminal conduct. We would be interested to hear more on its outcome.
- With regard to the laws relating to juvenile justice, can you inform us of the current age of criminal responsibility? What specific measures is the Government of New Zealand taking to ensure the protection of the rights of the child within the framework of juvenile justice?
- In the area of national legal framework on international human rights obligations, we would like to ask how the New Zealand Bill of Rights Act is being implemented, what possible challenges there might have been and how its enforceability may be ensured?

GERMANY

- According to reports of the UN and NGO Stakeholders, further progress was made in the protection of the right of the Maori. The reports do also state that disparities remain between Maori and non-Maori with regard to employment, income, health, housing, education and criminal justice. Germany would be interested to learn more about further measures of the government to strengthen equality in this regard.
NGO stakeholders have in this regard also mentioned the Foreshore and Seabed Act 2004, which in their view breaches the Treaty of Waitangi and the human rights of the Maori. Could you provide some more information on this case?

THE NETHERLANDS

- Both during a conference organised by Victoria University of Wellington on the occasion of the 60th celebration of the UDHR and in the contribution of New Zealand's Human Rights Commission it was recommended to review New Zealand's constitutional arrangement to give greater effect to the Treaty of Waitangi and human rights protection. It is further noted that although New Zealand laws are generally not inconsistent with its human rights obligations, New Zealand does not fully incorporate human rights standards in domestic law and policies. Would the government consider looking into these codifications of human rights protections?
- In the past the New Zealand government has stated its disagreement with the United Nations Declaration on the Rights of Indigenous Peoples. Since then some of the countries with indigenous peoples that had expressed their concerns on this Declaration have now taken a more positive stand on this and have indicated to sign up to it (Australia), or to reconsider its position (Canada). How can New

Zealand's concerns be addressed in this regard and will the government engage with its Maori community to possibly reconsider its position?

- In some areas, such as education and on the job market, Maori, people with a Pacific background and people with disabilities are finding themselves left behind. For them the right to education and the right to work are not fully realised. It is noted that the new New Zealand government is working hard to address the economic crisis with its 'jobs summit'. But in times of economic downfall it is especially important to make sure that the more vulnerable groups are not left behind. Could the government indicate how it will make sure that the rights of these groups are well protected and special attention is given to these groups to fully include them in society?

SWEDEN

- In its national UPR report, the Government of New Zealand mentions several measures it has taken to eliminate domestic violence and to enhance the protection of women and children against violence within families. In its conclusions from its latest consideration in 2007 of New Zealand, the Committee on the Elimination of Discrimination against Women was, however, concerned about the continued prevalence of violence against women, particularly Maori, Pacific and minority women. The Committee expressed its concerns at the low rates of prosecution and convictions for such crimes. Further, the Committee stated that analysis on issues relating to violence against women remains inadequate for the purposes of identifying the causes of violence against women, monitoring trends and evaluating the appropriateness and impact of policy and law enforcement efforts.

- What further measures will the Government of New Zealand take to identify the causes of violence against women and to combat violence against women and children within families?

- Sweden welcomes the Government of New Zealand's efforts to address the issue of equality and non-discrimination concerning Maori persons. In its national UPR report, the Government acknowledges several challenges facing the full enjoyment of human rights by Maori persons, while listing a number of measures it is taking to address these challenges. In its latest consideration in 2007 of New Zealand, the Committee on the Elimination of Racial Discrimination expressed its concern over the over-representation of Maori and Pacific persons in New Zealand's prisons as well as in the country's criminal justice system at large, indicating its hope that discrimination in legal processes was not a contributing factor to the over-representation.

- Could the government of New Zealand elaborate on what measures it is taking to ensure that Maori and Pacific persons are not discriminated against in New Zealand's criminal justice system?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Could you please elaborate further on the role civil society in New Zealand played in the preparation of your national report for this process?
- Does the new government intend, at this stage, to continue the agencies and task groups outlined in the report? Are any new strategies addressing human rights issues planned?
- Could you provide further detail on the steps being taken to address the social inequalities (health, housing, employment, education, social services & justice) affecting indigenous people?
- Please expand on the steps which have been taken to eliminate discrimination based on race, ethnicity, colour or national origin.
- Whilst we commend the actions taken by the NZ government in recent years, the level of domestic violence against women remains a particular concern. Victim support appears improved, but can you describe how the *Taskforce for Action on Violence Within Families* and related agencies are working to reduce incidents of violence?
- What steps will the government take to collect data on incidents of domestic violence in New Zealand and on the efficacy of programmes to stop domestic violence?
