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NGO intervention on the Adoption of the Outcome Document of the second Universal Periodic Review of New Zealand

19 June 2014

Thank you Chair,

WILPF welcomes this opportunity to speak on behalf of our national section and ten other non-governmental and iwi organisations in New Zealand.

While New Zealand's response to the recommendations might seem impressive - it has accepted 121 out of 155 - which, unfortunately on closer examination it is not so positive.

Firstly, where recommendations have been accepted, we are concerned that New Zealand's responses are lacking in sincerity. Its response frequently does not address the point of the respective recommendation - for example, the response regarding the UN Declaration on the Rights of Indigenous Peoples - is misleading.

New Zealand has incorrectly stated that legislation is consistent with its human rights obligations when it is not; for example, claiming that its counter-terrorism legislation "complies with the legal safeguards enshrined in the ICCPR" is untrue, whereas the Human Rights Committee has stated provisions of the legislation are incompatible with Article 14 of the Covenant.

Secondly, most of the rejected recommendations relate to international instruments and the constitutional and legislative framework, indicating a lack of commitment to meaningful protection and promotion of human rights both now and in the future.

We remain deeply concerned at the lack of full protection for human rights under the current constitutional arrangements. While this is dangerous for all New Zealanders, it is particularly harmful for hapu and iwi Maori, given that the government does not hesitate to deny their rights when it perceives this to be to its political advantage.

We therefore reiterate the UPR recommendations in this regard, as well as those from the treaty monitoring bodies and Special Procedures, and urge New Zealand to begin a process of constitutional change that will give full effect to the Treaty of Waitangi, and to its obligations under the international instruments.

We further call on New Zealand to fully implement all accepted recommendations, to reconsider those it has rejected, and to develop a transparent action plan to do this.

Thank you.