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Briefing for Aotearoa New Zealand's Fourth Universal Periodic Review of Human Rights

Introduction

1. The National Council of Women of New Zealand, Te Kaunihera Wāhine o Aotearoa (NCWNZ) is an umbrella group representing around 60 affiliated organisations and 300 individual members. Collectively our reach is over 200,000 with many of our membership organisations representing all genders. NCWNZ has 13 branches across the country.
2. NCWNZ's vision is a gender equal New Zealand and research shows we will be better off socially and economically if we are gender equal. Through research, discussion and action, NCWNZ in partnership with others, seeks to realise its vision of gender equality because it is a basic human right.

Major points

Fair Pay Agreement legislation

3. Repealing the Fair Pay Agreement legislation is a backwards step for human rights, and for innovative ways of eliminating discrimination. Fair Pay Agreements were based on industry-wide dialogue between employer and worker groups, and aimed at achieving an agreement on what constitutes fairness. We would like to see this legislation, or a version of it, reinstated.

Māori Health Authority

4. Years of work in policy and research, and the findings of the Waitangi Tribunal Wai 2575 Health Services and Outcomes Kaupapa Inquiry¹, all supported the creation of a Māori Health Authority, Te Aka Whai Ora, as a way to support Māori rights to equal health care and outcomes. The government's disestablishment of the Authority on ideological grounds is a breach of human rights.

Smokefree Environments and Regulated Products Act 1990 and regulations

5. This world leading legislation was based on robust evidence about what works to disincentivise people from taking up smoking, which is especially a problem for Māori, and wāhine Māori. The repeal of this legislation will disproportionately impact against Māori.

¹ Waitangi Tribunal. 2021. Health Services and Outcomes Inquiry.

<https://waitangitribunal.govt.nz/inquiries/kaupapa-inquiries/health-services-and-outcomes-inquiry/>

Increased spending on health initiatives for women and children

6. NCWNZ welcomes the increased spending on health initiatives for women and children, specifically extending the breast screen programme to women up to the age of 74, and increased funding for Plunket to look after mothers and their young babies. This complements the establishment of a Women's Health Strategy in 2023². However, the amount of spending allocated and the impact these improvements will make is minimal compared to the negative impacts of disestablishing the Māori Health Authority and repealing the Smokefree legislation.

Prevention of Family and Sexual Violence

7. The 25-year strategic plan for eliminating family violence and sexual violence, Te Aorerekura³, is groundbreaking in its long term and holistic approach. While the plan itself is robust, it is important that adequate and sustained funding is guaranteed for its implementation.
8. Of grave concern to NCWNZ is the current burgeoning of all forms of stalking, and in particular, the many forms of online harassment, threats, surveillance and abuse carried out by stalkers via electronic means. We call upon the government to strengthen legislation against stalking and gendered harassment behaviours.

Hate Speech and Online Safety Laws

9. Hate Speech Laws were proposed after the Christchurch Mosque attacks, but were dropped in 2023 due to opposition. 'Hate speech' against minority groups is part of a larger problem of online safety, which needs better legislation.
10. We need to ensure technology companies are transparent and accountable for the harmful content and behaviour that they are promoting on social media, through search engines, and on websites dedicated to targeted hate and violence. No one should be building and running a business that is unsafe – we need safety, security and privacy by design, and a system that is overseen by a media regulator that is arm's length from the Government (an independent Crown entity) and independent from technology companies.
11. Associated with this, there needs to be a review of criminal law to take into account the impact and use of artificial intelligence, and other new and emerging technology.

Ratification of the NZ-EU Free Trade Agreement

12. This historic agreement includes clauses to protect human rights and climate action, and has Te Tiriti o Waitangi fundamentally embedded. The parliamentary process for ratifying this agreement has been started, and we trust that this process will be completed successfully. It

² Manatū Hauora | Ministry of Health. Women's Health Strategy.

<https://www.health.govt.nz/publication/womens-health-strategy>

³ Te Puna Aonui. Te Aorerekura: National Strategy to Eliminate Family Violence and Sexual Violence.

<https://tepunaaonui.govt.nz/national-strategy/>

will be a severe blow to human rights in this country if these clauses are watered down or removed⁴.

Recommendations

13. The New Zealand government must honour its obligations under Te Tiriti o Waitangi and the United Nations Declaration of Indigenous Peoples. This must include ceasing attempts to redefine Te Tiriti, and reversing the decisions to disestablish equity initiatives such as the use of Te Reo Māori by government agencies and the setting up of Te Aka Whai Ora, the Māori Health Authority.
14. The New Zealand government must strengthen the legislation to protect women against threatening and abusive harassment and stalking, to ensure their safety both online and physically in their daily lives.
15. The New Zealand government should instigate mechanisms to ensure that women dominated occupations have fair and equitable pay structures.
16. The New Zealand government should introduce new Smokefree legislation based on the best policy evidence available.
17. The New Zealand government should maintain commitment to adequate funding for implementing the Women's Health Strategy and the National Strategy and Action Plan for Eliminating Family Violence and Sexual Violence, Te Aorererakura.



Suzanne Manning
NCWNZ Board



Beryl Anderson
Life Member

⁴ New Zealand Foreign Affairs & Trade | Manatū Aorere. Understanding the NZ-EU FTA.
<https://www.mfat.govt.nz/en/trade/free-trade-agreements/free-trade-agreements-concluded-but-not-in-force/new-zealand-european-union-free-trade-agreement/resources/>