

The New Zealand Human Rights Commission's Oral Report to the
Committee on the Elimination of Discrimination Against Women
(CEDAW)
Pre-session for the 52nd Session
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Chairperson, Vice-Chairpersons, Members of the Committee on the Elimination of Discrimination Against Women (CEDAW), I speak on behalf of the New Zealand Human Rights Commission (NZHRC).

Firstly, the Commission commends the Committee for the CEDAW treaty reporting process which provides a unique global benchmarking of the progress of women's rights as human rights and the remaining challenges. It is also grateful for this pre-session opportunity to bring significant women's rights issues to your attention.

The Committee's work is vital in acknowledging and celebrating the implementation of the obligations of State parties, as well as highlighting their accountabilities for implementation.

Secondly, the Commission records our appreciation to the New Zealand Government which actively engages with CEDAW and its implementation and to women's non-governmental organisations (NGOs) that have been constructively involved in shadow reporting processes on behalf of their New Zealand women.

In this brief statement the NZHRC wishes to make some comment about:

- The level and maturity of women's rights in New Zealand and how the global financial crisis might impact on progress
- An overview of positive step changes for women's rights
- Significant challenges to the full realisation of women's rights and the State's obligation for implementation
- Recommendations to the Committee.

1. The level of maturity and recognition of women's rights in New Zealand and the potential impact of the global financial crisis.

Successive human rights achievements over the years mean that New Zealand has most of the elements necessary for the effective protection, promotion and fulfilment of women's rights. New Zealand is justifiably proud of its long standing commitment to progressing women's education, health, economic status and family life and almost takes for granted women's participation in civil and political life.

However, systemic and structural inequalities are being exacerbated by the global economic recession and the nature and pace of economic revival which has been described as a "jobless recovery". This is impacting on women in a number of ways, such as income inequality and precarious work. New Zealand has also suffered two significant natural and environmental disasters — the

successive earthquakes that have devastated the country's second biggest city Christchurch, and a major oil spillage off the east coast of the North Island impacting on indigenous cultural rights as well as fishing, tourism and associated industries. As the UN Commissioner for Human Rights, Navi Pillay, has noted vulnerable groups such as women "stand at the frontlines of hardship."

2. An overview of positive step changes for women's rights

Several diverse achievements provide evidence that New Zealand meets, and sometimes surpasses international human rights as they relate to women in many respects.

- (Article 7 and 8) Strong and effective recent ministerial leadership for women has seen a flurry of activity around improving women's representation in the corporate sector, given that New Zealand performs comparatively very poorly in terms of governance and senior management representation in companies listed on the stock exchange. Ministerial leadership in the disability portfolio has also elevated the profile of disabled women and disabled women hold key leadership positions in the independent mechanism established to fulfil Article 33(2) of the Convention on the Rights of Persons with Disabilities (CRPD). Ministerial leadership has both a symbolic and a practical impact.
- (Article 11) The introduction of flexible work arrangements has helped transform the working lives of many women and men with family commitments and needs to be further improved in terms of coverage and scope.
- (Article 11) Women working as supporters in the disability sector (8000 approximately) have won through union-led judicial activism the right to be paid at night while sleeping at their workplace whilst on duty.

3. Significant challenges to the full realisation of women's rights and the State's obligation for implementation.

The Commission believes the following are significant challenges that need to be addressed.

- (Article 11(1)(d). Pay equity implementation, specifically in the public sector. While New Zealand claims a lowering of the overall gender pay gap, this disguises considerable variability by sector, ethnicity and occupation. The Commission believes that it is inexcusable for public service departments that used State funds to identify pay and employment equity issues within their departments and also developed response plans as part of this process, to have recorded gender pay gaps considerably higher than the total labour force.
- (Article 7) In general, women in New Zealand fare marvellously in terms of participation in education, public and professional life and feeding into private and public sector pipelines. However, persistent and pervasive inequalities persist for women at the top and these are even more marked by ethnicity and disability, where data exists to show it. Progressing

women's representation at the top in corporate sector governance, judicial appointments, local and national politics and as chief executives of public service departments is glacial and marked by complacency and revisionism.

- (Across Articles) Violence against women remains a shameful blight on New Zealand's human rights record despite strong laws, much research, government funding, policy agency commitment and NGO activity. Real improvements in both family violence and sexual violence remain elusive and the NZHRC wants to see recommendations of the Report of the Taskforce for Action on Sexual Violence introduced as part of the ongoing fight against violence which also needs target-setting.
- (Article 11 and across Articles) The economic status of younger women and of Māori and Pacific women reveals considerable disparity and the 32.7% female unemployment of Pacific women under 25 years is untenable. New Zealand faces the risks of rising discouragement from young Māori and Pacific women who experience the double disadvantage of gender and ethnicity, now compounded by age.
- (Across Articles) New Zealand had a leadership role in the development of the CRPD but has poor disaggregated data about disabled women that will make tracking their progress and monitoring the State's accountability for implementation both of CEDAW and the CRPD difficult, if not impossible.

4. Recommendations to the Committee

The following recommendations are made to the Committee in good faith as issues that should be discussed with the State party, New Zealand, in relation to implementation of CEDAW.

The Commission believes it would be useful for the Committee to ask for up-to-date information on:

- The progress and effectiveness of non-legislative mechanisms to increase the rate of women's participation and representation in corporate governance, the judiciary, and as chief executives of public service departments
- The implementation of the response plans of public service departments to their individual pay and employment equity reviews undertaken with state funding between 2004-2009
- A timetable for the implementation of recommendations from the Report of the Taskforce for Action on Sexual Violence
- Details of specific and actual improvements in disaggregated data collection by gender in which progress by, and for, disabled women, Māori and Pacific women and migrant women is being measured and monitored
- Any targets and benchmarks set by the Ministry of Women's Affairs (as opposed to indicators for others) since the completion of the Action Plan for New Zealand Women, including how goals and priorities for women are to be measured

- How the Convention has been publicised to the general public, over and above its availability on government websites and its limited distribution to women's NGOs.