



REFERENCE: YH/follow-up/New Zealand/60

20 April 2015

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the seventh periodic report of New Zealand at the Committee's fifty-second session, held in July 2012. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/NZL/CO/7). You may recall that in the concluding observations, the Committee requested New Zealand to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraph 37 and in paragraph 39 of the concluding observations.

The Committee welcomes the follow-up report received with a two-month delay in October 2014 (CEDAW/C/NZL/CO/7/Add.1) under the CEDAW follow-up procedure. At its sixtieth session, held in February-March 2015 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 37** of the concluding observations that the State party "provide data and information on the situation of women with disabilities, rural women, older women and women from ethnic minority groups, including with regard to their access to education, employment and health-care services": The State party indicated that there is sufficient data disaggregated by, inter alia, ethnicity, disability, location and age, on the situation of women regarding their access to education, employment and health-care services. Moreover, the State party mentioned that it is currently working to ensure that gender analysis, including by ethnicity, age and disability, is undertaken of the new integrating data stemming from official surveys and administrative data sources. According to information received by the Committee, cross sectional employment data is available from Statistics New Zealand but is not readily accessed in publically available reports. Education data disaggregated by sex, ethnicity and age is more comprehensive and regularly collected and published by the Ministry of Education. Moreover, the New Zealand Health Survey is conducted annually and provides information on critical health indicators by sex, ethnicity, age and deprivation or geographical area. The Committee considers that the State party took some steps towards the implementation of the recommendation. It considers that the recommendation **has been partially implemented**.

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Regarding the recommendation that the State party “ensure that the ongoing welfare reforms do not discriminate against disadvantaged groups of women and that an independent evaluation of their gendered impact is made”: According to information received by the Committee, a particular objective of the welfare reforms is to reduce the number of sole parents who are on benefits, which would disproportionately affect women who constitute over 90% of sole parents. Moreover, it has been reported to the Committee that specific population groups (including disabled people, Māori and women) will be particularly affected by the welfare reforms. The State party also mentioned that the rates of young Māori and Pasifika women who are not in employment, education or training are disproportionately high and as a consequence contracted service providers must demonstrate their ability to work successfully with them. In addition, the State party indicated that the welfare reforms involve a comprehensive monitoring and evaluation plan, including both monthly monitoring of the effects of the changes on all clients and a four year plan to assess the impact of the welfare reforms on various client groups, such as sole parents. The Committee considers that the State party took some steps towards the implementation of the recommendation. The Committee considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “ensure the gender mainstreaming of policies relating to the process of recovery from the 2011 earthquake”: The State party indicated that women are strongly represented on the Community Forum providing advice to the Minister for Canterbury Earthquake Recovery on the elaboration and implementation of recovery plans. The Committee welcomes the important participation of women in the design and implementation of recovery plans. However, it considers that the State party failed to provide information on measures taken to ensure the gender mainstreaming of policies relating to the process of recovery from the 2011 earthquake. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “engage in analysis of the gender impact of policies relating to the process of recovery from the 2011 earthquake by using data disaggregated by sex, age, ethnicity and other status”: The State party stated that all government agencies involved in the recovery process are encouraged to undertake gender analysis in their areas of responsibility. The Canterbury Earthquake Recovery Authority has undertaken a quarterly survey of wellbeing since September 2012, with data disaggregated by sex, ethnicity, age, disability, district, and housing type. Moreover, administrative data, disaggregated by sex, ethnicity and disability, such as benefit data, state housing waiting lists and specific surveys on employment, health or domestic violence, continue to be used to understand the impacts of the earthquake on a range of population groups, including women. However, according to information received by the Committee, analysis and reporting on the gender impact remains sparse. The Committee welcomes the efforts made to collect information and data disaggregated by sex, ethnicity, age, disability and other status. However, it considers that the State party did not sufficiently engage in analysis of the gender impact of policies relating to the process of recovery from the 2011 earthquake. The Committee considers that the recommendation **has been partially implemented**.

The Committee recommends that, in relation to paragraph 37 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

- 1) Provide data and information on the situation of women with disabilities, rural women, older women and women from ethnic minority groups, including with regard to their access to education, employment and health-care services;

2) Ensure that the ongoing welfare reforms do not discriminate against disadvantaged groups of women and that an independent evaluation of their gendered impact is made; and

3) Ensure the gender mainstreaming of policies relating to the process of recovery from the 2011 earthquake, and engage in further analysis of their gender impact.

Regarding the recommendation made in **paragraph 39** of the concluding observations that the State party “revise the legal minimum age of marriage to 18 years without any exceptions for parental consent”: The State party indicated that a person aged 16 or 17 years requires consent from his or her parents or from the Family Court before the Registrar can issue a marriage licence. Moreover, it expressed its concern that prohibiting people from marrying under the age of 18 years would constitute age discrimination under New Zealand’s Human Rights Act 1993 and disadvantage people aged 16 or 17 years of age who genuinely wish to marry. The State party further stated that awareness and prevention strategies within the community are the most effective approach to tackle this issue. The Committee considers that the recommendation **has not been implemented**.

Regarding the recommendation that the State party “introduce legal measures to prohibit underage and forced marriages and promote measures to protect women affected by polygamy and dowry-related violence”: The State party mentioned that underage (fifteen years and younger) and forced marriage is already illegal in New Zealand. It added that continuing to focus on education and building relationships of trust with migrant communities is a more effective way to reduce the risk of forced and underage marriage, and that it will consider legislative change if clearer evidence emerges about the incidence of such practices and once it has assessed the effectiveness of the non-legislative measures it has taken. The State party further indicated that the Ministries of Social Development and Education, New Zealand Police and Immigration New Zealand signed a letter of agreement in December 2012 outlining roles and responsibilities and committing to a collective response for identification and support to victims of such offences. The Committee notes the non-legal measures taken by the State party to reduce the risk of forced and underage marriage. However, it considers that the State party failed to take further legal steps to prohibit under-18 and forced marriages since the issuance of the previous concluding observations. The Committee also considers that the State party failed to take any measures to protect women affected by polygamy and dowry-related violence. It considers that the recommendation **has not been implemented**.

The Committee recommends that, in relation to paragraph 39 of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

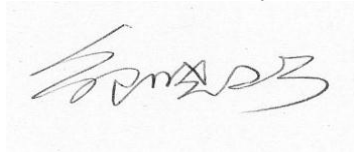
1) Revise the legal minimum age of marriage to 18 years without any exceptions for parental consent; and

2) Introduce legal measures to prevent under-18 and forced marriages and promote measures to protect women affected by polygamy and dowry-related violence.

The Committee looks forward to pursuing its constructive dialogue with the authorities of New Zealand on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



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Rapporteur on follow-up  
Committee on the Elimination of Discrimination against Women