

NEW ZEALAND MISSION to the UNITED NATIONS



Te Māngai o Aotearoa

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**UNITED NATIONS COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN**

39th SESSION

**SIXTH PERIODIC REPORT OF
NEW ZEALAND**

OPENING STATEMENT BY

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2 AUGUST 2007

CHECK AGAINST DELIVERY

Mihi

Rau rangatira mā, tēnei te mihi ki a koutou i runga i te kaupapa o te rā – mana wahine. E ngā wāhine o tēnei whenua, o tēnā whenua, huri noa i te āo; tēnā koutou, tēnā koutou, tēnā rā tātou katoa.

Madam Chair, I greet you in the Māori language, which is the language of New Zealand's indigenous people and one of our official languages. It is a greeting to the distinguished members of the Committee here today.

Introduction

On behalf of the New Zealand government, it is my pleasure to present New Zealand's sixth periodic report under the Convention on the Elimination of All Forms of Discrimination against Women. The New Zealand government takes very seriously the issues raised in our report and is committed to a constructive and substantive dialogue with the Committee.

I am Lianne Dalziel, Minister of Women's Affairs. I also hold the portfolios of Commerce and Small Business. Supporting me today are:

- Shenagh Gleisner, Chief Executive, the Ministry of Women's Affairs.
- Rosemary Banks, New Zealand's Permanent Representative to the United Nations in New York.
- Cherie Engelbrecht, Senior Policy Analyst, the Ministry of Women's Affairs.
- Nicola Hill, First Secretary, New Zealand Mission to the United Nations.
- Diane Mara, National President of P.A.C.I.F.I.C.A, a non-government organisation that supports and helps create opportunities for New Zealand Pacific women.

In New Zealand, non-government organisations (NGOs) play an important role in contributing to policy, being a conduit to government on a range of issues and often delivering services to our communities.

The Ministry of Women's Affairs and I work very closely with NGOs and we have a special relationship with three women's umbrella organisations – the Māori Women's Welfare League, the National Council of Women of New Zealand (NCWNZ) and P.A.C.I.F.I.C.A.

We also funded five representatives from three organisations, the Maori Women's Welfare League, NCWNZ and Pacific Women's Watch (NZ). These organisations presented their shadow reports to you on Monday and I am pleased that they are also present today.

Finally, I wish to acknowledge the presence of the Cook Island government delegation and representatives from their civil society. The New Zealand government welcomes

the fact that the Cook Islands has now acceded to the Convention in its own right and is reporting to the CEDAW committee for the first time on Friday. This will be an historic moment for the women of the Cook Islands.

New Zealand's Sixth Report

New Zealand has been a State party to the Convention on the Elimination of All Forms of Discrimination against Women since 1985. This is our sixth report and covers the four years from March 2002 to March 2006.

Our report should be read alongside New Zealand's most updated core document that was circulated in October last year. Earlier this year, we also provided a comprehensive written response to the questions posed by the Committee.

Developments since New Zealand last appeared before the Committee

There are many positive developments to note since New Zealand last appeared before the Committee in 2003, for example:

- the release of the *Action Plan for New Zealand Women*, which we have circulated to Committee members today
- the review and subsequent strengthening of the Ministry of Women's Affairs
- measures to support women's participation in employment, including the *Working for Families* package. This package included:
 - increases to the accommodation supplement
 - the introduction of tax credits
 - greater access to quality childcare.

There are also developments which although not specifically targeted at women, have a positive impact on women. These developments include:

- the establishment of the Family Violence Ministerial Team supported by a Taskforce for Action on Violence Within Families
- the abolition of interest on the student loan scheme
- the establishment of the Families Commission to advocate for families.

In addition there have been further developments since our sixth report was forwarded to the Committee in March 2006, which I wish to highlight:

- the withdrawal of New Zealand's only remaining reservation on women in the Armed Forces
- the major findings of the monitoring of the *Action Plan for New Zealand Women*
- the recently established Taskforce for Action on Sexual Violence.

Withdrawal of New Zealand's Last Reservation to the Convention

New Zealand has withdrawn our last remaining reservation to the Convention on women in the armed forces. This reservation permitted discrimination against women with respect to serving in combat roles. I am particularly proud to report today that New Zealand law is therefore now in full compliance with the Convention.

Monitoring and Review of the Action Plan for New Zealand Women

In our response to the Committee's written questions, we noted that the progress in monitoring the *Action Plan for New Zealand Women*, launched in February 2004, had been completed. I am pleased to report progress has been made in the vast majority of areas, including:

- increases in women's participation in paid employment
- increases in women's earnings in real terms
- increases in women's participation in tertiary education, and in particular significant increases in Māori women's participation in tertiary education.

Increases in Women's Participation in Paid Employment

I would now like to address the progress that has been made in respect of women's participation in paid employment.

Unemployment has been rapidly falling and women's participation in the labour market has been increasing. Women's labour market participation rate is now a record 61.8 percent. This is, however, still below the male participation rate of 75.7 percent. Although the pay gap is closing, it has plateaued over the last six years around the 12 percent mark. The gap was almost 17 percent in 1997 when the data was first collected.

A group of determined professionals who have broken through the pay equity barrier is New Zealand midwives. The turning point for midwives occurred in 1990, when an amendment to the law enabled midwives to practice autonomously, based on the principles of choice and control – namely the right of women to choose health care and the right of women to control their natural process of birth. It has not been easy for midwives to hold onto this status, but they have and I am proud to make reference to this achievement, because it represents New Zealand's commitment to women rights on many levels.

It is, however, hard for many other women to break through the pay equity barrier, given that there is no structural mechanism for delivering pay equity in the private sector. The government is leading by example through pay and employment equity reviews conducted within the public service and the public health and education sectors.

I am also pleased to be able to report that more Māori women than ever are now in paid employment. They are earning more and are more likely to be in full-time employment.

There has also been strong growth of Māori women in business. Since 1991 Māori women's self-employment has increased by 167 percent. While Māori women still earn less than men and other groups of women, the disparity is reducing. Since 2000, the pay gap between Māori women's median hourly earnings and those of all women has decreased from a 12.4 percent gap in 2000 to a 6.9 percent gap in 2006. The gap between earnings of Māori men and women has also decreased - the gap was 15.4 percent in 2000, in 2006 it was 7.6 percent.

In an effort to create more choices for all New Zealanders as they care for family members and seek to achieve personal, family, and financial goals, the New Zealand government introduced the *Choices for Living, Caring and Working* Plan of Action last year.

Major initiatives since our fifth report, which are part of the *Choices* plan, include:

- extending the coverage of paid parental leave to self-employed women, and increasing the leave period from 12 weeks to 14 weeks
- improving the accessibility, quality and affordability of childcare, including early childhood education and out of school services through a variety of measures including the introduction last month of 20 hours of free early childhood education for three and four year old children in participating teacher-led centres
- measures to improve work-life balance for women and men.

Monitoring of the Action Plan for New Zealand Women

The monitoring of the *Action Plan for New Zealand Women* is the principal accountability mechanism for improving outcomes for women. The first review of the Action Plan took place this year and highlighted some areas that required more government attention. These areas include:

- increasing the participation rates in the Modern Apprenticeship programme
- improving girls' and women's sexual health
- improving participation of women with disabilities.

Work is therefore now underway in these three areas. For instance, the Ministry of Women's Affairs is working with the Tertiary Education Commission to eliminate any de facto discriminatory provisions, as well as working on a project to encourage more young women to consider male-dominated trades.

New Zealand is also addressing our high rate of unplanned pregnancies and the steady rise in recent years in the number of sexually transmitted infections amongst young people. A review of how sexuality education is delivered in schools will be released shortly which will assist the government in considering whether all students have access to high quality comprehensive sexuality education. New Zealand will report on progress made in these areas in our next report to the Committee.

New Zealand is proud of our leading role in developing the United Nations Convention on the Rights of Persons with Disabilities and was one of the first countries to sign it. We are currently reviewing our legislation and policy to enable New Zealand to ratify the Convention as soon as possible. I am pleased to report that as part of the *Working for New Zealand* changes implemented last year, women with disabilities are better able to access employment programmes. Greater access to these programmes has enhanced the opportunities for quality employment.

Family Violence

I would now like to address the question of family violence. The level of violence against women and girls in the home is of profound concern to the New Zealand government and the New Zealand public.

New Zealand has taken major steps since our fifth report to CEDAW to eliminate family violence, in particular the establishment of the Taskforce for Action on Violence Within Families. Our vision is that all families and whānau have healthy, respectful, stable relationships, free from violence. The Taskforce is unique in that its membership includes decision-makers from government and non-government sectors, and includes the judiciary, the police, the Chief Families Commissioner and the Children's Commissioner. The Taskforce published its first report last year and it was very honest in its appraisal of the situation and the need for urgent action. In this report there is explicit acknowledgement that the predominant pattern of partner violence is one of male violence directed at a female partner.

Work has commenced on all areas of the Taskforce for Action on Violence Within Families. For example, we have established new Police Area and District Family Violence Coordinator positions nationwide to provide leadership, coordination, training and oversight. And, only yesterday, my colleague, the Minister of Health, announced that screening of women who may be experiencing violence or abuse will now occur in all our public hospitals.

Next month a nation-wide advertising campaign will start to back up community initiatives designed to reduce society's tolerance of violence and to ensure those experiencing or perpetrating violence know where they can go for help. A free telephone number is being advertised in the campaign as the first point of contact.

The Taskforce has also worked on improving justice sector access for domestic violence victims. For instance, the government is currently reviewing the implementation of the Domestic Violence Act 1995. Research on women's experiences of court protection orders will be a direct input into this review. A discussion document designed to strengthen this Act will be released shortly.

Sexual Violence

I would also like to draw your attention to the new Ministerial Group supported by a Taskforce for Action on Sexual Violence.

Ministers and this Taskforce comprised of government and non-government agencies, as well as the police and the judiciary, will provide greater leadership and greater coordination of services with the aim of reducing the incidence and impact of sexual violence.

We are also concerned at the apparent low level of reporting of sexual crimes and the low prosecution and conviction rates for such offences. Work underway includes:

- investigating how many reported cases of sexual violence result in conviction
- identifying and reducing barriers to making complaints
- investigating how victims can best be supported through the criminal justice system.

Questions Raised by the Committee

I would now briefly like to address two of the issues raised by the Committee in their written questions.

The Committee has asked whether the Convention has been incorporated into domestic law. I can assure the Committee that New Zealand laws are fully compliant with the Convention. New Zealand only becomes a party to a treaty once existing legislation, policy and practice complies with the treaty's obligations.

New Zealand has unique constitutional arrangements – we are one of three countries in the world without a fully entrenched constitution. In New Zealand, therefore, treaty obligations are generally implemented through a number of statutes rather than one piece of legislation. Particularly relevant legislation in terms of the Convention includes the New Zealand Bill of Rights Act 1990, the Human Rights Act 1993, the Domestic Violence Act 1995, the Property (Relationships) Act 1976, the Employment Relations Act 2000, the Equal Pay Act 1972 and the Parental Leave and Employment Protection (Paid Parental Leave) Act 2002.

The Committee also asked questions about women's leadership within New Zealand. I have been a member of the New Zealand Parliament for 17 years. When I became a Member of Parliament, women made up around a quarter of the Parliament; today we are a third. The shift to proportional representation in 1996 has increased the diversity of our Parliament and women's participation rates have benefited from that.

I am proud that in New Zealand women currently hold three of the four top constitutional positions – the Prime Minister, Chief Justice and the Speaker of the House of Representatives are women.

New Zealand has also achieved real success with its approach to appointments to government boards and committees. The most recent stock-take showed that women make up 42 percent of the membership of statutory boards. In contrast, only 7 percent of the directors of New Zealand's top 100 listed companies were women. I am working with the private sector to increase women's participation and hope that New Zealand will be able to show progress in our next report to the Committee.

Concluding Comments

Before we enter into dialogue, I would like to once again confirm New Zealand's full commitment to the Convention and the importance we attach to the process of reporting to this distinguished Committee today. I am proud that each reporting period has seen advances, with the exception of the 1990s when the deregulation of the labour market and the repeal of pay and employment equity legislation set women back in terms of addressing the pay gap.

The New Zealand government recognises that there is a difference between equality before the law and equality in practice and I hope that our comments today reinforce how committed the government is to achieving gender equality in practice. We are also committed to addressing the layers of discrimination or disadvantage that particularly affect Māori and Pacific women and girls, as well as women and girls who are migrants or refugees, who have disabilities or who may experience disadvantage on the basis of age, rural location, or sexual orientation.

New Zealand compares well to other countries. But the Convention was not designed for international comparisons. It is a standard against which we assess our own progress based on the principle that the elimination of discrimination against women benefits society as a whole. I have been open in speaking to you about the challenges we face in New Zealand, but I hope the message I have given is that the government is aware of these challenges and is committed to addressing them. I believe we are well placed to do so.

My delegation and I look forward to the rest of the discussion today and to receiving and responding to the Committee's concluding observations and recommendations in New Zealand's next report.

Thank you.