

APPENDIX B – Recommendations from Alternative CEDAW Reports

NZ Human Rights Commission

Recommendation 1

- a. Agree on a cross party family violence strategic accord that will be adhered to by all political parties and implemented by successive governments.
- b. Issue a long-term, coherent policy statement and strategy for reducing family violence, including milestones that will be achieved, so that progress can be transparently
- c. Report back within 12 months on progress made to address violence and abuse against women and girls with data disaggregated by race, gender, disability, sexual orientation, and age.
- d. Ensure that women with disabilities, Māori, and ethnic minorities are consulted in the formation of any domestic violence work programme.
- e. Ensure domestic violence services align with kaupapa Māori and that Māori are included in developing the family violence prevention service design.

Recommendation 2

- a. Ensure all domestic violence related services are inclusive and accessible, and that they are developed in consultation with disabled women.
- b. Amend domestic violence legislation to include, within the definition of domestic violence, violence occurring between a person and their nonfamily caregiver or paid support worker.

Recommendation 3

- a. Raise the legal minimum age of marriage to 18 years without any exceptions.
- b. Introduce legal measures to prohibit forced marriages.
- c. Consult with ethnic NGOs and resource them to establish an ethnic violence prevention strategy for New Zealand.

Recommendation 4

- a. Incorporate the principle of equal pay for equal value in legislation.
- b. Require State sector organisations, particularly State-Owned Enterprises and Mixed Ownership Model Companies, to publish annual gender and ethnic pay gaps and their plans to eliminate these gaps.

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- c. Enact legislation that requires companies with more than 100 workers to publicly report on their gender pay and bonus gap annually.
- d. Enact fair and robust pay equity legislation that will allow women in low paid female dominated occupations to make claims against their employers.
- e. Fund specific research on the impact of conscious and unconscious bias on the gender pay gap, and identify and implement recommendations to address this issue.
- f. Provide the partner of a mother or nominated primary care giver with paid partner's leave that is additional to and not shared with the mother or primary care giver's parental leave entitlement.

Recommendation 5

- a. Prioritise and fund affordable, high quality childcare to ensure women with children can remain in the workforce and progress to senior roles.
- b. Increase targets for women on public sector boards to 50%. Make it a target, not an aspirational goal.
- c. Implement an initial target for private sector boards of 30% women.
- d. Make a commitment to encourage the New Zealand Stock exchange to introduce mandatory gender/diversity policies, and include a requirement to disclose how the policy will be implemented and evaluated in line with the United Nations Guiding Principles on Business and Human Rights.
- e. Act on previous CEDAW recommendations regarding temporary special measures.

Recommendation 6

- a. Introduce legislation requiring all workplaces to have a sexual harassment policy that is robust and meets certain minimum standards.
- b. Create a nation-wide sexual harassment strategy and fund a centralised agency (like WorkSafe) that is mandated to confidentially investigate complaints, provide support to victims, and conduct sexual harassment training within work places.
- c. Investigate potential systems for appropriately recording complaints about individuals to help identify potential patterns or recidivist activity.

Recommendation 7

- a. Prepare an interagency strategy, in alignment with best practice, to address human trafficking and worker exploitation in New Zealand.
- b. Carry out research into key industries where human trafficking and exploitation affecting women is taking place; specifically, migrant sex work, international students, and the hospitality sector.

- c. Expedite current efforts to update the New Zealand Plan of Action to prevent People Trafficking and provide a deliverable timeframe for completion of this.
- d. Repeal section 19 of the Prostitution Reform Act.
- e. Embed the United Nations Guiding Principles on Business and Human Rights into the Group Sourcing Code that provides guidance for public procurement. Ensure that goods and services provided under All-of-Government contracts are free from human trafficking and worker exploitation.

Recommendation 8

- b. Repeal sections 182-187A of the Crimes Act 1961.
- a. Repeal the provisions of the Contraception, Sterilisation and Abortion Act that make it an offence for a woman to unlawfully have an abortion or for a medical practitioner to unlawfully provide an abortion and require the authorization of two certifying consultants before an abortion can be performed.
- c. Ensure equitable access to medical and surgical abortion services.
- d. Provide, within one year, information on the steps taken to treat abortion as a health care, rather than a criminal issue.

Recommendation 9

Enact legislation prohibiting the use of sterilisation on boys and girls with disabilities, and on adults with disabilities, in the absence of their prior, fully informed, and free consent.

Recommendation 10

Report back to the Committee within one year on measures taken to address the current critical shortage of midwives.

Recommendation 11

- a. Ensure that the environmental, social, and economic sustainability indicators that are currently under development by the Government reflect the targets and indicators set out in the SDGs as they relate to women.
- b. Develop comprehensive data collection measures for the SDGs.
- c. Develop a plan for implementation of the SDGs including clear timeframes, appointment of a lead Minister and identification of responsible Government agencies to lead the required indicator and data collection activities.

Recommendation 12

Ensure systematic collection and publication of data regarding family violence, disaggregated by sex, ethnicity, type of violence, and by the relationship of the perpetrator to the victim. Collect data on the number of women killed by partners or ex-partners; and ensure data is available in one data source.

Recommendation 13

Ensure that StatsNZ and other government agencies collect confidentially, detailed, accurate, inclusive and intersectional data on the self-identities of sex, gender, and sexually diverse people for the 2023 census, NZ Health Survey, and other key surveys to ensure that transgender, non-binary and intersex women are accounted for.

Recommendation 14

- a.** Consider making it a requirement that when the Minister of Finance tables a budget in the House, a gender analysis of the budget documents is also tabled.
- b.** Amend the Public Finance Act 1989 to introduce gender budgeting in the Government's budgetary and financial process.

National Council of Women

Recommendations

Article 1 **Definition of Discrimination**

That the government:

- 1.1 Ensure that all levels of government are operating in compliance with CEDAW.
- 1.2 Ensure that there is a resourced process for women nationally to discuss issues relating to CEDAW.

Article 2 **Elimination of Discrimination**

- 2.1 There should be a review of the legal aid system to ensure that it is accessible to those currently disadvantaged.

Article 3 **Development and Advancement of Women**

- 3.1 Targeted policies and programmes should be developed to improve migrant women's opportunities for higher education, senior leadership and management roles.

Article 4 **Positive Discrimination and Special Measures**

- 4.1 That where significant gaps are shown to be persistent, the government introduce temporary special measures to address the imbalance of women in public and political life.
- 4.2 That the government fund the Human Rights Commission to continue the Census of Women's Participation.

Article 5 **Social and Cultural Patterns**

That the government:

- 5.1 Encourage and promote better codes of practice relating to the media and gender.
- 5.2 Increase funding for resources, including media campaigns, offered by non-governmental organisations to prevent violence.
- 5.3 Allocate funds for informal education programmes on cyberbullying, taking into account the special needs of migrant groups.

Article 6 **Exploitation of Women**

- 6.1 That a sustainable, secure funding system be established for agencies responding to violence against women.
- 6.2 That the support for agencies working with Maori, ethnic minority, migrant and refugee women be reviewed to ensure that adequate and appropriate cultural, legal and psychosocial services can be provided.
- 6.3 That development of initiatives, strategy and policy provide real opportunities for NGO

input at all levels of governance.

- 6.4 That a national victimisation survey, which collects information about gender, ethnicity, sexuality, age and disability, be introduced to drive better responses to family, partner and sexual violence.
- 6.5 That all government administrative data and reports be disaggregated by gender, ethnicity, sexuality, disability and age.
- 6.6 That funding for primary prevention be substantially increased, including a national prevention campaign, and mandatory consent education in secondary schools.
- 6.7 Mechanisms that enforce legislative protections for women experiencing violence should be monitored.
- 6.8 That recommendations from recent Law Commission and Social Services Select Committee reports be fully funded and implemented.
- 6.9 That comprehensive research be undertaken into underage prostitution and forced prostitution or trafficking.
- 6.10 That specialist services and initiatives to connect with and provide protection for victims of commercial sexual exploitation and trafficking, including underage girls, be developed and made available.

Article 7 Participation in Political and Public Life

- 7.1 That the government introduce Employment Equity legislation requiring the state sector to report annually to Parliament on its progress in increasing the number of women in senior positions, the legislation to include adequately resourced monitoring provisions.
- 7.2 That the Ministry for Women be tasked and resourced to develop an Action Plan for Women, including gender budgeting, including the goal of achieving a 20% lift on 2016 levels each year from 2017, to reach gender equality in the public and private sectors no later than 2025.

Article 8 International Representation and Participation

- 8.1 That there should be funded NGO representation on the official delegations to CSW or other relevant international meetings.

UNSCR 1325

- 8.2 That the Ministry for Women include monitoring of the National Action Plan on Women, Peace and Security among its core business.
- 8.3 That MFAT ensure NZ women are deployed as peacekeepers and police in all overseas missions, while noting that NZ's contribution to UN peacekeeping operations is at an all-time low.
- 8.4 That the government allocate resources, both monetary and human, to implement new policies, training and accountability mechanisms in order to make meaningful progress on the women, peace and security agendas.

Convention on the Rights of Persons with Disabilities (CRPD)

- 8.5 That NZ become a signatory to the Optional Protocol to the Convention on the Rights of Persons with Disabilities (CRPD).

Article 10 **Education**

That the government:

Early Childhood Education and Care

10.1 Prioritise the funding for, and support of, quality in all the diverse ECEC services.

Compulsory Schooling

10.2 Require all schools to follow the NZ curriculum.

10.3 Put in place a programme of work that specifically addresses the gender disparities in thematic subject choices at school.

10.4 Fund state schools sufficiently so that voluntary donations are not required.

Tertiary and Adult Education

10.5 Support initiatives clearly addressing gender disparities in tertiary areas of study, with specific gender-related actions, clear and measurable targets, regular monitoring and a system of evaluation.

Article 11 **Employment**

That the government:

11.1 Carry out an independent evaluation of the gendered impact of changes to employment law, and ensure that they do not negatively affect women's employment, trade union and collective bargaining rights.

11.2 Make the right to flexible working conditions a statutory right in the Employment Relations Act.

11.3 Track and set targets for fully implementing the Equal Pay Act 1972, including equal pay for work of equal value, and addressing the rights of all low-paid workers in female-predominant occupations.

11.4 Increase research into a number of aspects of women's employment, including public service occupational distribution and leadership, women's participation at all levels of the professions and business, and women affected by flexible hours contracts.

11.5 Target resources to ensure that casual and temporary employees are fully aware of their rights to paid parental leave, and increase PPL payments to meet the ILO standard.

11.6 Ratify ILO Convention C 183 on maternity protection, and consider the ratification of ILO Convention 156 on workers with family obligations.

Article 12 **Health**

That the government:

Abortion

12.1 Review abortion law, with a view to removing abortion from the Crimes Act 1961 and

integrating it into reproductive and sexual healthcare. This would include shifting governmental oversight for abortion from the Ministry of Justice to the Ministry of Health.

- 12.2 Fund research on abortion care, funding and stigma, with a view to improving health outcomes.
- 12.3 Publicly respond to ongoing abortion stigma by including abortion in the comprehensive reproductive and sexual health and rights action plan being developed, and launching an anti- stigma campaign.

Health Services for Young Women, Maori, Pasifika, Lesbian and Transgender Women and Rural Women

- 12.4 Finalise the national sexual and reproductive health action plan, and ensuring it is resourced and endorsed by relevant Ministers.
- 12.5 Provide resources and leadership to improve consistent access to reproductive and sexual health services, particularly for young people, Maori and Pasifika, sexual orientation and gender identity diverse communities and rural communities.
- 12.6 Address social determinants contributing to poor sexual and reproductive health outcomes, including high rates of gender-based violence, poverty, discrimination and stigma.
- 12.7 Promote consistent delivery of the sexuality education curriculum by ensuring adequate support and professional learning and development for teachers and educational leaders, alongside partnerships with parents and the community.
- 12.8 Standardise reporting on sexual orientations and gender identity, and conducting research into the health and well-being of SOGI communities who face significant health disparities (particularly Maori, Pasifika, disabled and older people).

Pregnancy Autonomy

- 12.9 Review laws, policies and practices to ensure pregnant women can access health care without stigma and discrimination.

Article 13 Economic and Social Life

Women with Disabilities

That the government:

- 13.1 Develop an Action Plan for Women with Disabilities.
- 13.2 The NZ Disability Survey should comprise gender disaggregated data and include statistics on abuse of disabled people.
- 13.3 Extend independent advocacy programmes to women with disabilities throughout NZ.
- 13.4 Ensure that legislative reforms be written in terms that make no distinction between disabled and non-disabled people.
- 13.5 Ensure that throughout the country there are residential facilities suitable for people with disabilities under the age of 65 years, and for those over 65 who are men.
- 13.6 Tally active and socially aware, as well as for young disabled people requiring respite care.

- 13.7** Reinstate the link between building modifications and improved accessibility in building regulations.
- 13.8** Ensure that the Disability Allowance be made available as of right to all disabled people, regardless of employment or marital status, at a realistic, regularly inflation adjusted amount.

Sole Parent

- 13.9** Undertake urgent research into the reasons for the high levels of poverty and hardship among sole parents, both on and off SPS, and devise effective policies to reduce these levels.
- 13.10** Undertake an urgent inquiry into how the extremely complex rules now governing the benefit system can be simplified, in order to ensure that it can be fairly administered and sole parents can obtain the financial support required to carry out their important unpaid childcare work sustainably.
- 13.11** Raise the levels of earnings permissible to beneficiaries before incurring high clawbacks, to ensure these take account of the substantial inflation since they were last altered.

Earthquake

- 13.12** Provide appropriate funding of mental health and well-being services to meet current and increased requirements after a natural disaster.

Article 14 Rural Women

- 14.1** All government initiatives should have to pass a rural impact assessment before being passed into legislation.
- 14.2** The government should fund research in rural areas taking into account the impact on rural women.
- 14.3** The government should address the issue of access to education, employment and health services for rural women.

Concluding Observations - paragraphs 40-43

That the government:

- CO 1** Sign and ratify both the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- CO 2** Work with civil society to ensure compliance with the SDGs.