



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the ninth periodic report of New Zealand*

1. The Committee considered the ninth periodic report of New Zealand (CEDAW/C/NZL/9), submitted under the simplified reporting procedure, at its 2095th and 2096th meetings (see CEDAW/C/SR.2095 and CEDAW/C/SR.2096), held on 10 October 2024.

A. Introduction

2. The Committee appreciates the submission by the State party of its ninth periodic report, which was prepared in response to the list of issues and questions prior to reporting (CEDAW/C/NZL/QPR/9). It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/NZL/FCO/8), as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its distinguished delegation, which was headed by the Secretary for Women and Chief Executive of the Manatū Wahine (Ministry for Women), Kellie Coombes, and included representatives of the Manatū Wahine (Ministry for Women), the Executive Board for the Elimination of Family Violence and Sexual Violence and the Te Puni Kōkiri (Ministry of Māori Development), as well as the acting Permanent Representative, Nathan Glassey, and other representatives of the Permanent Mission of New Zealand to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2018 of the State party's previous report (CEDAW/C/NZL/8) in undertaking legislative reforms, in particular the adoption of the following:

(a) Abortion Legislation Act 2020, which allows for abortion, on request, up to 20 weeks into a pregnancy and where it is deemed clinically appropriate by a health practitioner thereafter;

* Adopted by the Committee at its eighty-ninth session (7–25 October 2024).



(b) Legal Services Amendment Regulations 2022, which introduces reforms that increase women's access to legal aid, remove payment charges and eliminate interest on unpaid debts.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

(a) Te Aorerekura (National Strategy to Eliminate Family Violence and Sexual Violence), which supports broader efforts to address gender-based violence against women and girls;

(b) Gender Budgeting Pilot programme, which was trialled for the 2022 budget and expanded in 2023, reflecting the commitment to gender-responsive financial planning;

(c) Kia Toipoto (Public Service Action Plan 2022–2024), which is a public sector initiative that is aimed at reducing the gender, Māori, Pasifika and ethnic pay gaps, building on the Gender Pay Gap Action Plan 2018–2021;

(d) Te Mahere Whai Mahi Wahine (Women's Employment Action Plan), which is aimed at improving employment pathways for marginalized women, including Māori women, Pasifika women, women with disabilities and lesbian, transgender and intersex employees;

(e) Ikura programme, under which menstrual products are provided in schools to address period poverty and ensure access to education for menstruating students.

C. Sustainable Development Goals

6. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of *de jure* (legal) and *de facto* (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

D. Parliament

7. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the New Zealand Parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

Domestic legal framework

8. The Committee positively notes that the Convention has been invoked in six Supreme Court cases since 2018 and that the Manatū Wahine (Ministry for Women)

has launched a tracking tool for the Convention. It also notes the ongoing review of the adequacy of legal protections for transgender, non-binary and intersex women, a report on which is to be published in June 2025. The Committee notes with concern, however, that the focus of the Law Commission is on sex characteristics rather than self-identification and reiterates its previous concern regarding the lack of explicit protections under the New Zealand Human Rights Act 1993 against discrimination based on gender identity, gender expression or sex characteristics.

9. The Committee reiterates its previous recommendation to amend the New Zealand Human Rights Act 1993, with a view to providing explicit protections against discrimination based on gender identity, gender expression and sex characteristics, and to ensure the meaningful and effective participation of women in all their diversity, as well as women community representatives and public service providers, in future consultations.

Women's access to justice

10. The Committee positively notes the increase in the threshold for eligibility to receive legal aid and the allocation of 140 million New Zealand dollars (\$NZ) to support access by Māori and Pasifika women and women with disabilities. It notes with concern that 67 per cent of female prison inmates are Māori women, notwithstanding the fact that they constitute only 20 per cent of the wider population. The Committee also notes with concern the cuts to the budget for cultural reports provided to judges and judicial officers to support court proceedings, which pose additional barriers for Māori and other minority women in civil and criminal proceedings before domestic courts, in addition to the lack of confidence in the judiciary, women's limited awareness of their right to a fair trial and of existing laws protecting them and their justiciability, as well as the lack of attention or gender sensitivity among authorities.

11. The Committee reiterates its previous recommendation to address the intersecting forms of discrimination faced by Māori women that underlie their overrepresentation in prisons and to provide alternatives to detention. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party continue to improve the accessibility of legal aid for disadvantaged groups of women, such as Māori and other minority women, including by reinstating funding for the provision of cultural reports. The Committee also reiterates its previous recommendation to disseminate information about the legal remedies available to women to claim their rights, in particular in rural areas, and to strengthen gender sensitivity in the judiciary through training and increasing female representation.

National machinery for the advancement of women

12. The Committee positively notes the State party's support for international and regional gender mainstreaming initiatives, including its endorsement of United Nations resolutions on equal pay and the elimination of maternal mortality. The Committee is concerned, however, about the recent 7.5 per cent reduction in core funding allocated to the Manatū Wahine (Ministry for Women), Te Tari Mātāwaka (Ministry for Ethnic Communities), Te Manatū mō ngā Iwi o Te Moana-nui-ā-Kiwa (Ministry for Pacific Peoples) and Whaikaha (Ministry of Disabled People), which, notwithstanding interministerial collaboration, weakens the national machinery for the advancement of women.

13. The Committee recommends that the State party restore and, where possible, increase the core funding for the Manatū Wahine (Ministry for Women), Te Tari Mātāwaka (Ministry for Ethnic Communities), Te Manatū mō

ngā Iwi ō Te Moana-nui-ā-Kiwa (Ministry for Pacific Peoples) and Whaikaha (Ministry of Disabled People), to ensure the effective promotion of gender equality and intersectionality. It further recommends that the State party strengthen interministerial collaboration and provide adequate resources to implement gender-responsive policies.

National human rights institution

14. The Committee is concerned about the recent reduction in funding allocated to the New Zealand Human Rights Commission and the subsequent launch of a voluntary redundancy scheme for former staff. The Committee recognizes the vital role of the Commission in providing advice and enhancing accountability with respect to human rights in the State party.

15. In accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), the Committee recommends that the State party allocate adequate human, technical and financial resources to ensure that the New Zealand Human Rights Commission is able to effectively continue to discharge its mandate to promote and protect women's rights.

Temporary special measures

16. The Committee notes with appreciation that the New Zealand Labour Party and the Green Party of Aotearoa New Zealand have adopted voluntary gender quotas. It is, however, concerned about the misrepresentation of temporary special measures as discriminatory in public discourse. It also regrets the reduced representation of women in parliament following the last general election in 2023. The Committee further notes with concern the underrepresentation of women in private sector decision-making roles, with women holding 29 per cent of board director positions in companies listed on the New Zealand Stock Exchange and 26 per cent of senior management positions. It also notes with concern that women account for 85 per cent of employees in traditionally female-dominated service sectors, in particular healthcare and tourism, and that they are underrepresented in emerging sectors, such as information and communications technology, innovation and renewable energy.

17. Recalling its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party raise public awareness of the non-discriminatory nature and importance of temporary special measures. It also recommends that the State party consider adopting additional temporary special measures, in line with article 4 (1) of the Convention and general recommendation No. 25, to accelerate the substantive equality of women and men in all areas where women are traditionally underrepresented or disadvantaged, including in political, public and economic life and in employment, in particular in emerging sectors, such as information and communications technology, innovation and renewable energy.

Gender stereotypes

18. The Committee welcomes the State party's efforts to promote gender equality in sports, including through the increased media coverage of women's sports, and to enforce quotas for female representation in decision-making roles in sports organizations. It also positively notes that the 2023 FIFA Women's World Cup brought a net economic benefit of over \$NZ 100 million to New Zealand. However, it is concerned that harmful gender stereotypes remain prevalent, as revealed by the 2023 Gender Attitudes Survey, the findings of which show that 30 per cent of male

respondents believe that gender equality has “gone too far” and that 21 per cent of male respondents consider that women are better suited than men to cook meals.

19. The Committee recommends that the State party continue to promote gender equality in sports, ensuring compliance with quotas for female representation in leadership roles. It also recommends that the State party evaluate the results of the 2023 Gender Attitudes Survey to develop informed policies, allocate adequate human, technical and financial resources for the 2025 Gender Attitudes Survey and provide statistical data that are based on the 2025 survey in its next periodic report.

Gender-based violence against women

20. The Committee positively notes the public reports produced by the State party on a quarterly basis on the rate of gender-based violence against women, as well as the adoption of measures to address the perpetrators, such as the She Is Not Your Rehab programme, which is focused on men’s trauma and increasing their involvement in family life and improving their relationships. It also notes that a bill has been introduced to criminalize stalking. The Committee is, however, gravely concerned about information brought before it that shows an increase over the last five years in incidents of family violence and intimate partner violence, with the highest rates among Māori and Pasifika women, ethnic and religious minority women and women with disabilities. It further notes with concern the findings of the New Zealand Crime and Victims Survey in 2023, which show that 93 per cent of sexual assault cases are unreported.

21. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

- (a) Assess and develop policies to address the root causes and compounding factors of gender-based violence against women, including economic violence;**
- (b) Adopt and implement legislation to specifically criminalize stalking;**
- (c) Continue to adopt measures, based on systematic data collection and analysis, to strengthen the prevention of gender-based violence against women and reduce revictimization and reoffending rates;**
- (d) Allocate adequate human, technical and financial resources for the provision of victim support services and ensure the effective participation of civil society, representatives of victims and social workers in decision-making on the delivery of protection, social and rehabilitation services;**
- (e) Strengthen protection from gender-based violence against women, including through enhanced law enforcement, for disadvantaged groups of women, including Māori and Pasifika women, ethnic and religious minority women and women with disabilities.**

Trafficking and exploitation of prostitution

22. The Committee notes with concern the very low prosecution and conviction rates in cases of trafficking in women and girls since the amendment of the laws on trafficking in 2015. It also notes with concern that, despite public consultations in 2022 on the potential adoption of new legislation to address modern slavery across multiple supply chains, the Modern Slavery Leadership Advisory Group has been dissolved.

23. **Recalling its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party strengthen its anti-trafficking framework and consider restoring the Modern Slavery Leadership Advisory Group. It urges the State party to strengthen investigations and prosecutions of the perpetrators of trafficking in women and girls and to ensure the early identification and referral of trafficking victims to appropriate services, including legal aid and rehabilitation programmes. The Committee also recommends that the State party adopt legislation to eliminate modern forms of slavery and slavery-like practices, in line with international standards.**

24. The Committee reiterates its concern about the prevalence of de jure and de facto discrimination as a result of section 19 of the Prostitution Reform Act 2003, under which prostitution is widely decriminalized for New Zealand citizens and permanent residents, excluding migrant women in prostitution. It notes with concern that this exclusion increases the risk of gender-based violence and exploitation for migrant women in prostitution and undermines anti-trafficking efforts, as victims are reluctant to report crimes to the authorities due to fear of deportation.

25. **Recalling its previous recommendation, the Committee calls upon the State party to review its legal framework, in particular section 19 of the Prostitution Reform Act 2003, to ensure that migrant women in prostitution are afforded the same rights and protections as women in prostitution who are New Zealand citizens or permanent residents. It further recommends that the State party strengthen its efforts to combat gender-based violence against and the exploitation of migrant women in prostitution, including by providing safe avenues for reporting abuses without fear of deportation.**

Equal participation in political and public life

26. The Committee notes with concern reports of online and physical harassment, intimidation and threats of women in political leadership and decision-making positions, including the former Prime Minister, women parliamentarians and the Police Commissioner.

27. **Recalling its general recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems, the Committee recommends that the State party strengthen personal and privacy protections for women who participate in political and public life. It also recommends that the State party effectively investigate and, as appropriate, prosecute and punish the perpetrators of all acts of hate speech and hate crimes against women politicians and women public officials and ensure that public officials publicly condemn such expressions or crimes.**

Nationality

28. The Committee notes the recent bill to repeal the Citizenship (Western Samoa) Act 1982, which removed the entitlement of Samoan children to New Zealand nationality based on descent. The Committee notes with concern, however, that since 2006, women and girls born in New Zealand are no longer entitled to nationality unless one of their parents holds citizenship or permanent residency of Australia, the Cook Islands, New Zealand, Niue or Tokelau, which limits their access to nationality. It is also concerned about the absence of statutory time frames for nationality applications under section 9 of the Citizenship Act 1977, which grants the Minister of Internal Affairs discretion in such cases. It further notes with concern the lack of a clear framework for statelessness determination procedures.

29. The Committee recommends that the State party expedite the repeal of the Citizenship (Western Samoa) Act 1982 to enable women and children born in New Zealand to Samoan parents to apply for New Zealand nationality based on descent. It also calls upon the State party to ensure the effective participation of affected Samoan women in the development of a mechanism for redressing the harm caused. It further recommends that the State party establish statutory time frames for nationality applications under section 9 of the Citizenship Act 1977 to avoid undue delays. Moreover, the Committee urges the State party to adopt statelessness determination procedures, in line with international human rights standards, and to consider acceding to the 1954 Convention relating to the Status of Stateless Persons with a view to preventing statelessness.

Education

30. The Committee notes with concern the recent reduction in funding for key educational programmes, including a \$NZ 107 million cut to the Ka Ora, Ka Ako (Healthy School Lunches Programme). It is also concerned at the significant barriers that women with disabilities and girls face in terms of access to education, with 34 per cent lacking qualifications compared with 15 per cent in the case of women without disabilities, which is exacerbated by the shortage of essential support staff, such as speech therapists and teacher aides. Notwithstanding the progress made in improving rural broadband access, girls in rural and remote rural schools and Māori medium schools continue to face a gender digital gap and shortage of Māori-speaking teachers.

31. **Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party promote the importance of women's and girls' education at all levels as a basis for their empowerment and:**

(a) **Ensure the allocation of adequate human, technical and financial resources for key educational programmes, including the Ka Ora, Ka Ako (Healthy School Lunches Programme), and transport assistance for Māori medium schools and women and girls in rural areas;**

(b) **Address the barriers to education for girls and women with disabilities by allocating additional resources to improve accessibility, provide inclusive education and increase the number of speech therapists and teacher aides;**

(c) **Address the gender digital divide, improve equal access to reliable and affordable Internet services, broadband and online learning equipment, as well as access to science, technology, engineering and mathematics education for women and girls, in particular rural and Indigenous women and girls;**

(d) **Strongly enforce and monitor the implementation of laws and regulations on the protection of women and girls in education, including international students, from harassment, disinformation, cyberviolence and bullying, and raise awareness of the risks of bullying and violence among students, parents, teachers and the general public;**

(e) **Take measures to promote the teaching of Pasifika and Indigenous languages and address the shortage of Māori-speaking teachers at all levels of education.**

Employment

32. The Committee notes with concern:

(a) The persistent gender wage gap, in particular for Māori, Pasifika and migrant women, with the gap reaching up to 20 per cent in the case of Māori women;

(b) That the measures adopted by the State party to improve the employment of women are limited to parental leave and post-partum care and do not address broader systemic issues, including intersecting forms of discrimination;

(c) That sexual harassment in the workplace is reported by 38 per cent of women in the labour force, with higher rates observed among disadvantaged groups of women.

33. The Committee recommends that the State party:

(a) **Effectively enforce the principle of equal pay for work of equal value in order to narrow and eventually close the gender pay gap, including for Māori, Pasifika and migrant women, by: (i) conducting regular labour inspections; (ii) applying gender-neutral analytical job classification and evaluation methods; (iii) conducting regular pay surveys; and (iv) encouraging employers to publish a narrative with their gender pay gap data, with a view to better understanding the reasons behind the gender wage gap, and to take appropriate remedial measures;**

(b) **Continue to improve parental leave and post-partum care, including by ratifying the Maternity Protection Convention, 2000 (No. 183), of the International Labour Organization, while addressing the compounding adverse effect of intersecting forms of discrimination on the employment of women, such as the adverse effect of limited access to healthcare on work attendance;**

(c) **Strengthen mechanisms for addressing gender-based violence in the workplace, with a particular focus on disadvantaged groups of women, including by: (i) developing guidelines for confidential and accessible reporting mechanisms for employees to report incidents of gender-based violence and harassment; (ii) encouraging the adoption of systematic training programmes for all employees, including managers and supervisors, on recognizing, preventing and responding to gender-based violence and harassment; and (iii) providing reasonable accommodations and ensuring that all employees have equal access to opportunities and resources;**

(d) **Introduce a legal definition of sexual harassment in the workplace and ratify the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.**

Health

34. The Committee notes with appreciation that the State party has decriminalized abortion, expanded breast and cervical cancer screening and established telehealth services to enhance access to safe abortion for rural women. It also notes the steps taken by the State party to facilitate the return of former midwives to practice. However, the Committee notes with concern:

(a) The delays, amounting to on average eight years, in diagnosing endometriosis, which affects 10 per cent of women and accounts for 20 per cent of all chronic pain reported in the State party;

(b) That the current Disability Action Plan does not include measures for women with intellectual disabilities and psychosocial disabilities;

(c) That the closure of the Māori Health Authority may limit access to culturally appropriate health services for Māori women;

(d) The lack of protection of the rights to privacy and access to information of women with disabilities in the Contraception, Sterilization and Abortion Act (1977) and the Code of Health and Disability Services Consumers' Rights and the fact that

these pieces of legislation do not systematically require the free and informed consent of women with disabilities for medical interventions performed on them.

35. Recalling its general recommendation No. 18 (1991) on disabled women and general recommendation No. 39 (2022) on the rights of Indigenous women and girls, respectively, the Committee recommends that the State party:

(a) **Continue to expand access to health services, including by reinstating dedicated health services, for women from minority groups who are most at risk of inaccessibility or stigma and discrimination by healthcare authorities and service providers, in particular rural women, migrant women and Māori women;**

(b) **Develop formal clinical guidelines for diagnosing and treating endometriosis to reduce delays and improve healthcare outcomes, ensuring the effective participation of women across regions and age groups and representing women from diverse minority groups;**

(c) **Review the policy and service delivery frameworks for women with intellectual and psychosocial disabilities, including the current Disability Action Plan, to cover women and girls with intellectual and psychological disabilities;**

(d) **Develop formal clinical guidelines for ensuring culturally appropriate healthcare, in accordance with international standards, ensuring the effective participation of disadvantaged groups of women who are at risk of racial discrimination in healthcare settings, including Māori, Pasifika and migrant women, in the formulation and implementation of such guidelines;**

(e) **Amend the Contraception, Sterilization and Abortion Act (1977) and the Code of Health and Disability Services Consumers' Rights to protect the rights to privacy and access to information of women with disabilities and require their free and informed consent to any medical interventions performed on them.**

Economic empowerment of women

36. The Committee positively notes measures taken by the State party in response to the coronavirus disease (COVID-19) pandemic, including the FamilyBoost payment, which is equivalent to a refund of up to 25 per cent of the cost of early childhood education fees (up to a maximum amount every month). The Committee notes with concern, however, that women accounted for 90 per cent of post-COVID-19 redundancies in 2020 and that the State party's recent recovery measures are not sufficiently aligned with the lasting impact of COVID-19 on women and the economy. While noting positive initiatives, such as Global Women and the Champions for Change programme to achieve a 40 per cent women, 40 per cent men and 20 per cent any gender representation in leadership, the Committee remains concerned at the lack of disaggregated data on gender and the intersectional representation of women across economic sectors. It also notes with concern that poverty rates are higher among Māori and Pasifika women, women with disabilities and non-national and ethnic minority women and that older women are at particular risk of poverty, with the current gender pension gap amounting to 25 per cent on average.

37. The Committee recommends that the State party:

(a) **Apply an intersectional lens to its analysis of the outcomes of the implementation of measures taken in response to the COVID-19 pandemic to ensure the equal enjoyment by women of economic and social benefits, recognizing the adverse effects of intersecting forms of discrimination based on age, disability, remoteness, ethnicity or descent on the economic empowerment of women;**

(b) **Adopt targeted measures to reduce the gender pension gap, including by recognizing and computing unpaid care work performed by women towards pension entitlements and social benefits, extending the coverage of social protection, such as minimum wages, paid leave and maternity leave, to women in the informal economy and self-employed women and introducing flexible working arrangements for both women and men;**

(c) **Increase budget allocations for the implementation of policies and programmes for the economic empowerment of older women, women with disabilities, rural women, Māori and Pasifika women and non-national and ethnic minority women, including measures to address poverty, illiteracy, unpaid work, access to healthcare, housing and social and economic benefits.**

Climate change and disaster risk reduction

38. The Committee notes that the Supreme Court recently allowed a claim to proceed concerning the alleged damage caused by seven extractive industries. It also notes with appreciation the State party's continued overseas development assistance and implementation of climate change adaptation and disaster risk reduction strategies in the Pacific region. However, the Committee notes with concern the disproportionate impact of climate change and natural disasters on women in the State party, in particular rural women and women in poverty, who face heightened risks of food insecurity, displacement and limited access to resources.

39. **Recalling its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party develop a comprehensive national strategy to address the gender-specific impacts of climate change and the specific and unique needs of women and girls in terms of disaster risk reduction. It urges the State party to ensure the effective participation of women who are most at risk of the adverse impacts of climate change and natural disasters, including rural women and women in poverty, in decision-making on the development and implementation of climate change mitigation and disaster risk reduction policies and programmes, while increasing climate change and disaster risk mitigation literacy among women.**

Women migrant and temporary workers

40. The Committee welcomes the extension of access to work visas for women who are victims of family violence perpetrated by residents or citizens of New Zealand against temporary visa holders. It also notes the forthcoming review of legislative provisions to protect migrants in 2025. Notwithstanding the findings resulting from the review by the Hīkina Whakatutuki (Ministry of Business, Innovation and Employment) of the Recognised Seasonal Employer scheme, the Committee is concerned about the well-being and protections for migrant workers under seasonal employment schemes, in particular the increased accommodation costs and lack of visa support for their family members. Notwithstanding monitoring by the Tāhū o te Ture (Ministry of Justice) of the use of exceptions to the minimum age of marriage for 16- and 17-year-old girls, the Committee is concerned that the State party has taken insufficient measures to prevent child and forced marriages of migrant girls and women.

41. **The Committee recommends that the State party strengthen protections for women migrant workers by implementing the recommendations contained in the Hīkina Whakatutuki (Ministry of Business, Innovation and Employment) review of the Recognised Seasonal Employer scheme, including by ensuring affordable accommodation, fair wages and adequate pastoral care. The Committee further**

recommends that the State party strengthen support for women migrant workers, including by addressing their increased accommodation costs, providing visa support for family members and ensuring their affordable and free access to legal aid services.

Māori women

42. The Committee notes with concern the withdrawal by the State party of its support for the United Nations Declaration on the Rights of Indigenous Peoples and the steps that it has taken to implement the Te Tiriti (Treaty of Waitangi), which may be seen as a reinterpretation of the provisions in the Declaration.

43. **Recalling its general recommendation No. 39, the Committee calls upon the State party to reaffirm its commitment to the United Nations Declaration on the Rights of Indigenous Peoples and ensure that its national policies and legislation are aligned with the principles and provisions of the Declaration and include a gender perspective. It recommends that the State party ensure that the free, prior and informed consent of Indigenous women is obtained before the approval of any project or legislative measure that affects their lands, territories and resources, including through meaningful consultations and their participation in decision-making processes through their own representative institutions. The Committee also recommends that the State party recognize the role of Indigenous women as custodians of Indigenous culture, promote the cultural rights and identity of Indigenous women and protect their right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas.**

Marriage and family relations

44. The Committee welcomes the State party's efforts to review legislation to improve court protections for women and victims of family violence throughout divorce proceedings, including those to prevent abuse of process or judicial harassment. However, it notes with concern that gender-based violence is often not taken into account in court decisions on child custody and visitation rights and that women have limited access to legal aid in divorce proceedings.

45. **The Committee recommends that the State party amend its legislation and provide capacity-building to judges to ensure that gender-based violence is adequately taken into account in court decisions on child custody and visitation rights. It also recommends that the State party strengthen women's access to legal aid in divorce proceedings, which, if necessary, should be free of charge, in particular in rural areas.**

Data collection and analysis

46. The Committee notes the adoption of the Data and Statistics Act 2022 and acknowledges the State party's responsibility to uphold the principles of the Te Tiriti (Treaty of Waitangi) and to ensure that diverse groups of women contribute to decision-making on data collection and analysis. It is concerned, however, at the lack of reliable data on the situation of women, in particular disadvantaged groups of women, in some private and public spheres, including in political, economic, social and cultural life. The Committee acknowledges the findings resulting from the Waitangi Tribunal's Health Service and Outcomes Inquiry (Wai 2575), which is an inquiry into the response of the Crown to the health inequities experienced by the Māori, and that data are a cultural and economic resource for Indigenous Peoples, existing data and data infrastructure do not meet the needs of Indigenous Peoples and insufficient measures have been taken to protect women who have shared their

personal data against the risks associated with e-commerce and cross-border data flows.

47. Recalling its general recommendation No. 9 (1989) on statistical data concerning the situation of women, the Committee recommends that the State party carry out an assessment of its tools for collecting data, take steps to address any weaknesses in data collection and improve data verification, diversify data collection and allow individuals to report anonymously on the basis of the principle of self-identification. In line with the principles of the Te Tiriti (Treaty of Waitangi) and data sovereignty, the Committee also recommends that the State party take steps to ensure the effective participation of Māori women across data collection and production and to ensure their access to personal data and data governance and security. The Committee also recommends that the State party guarantee the effective participation of Indigenous women and ethnic and ethnolinguistic minority women in the development and implementation of intellectual property and privacy protections for personal data in cross-border and e-commerce transactions.

Beijing Declaration and Platform for Action

48. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.

Dissemination

49. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, New Zealand Parliament and the judiciary, to enable their full implementation.

Follow-up to the concluding observations

50. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 21 (b), 35 (d), 37 (a) and 43 above.

Preparation of the next report

51. The Committee will establish and communicate the due date of the tenth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

52. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).