
Committee on the Elimination of
Discrimination against Women
Seventh session

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Concluding comments of the Committee on the Elimination of
Discrimination against Women: New Zealand

Initial report

74. The Committee considered the initial report of New Zealand (CEDAW/C/5/Add.41/Amend.1 and Corr.1) at its 105th, 106th and 109th meetings, held on 16 and 18 February 1988 (CEDAW/C/SR.105, 106 and 109).

75. In introducing the report, the representative of New Zealand explained that the report had been presented in 1986, coinciding with the establishment of the Ministry of Women's Affairs. The Ministry's overriding aim was to assist in bringing about the economic and social conditions for equality between women and men. That, she said, might explain the brevity of the report, and she assured the Committee that subsequent reports would be more comprehensive.

76. She informed the Committee that it was the practice in New Zealand to ratify international conventions only when their provisions were already implemented by New Zealand in law and practice. Therefore, reservations had been entered regarding provisions on maternity leave with pay, recruitment into or service in the armed forces and law enforcement forces and employment of women in underground work. However, there had been some developments since the presentation of the report in 1986, and she wished to inform the Committee about them.

77. Notwithstanding the fact that there were no legal barriers in New Zealand to equality between women and men and although New Zealand women had acquired the right to vote in 1893, in practice the barriers created by tradition, history and structures still existed.

78. However, the Ministry of Women's Affairs was carrying out an analysis of discrimination, women's position in society and the causes of inequality based on studies that had been developed and promulgated by feminists and that were now beginning to be heard and to affect the way policy decisions were being made. The Ministry was about to publish a study entitled "The economic position of women in New Zealand" in that regard. Moreover, in 1986 a Royal Commission on Social Policy had been established, and the Government had recently stated that one of the basic

objectives of the reform programme would be to enhance the social and economic position of women.

79. Liaison persons from all government departments had been appointed in order to assist the Ministry of Women's Affairs to establish a process of accountability whereby government departments would take responsibility for meeting women's needs in their work. The liaison persons would also act on relevant concerns raised with the Ministry by women.

80. Another recent mechanism initiated by the Ministry of Women's Affairs was the preparation of a check-list for use by government departments to provide them with a framework for identifying and developing policies aimed specifically at meeting women's needs. Another recent development was the proposed annual "women's budget statement", which would provide a description and analysis, by portfolio, of the resources that were provided to and for women in New Zealand. That budget would provide an indication of the extent to which the concerns of women were being brought into the mainstream of economic and social planning and policy-making.

81. Regarding New Zealand's reservations to the Convention, new legislation had been passed in mid-1987 which superseded the Maternity Leave and Employment Protection Act of 1980. It was now possible to take 12 months' parental leave (up to 14 weeks' maternity leave at the time of the birth or adoption of an infant), which could be shared between both parents or taken in full by either parent, and two weeks of paternity leave at the time of the birth or adoption of an infant. The employment protection provisions of the 1980 act had been enhanced and extended to fathers. The Royal Commission already referred to would be deliberating in the coming months on a study which, among other things, weighed the possibilities and implications of payments on parental, maternity and paternity leave.

82. She then referred to participation of women in the armed forces. That issue was fraught with ideological ambivalence since women involved in the peace movement had expressed the view that equality of opportunity with men to kill was not a desirable goal, and she admitted that among all the areas where equality was sought, that issue was not a priority. However, the Ministry of Women's Affairs had tackled the problem as an equal-opportunity issue with a view to removing discrimination as, for example, in the employment of women in non-combatant roles and sexual harassment within the armed forces.

83. Protective legislation was a concern to New Zealand, and therefore her Government had formally notified the International Labour Organisation (ILO) in 1987 of its intention to denounce ILO Convention No. 45 on women's employment on underground work in mines. That would enable New Zealand to withdraw its reservation to the Convention.

84. Annexes to the report had been prepared by her Government to update the information which had been originally presented and she made available to the Committee an update covering developments from January 1986 until July 1987. Among those developments were the current priority areas set by the Government such as equal pay for work of equal value or work of comparable worth, recognition of women's unpaid contribution to the economy, violence against women including pornography, women's housing, women's health, child care and the impact on women of the government restructuring of the public sector.

85. Members of the Committee expressed its appreciation and commended the government representative on efforts undertaken by New Zealand in establishing national machineries to promote the advancement of women. The report was also to be commended in its exposure of the obstacles encountered, its honesty and objectivity. It was clear that the Government of New Zealand had moved towards the goals of equality between men and women even prior to the signing and the ratification of the Convention. New Zealand had granted women the right to vote in 1893 and had passed the Women's Parliamentary Rights Act in 1919. However, the Committee expressed its concern at the fact that women's full integration had not been achieved in spite of favourable historical circumstances. The Committee also noted the Government's policy of ratifying international conventions only when provisions were already implemented in law and practice, but regretted that reservations had been entered and expressed the hope that those reservations would soon be lifted. It was asked what steps had been taken to publicize the Convention, how to use it and whether it had been translated for dissemination among the indigenous population. It was further pointed out that New Zealand was taking a pioneering step regarding women's unremunerated work and the system of national accounts and requested information on the work currently under way to develop a methodology for measuring that work.

86. The wish was expressed that, in future reports, the information provided should be consolidated rather than contained in various annexes to the report.

87. The Committee was aware that New Zealand's feminist movement was very active and asked about the participation of women's non-governmental organizations in the preparation of the State party report, and requested more information on current issues being raised or advocated by those organizations, how they were able to influence policy and legislation and linkages between them and the Ministry of Women's Affairs.

88. Members of the Committee welcomed the establishment of the Ministry of Women's Affairs and that its Secretary had cabinet ranking, and asked what was its structure, its budget, and how it related to other government institutions such as the National Advisory Committee on the Employment of Women, the Women's Advisory Committee of the Vocational Training Council and the Equal Employment Opportunity Unit, among others.

89. In reviewing the different laws and other measures that had been introduced over a number of years, information was requested on the still preponderant practice of maintaining sex-segregated schools and on a statement that appeared in the report in reference to the breaking down of class structures and social barriers. It appeared that there were social barriers to be overcome, as for instance, in the provision of child-care facilities which were not widespread and of which, according to the report of the State party, there was a shortage in terms of accommodating children under two years of age. The report, however, did not specify how many hours the child-care centres were open, what percentage of the family income was spent on them or how much they cost per child.

90. It was asked what was the official retirement age for women, and other experts inquired about the situation or difficulties of the Maori women and what in particular had been achieved in that regard. Since aspects of the particular needs of the indigenous population were being attended to by other government agencies, it was asked why there was a special unit in charge of Maori women within the Ministry of Women's Affairs and what its functions were.

91. It was asked if sex discrimination cases were brought to the attention of the Tribunals, whether any such case had been tried, what were the sanctions and whether existing legislation was updated or needed to be revised according to present practice and precedents. It was also asked if members of the court were chosen, if their selection was based on specific merit and competence and what was the gender breakdown of the high court when reviewing discrimination cases. It was further pointed out that problems of Maori and Polynesian women were dealt with in a separate ministerial department and it was asked what the reason for this was.

92. It was recalled that the legislation of New Zealand provided that temporary special measures aimed at accelerating de facto equality could be put into place, and it was asked whether affirmative action policies had been established; whether they were widespread and whether they required prior approval by the Human Rights Commission; if such policies had been approved what were the quotas, or targets; why were they not mandatory; and, in the instances where they had been established, what were the results.

93. The Committee had heard that there existed a men's movement which endeavoured to change sex stereotyping and wondered whether that was in fact correct. It was also asked whether men shared fully the household work and child rearing with women, and more information was requested on child-care facilities. It was further asked whether violence perpetrated against women had been detected and, if so, what steps had been taken to remedy the situation, was it punishable and could women's associations be parties to legal recourse in lawsuits regarding violence. It was also asked whether advertising which exploited women as a sexual symbol had been banned in New Zealand and to what extent efforts had been made to eliminate sex stereotyping both in the work place and in the media. Further details were also sought with regard to the elimination of sexist language.

94. More information was requested on the Domestic Protection Act, and what that law referred to. It was pointed out that there was no information regarding family education programmes although perhaps they might be included in the health education programmes mentioned in the report.

95. Specific reference was made to measures regarding prostitution and it was asked whether prostitution was illegal but not punishable; clarification was sought in that regard.

96. It was pointed out that the participation of women in local and national political life was admittedly low, that a very small proportion of women were found in top administrative and executive positions and that perhaps an analysis had been made of the causes of such slow progress; if so, it should be shared with the Committee. The Committee asked whether voluntary organizations had any views on what the obstacles to achieve political integration were and whether any measures had been taken to increase women's participation in politics. Since the national machinery established in New Zealand was clearly of a multidimensional nature, optimism was expressed for the future, and it was asked if there were safeguards and/or incentives for women to join the political mainstream of the country.

97. The Committee requested information on women's participation in the trade unions, and whether voluntary organizations had a higher percentage of women members and, if so, whether they could participate in formulating policy through such organizations.

98. Members of the Committee requested information on the number of women in the foreign service and in the civil service, since no statistics were provided in the report.

99. In general, it was stated that more statistics would be needed in order to enable the Committee to assess New Zealand's report. For example, it was pointed out that it was difficult to judge whether certain education programmes had had an impact on the population if that impact had not been quantified. On the other hand, if it was accurate that only 40 per cent as many women as men had reached the fourth level of education, it would indicate that a problem existed in attaining higher educational levels. Furthermore it was remarked that it was not clear whether rural women enjoyed the possibility of owning land. It was asked whether there were any groups advocating changes and amelioration of conditions in the rural areas, and how women living in the rural areas could participate in development planning. Were women isolated in rural areas, it was asked. The illiteracy rate of indigenous women was requested. It was asked whether the Women's Ministry was endeavouring to help women to move into non-traditional subjects and professions. It was noted that female apprenticeships had increased in non-traditional skills, which was a positive step.

100. Members of the Committee thought that the report concentrated on action taken to remove obstacles for equal opportunity but that, disproportionately, those steps had not led to equal participation. It was asked what other steps had been taken, besides pamphlets on equal opportunity, to achieve equal participation in education. It was further inquired whether textbooks had been revised to eliminate stereotyping and how equality was dealt with in other areas of education.

101. As regards employment, it was noted that the Health Department had prepared studies with reference to women's work. In addition, it could be seen, as in other industrialized countries, that women sought part-time employment because of their double burden and that job sexual segregation seemed to cause problems with regard to equal pay. It was asked how those problems had been dealt with, whether gender-neutral "job evaluation schemes" had been of use, whether wage differential studies had been carried out, whether cases on wage discrimination based on sex had been raised and, finally, how wages were set and what was the role of the trade unions in wage negotiations.

102. Members of the Committee congratulated the representative for the fact that New Zealand had recently denounced the ILO Convention on underground work for women. It was further asked whether New Zealand had ratified ILO Conventions Nos. 156 and 158 regarding family responsibilities and termination of employment. It was asked whether paternity leave was paid; whether equal opportunities in recruitment and promotion existed and how those factors affected pregnant women. More information was sought on the guidelines on working with lead.

103. It was further noted that the Government of New Zealand had lifted restrictions on the right of women to work at night. Was that, it was asked, in order to ratify the Convention and what was the reaction of women workers and of trade unions to that measure. It was also asked whether ILO Convention No. 45 was really in conflict with the articles of the Convention on the Elimination of All Forms of Discrimination against Women.

104. It was asked whether there were ideological grounds for not paying maternity leave, and whether maternity was considered a social function; and, if there was

protection against dismissal on grounds of pregnancy, was there protection for pregnant women at the time of job application and training. With reference to the introduction of new technologies mentioned in the report, although they were welcomed by members of the Committee, they provoked a feeling of anxiety when they were used to help to keep women at home.

105. Regarding social security, there seemed to be certain discrepancies since the husband continued to be designated as head of household, and it was asked whether any changes were forthcoming on that concept. Clarification was also sought on the "domestic purpose benefits".

106. It was remarked that there seemed to be discrimination against women in legal careers, and it was asked whether any corrective or disciplinary proceedings had been undertaken to correct it.

107. It was commented that the family benefit was paid to the mother directly, and it was asked whether it was assumed that only women cared for the family.

108. Members of the Committee wished to clarify the situation of rural women and questions were asked as to their access to health-care programmes, abortion facilities, contraception and family planning and whether there were other disadvantaged groups such as handicapped and elderly women that were unable to share equally the health-care facilities.

109. The report had mentioned that housing was a priority, especially low-income housing, and that a committee had been created on that subject. The Committee asked whether women were involved in the committee and whether they had the same rights as men. Additional information was also requested on the creation of collectives.

110. Clarification was requested on provisions regarding freedom of movement and how they affected immigrant women.

111. It was inquired whether any declaration on equality between men and women had been written in the legislation of the country and whether provisions to provide legal advice to women regarding their rights existed at all.

112. It was stated that there was not enough information provided in the report regarding family law. Several questions were raised regarding the rights of the child born out of wedlock, whether mutual consent divorce was possible, whether "solo parent family" referred to single parents and the situation of Maori women within the family. Clarification was also requested on the "non-family household", a term used in the report. Finally it was asked whether special programmes to promote equality in the Cook Islands were contemplated.

113. The representative of the State party stated that the Ministry of Women's Affairs, of which she was Director, was headed by a woman. The Ministry had a budget of \$US 1.4 million for 1987-1988 and a staff of 20. She considered that other portfolios included in the Ministry, such as Consumer's Affairs and Statistics, were very compatible with women's concerns. The Maori Women's Secretariat within the Ministry attended the very special needs of Maori women while the Department of Maori Affairs dealt with the overall concerns of the Maori people. Close contact was maintained between the two units. The relationship between the Ministry and the voluntary women's organizations was symbiotic for,

while the organizations brought their concerns to the Ministry's attention, in turn the Ministry was their channel into all the branches of government. That was accomplished through meetings, symposiums, working groups, etc. The organizations represented a broad sample of feminist concerns and, in fact, the Ministry was staffed with feminists. One of the requirements to be employed in it was an anti-sexist, anti-racist attitude and full commitment to the work towards equality between women and men. Voluntary women's organizations and feminists were not mutually exclusive groups. In addition, the Ministry worked in a feminist way through consultation, decision-making by consensus and participation.

114. Maori women were the tangata whenua, who were the original inhabitants of the island of New Zealand. They had suffered the triple disadvantage of being oppressed by sexism, racism and colonialization. Maori women had helped to raise the consciousness of New Zealanders about those problems and that was the reason why affirmative action had been established in staff recruitment. Other departments too were working alongside the Ministry of Women's Affairs, such as the departments of labour, justice, health, education, environment and State services, among others.

115. Regarding publicity given to the Convention, the Labour Party had stated during its election campaign that ratification was one of its priorities and with that in mind the Convention had been widely disseminated, although it had not been translated into the Maori language or other Pacific Island languages. In the preparation of the Government's report, there had been non-governmental participation through the 1984 Women's Forums and the two reports which resulted from them. She assured the Committee that as soon as national legislation was amended the reservations to the Convention would be lifted.

116. The lack of women's presence in the political life of New Zealand could not be explained very easily. The reasons were both complex and quite universal. Attitudes and social traditions established women as the primary care-giver, in addition to women's economic dependency and lack of confidence, all of which presented a combination of factors that, faced by the male-dominated nature of most organizations and structures, held back women's progress. Steps were being taken by encouraging women to stand for political office, nominating more women to governmental bodies, training women within the parties, providing role models and supporting women's caucuses where they appeared.

117. In replying to the questions raised regarding single-sex schools, she said that some evidence suggested that girls actually achieved better in those schools. On the other hand, there were arrangements in some schools that provided for girls' and boys' schools sharing facilities and sharing classes. With regard to the non-traditional educational fields of science, engineering, economics, the Women's Training Advisory Council of the Vocational Training Council and the Women's Advisory Committee on Women and Education were both active in promoting greater access for women in those disciplines. Also family life education included economics, health, parenting skills and family relationships. Revisions of school texts was an ongoing activity and sex education was also included in the curricula. In primary schools, 70 per cent of all teachers, 14 per cent of school principals and 30 per cent of deputy principals were women. For secondary schools, 49 per cent of teachers, 16 per cent of principals and 22 per cent of deputy principals were women.

118. A complete package of measures addressed to employment embraced affirmative action, vocational training, maternity/paternity leave, increased participation in trade unions and women's unremunerated work. Those measures were addressed to both the public and the private sector where the Equal Employment Unit had established training for management, supervisors and women. It also secured the presence of women on interview panels. In the private sector, guidelines had been prepared for employers, inquiries had been carried out as in the banking industry and seminars and consultations had been held with the employers' federation. The affirmative action measures in that sector were voluntary but progress was being monitored by the Ministry of Women Affairs and steps might well be taken to make affirmative action obligatory. Targets were set but there were no quotas.

119. She gave updated information on maternity, paternity and parental leave provisions which were outlined in the introduction of New Zealand's report. It was too early to assess whether fathers would make use of paternity leave but the matter would be followed up. Regarding vocational training, women's unremunerated work and other measures outlined in the report, she gave a brief progress report on recent developments in research, empirical data and studies being carried out. No job evaluations had yet been conducted, but that would be a step in the process towards equal pay for work of comparable value. The trade unions had the right to conclude collective bargaining agreements, as well as determining arbitration on working conditions, personnel grievances and sexual harassment. The proposed guidelines on working with lead had been circulated to the members of the Committee. The Human Rights Commission also took up discrimination cases and approved special programmes aimed at and created for women.

120. Under the public health system of New Zealand, services were available to the population at large, although increasingly the special health needs of women were being brought into the schemes. Well women centres had been designed to cater to women's health needs. Other measures were also being undertaken, such as inquiries on abuses in medical practice, and a public education campaign on the acquired immunodeficiency syndrome (AIDS) had been launched, as well as monitoring of overseas patterns and prostitutes regarding contamination.

121. In 1985, sexual violence against women had been declared a crime, the definition of rape had been widened to include rape by the husband, removal of spouse immunity and allowing the victim to give evidence in private only to the judge. National conferences were held on family violence and pilot schemes launched regarding police intervention. The 1982 Domestic Protection Act referred to family violence.

122. Regarding rural women and education, she provided extensive information on the linkages provided through services, networking and expanded access to food, employment and child care. The Women's Ministry was playing a key role in that regard, including the improvement of agricultural skills.

123. Kindergarten facilities would be expanded in the coming years and the State sector had moved to introduce child care into the public service. The Government intended to establish a task force as part of the social policy reform with a view to implementing its policy of child-care funding and increasing services.

124. On the role of men in improving the status of women, she said that there was not a huge men's movement, but that increasing numbers of men were recognizing

their role and responsibility in that respect. There were also men's organizations, such as men against violence and men against rape.

125. The issues of sex stereotyping, exploitation of women in the media, sexist language, attitudes towards women's role as mother and homekeeper were all under scrutiny in the context of the social policy review being undertaken in the country. Guidelines had been prepared and public education campaigns had been carried out and would continue to be carried out. Women, who were themselves the originators of the ongoing reforms, were the stronghold and supporting base of the Ministry, and changes would be more evident possibly at the time of New Zealand's presentation of its second country report.

126. Regarding family names, women were increasingly retaining their own names on marriage. As for the names of children, parents had a choice, but there was still social pressure to use the father's name.