



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### Forty-eighth session

#### Summary record of the first part (public)\* of the 11th meeting

Held at the Palais Wilson, Geneva, on Monday, 7 May 2012, at 10 a.m.

*Chairperson:* Mr. Pillay

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### Consideration of reports

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Third periodic report of New Zealand* (continued)

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\* No summary record was prepared for the second part (closed) of the meeting.

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*The meeting was called to order at 10 a.m.*

### **Consideration of reports**

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** *(continued)*

*Third periodic report of New Zealand* (continued) (E/C.12/NZL/3; E/C.12/NZL/Q/3; E/C.12/NZL/Q/3/Add.1; HRI/CORE/NZL/2010)

1. *At the invitation of the Chairperson, the delegation of New Zealand took places at the Committee table.*

*Articles 13 to 15 of the Covenant* (continued)

2. **Ms. Power** (New Zealand) said that the Ministry of Social Development regularly published a welfare report which was available on the Ministry's website and contained time-series data on social, economic and cultural indicators which were comparable to the average values of the Organisation for Economic Co-operation and Development (OECD).

3. **Mr. Keith** (New Zealand) said that 85 per cent of Maori, who represented 15 per cent of the population, lived in urban areas. The census now recorded ethnicity based on the principle of self-identification; the 2004 figures had shown that half of those self-identifying as Maori had a partner that did not.

4. Although a number of historic, cultural, social and economic factors could explain the past Maori school failure for some 30 years now the New Zealand school system had been adapted better to the needs and aspirations of the Maori population. The Maori language was no longer excluded from the education system and was used to ensure the promotion and protection of Maori culture, in accordance with the 1840 Treaty of Waitangi, and Maori students' success at school. He recognized that school failure of Maori children remained a reality: 91.4 per cent of Maori children under the age of 5 had been in preschool education in 2009, as opposed to 98 per cent of other children. All the same, it represented an increase since 2000 when 85 per cent of under-five Maori children had attended preschool education.

5. Despite the improvement over the previous 10 years, a significant proportion of Maori children continued to drop out of secondary education without a qualification (34 per cent in 2009, as compared to 13 per cent for non-Maori children). In 2010, the Maori student upper secondary education completion rate had been 55 per cent compared to 33 per cent in 2005. The gap between the results of Maori and non-Maori children between 2005 and 2010 had decreased from 30 per cent to 24 per cent. The Government had made the reduction of that gap a priority and had implemented a number of programmes and activities to promote the Maori language and culture, focusing on community participation.

6. As to access for children with disabilities to education, more and more children with disabilities were receiving assistance. New Zealand had recently adopted a voluntary bonding contract system, which granted additional financing to doctors, nurses and midwives who moved to rural areas. Tuition fees accounted for 29 per cent of the cost of higher education, the rest being paid by the State, and there were also student loans and allowances schemes.

7. The New Zealand delegation had supplied the Committee with references to State-financed research into bullying at school, and the independent educational oversight unit visited all schools at least every 12 to 36 months. It was that publicly funded body that monitored the school environment to guarantee the students' physical and psychological integrity, as well as anti-bullying measures. The unit published a report on the situation in

each school; all those reports were compiled into a national report that appraised the issue and made recommendations for improvements. If applicable, the unit's observations office could lead to immediate intervention on the part of the social services, the Ministry of Education and the national police youth department and to the implementation of a continuous support structure for the school in question. The Ministry of Education was currently running an initiative entitled "Positive behaviour for learning", aimed at parents, students and teachers at a cost of \$NZ 12 million. The Ministry of Education could, if necessary, impose severe penalties on perpetrators of bullying. Civil society carried out numerous awareness-raising activities, the most symbolic being without doubt "Pink Shirt Day", which promoted tolerance and condemned bullying.

8. As to water supply, a local billing system could be introduced only if it was required for the provision of adequate quantities of drinking water. Lastly, numerous initiatives had been launched to reduce maternal and perinatal mortality among the Maori, including awareness-raising campaigns on smoking and the need for professionally trained midwives.

9. **Ms. Power** (New Zealand) said that nearly 60 per cent of persons with disabilities had been employed in 2006, compared to 57 per cent in 2001. Since the planned 2011 census had been postponed following the Christchurch earthquake, the delegation could not supply more recent data. New Zealand was determined to participate in the annual debate of the Human Rights Council, at its twenty-second session, on work and employment of persons with disabilities and to contribute to a similar study to be carried out by the Office of the United Nations High Commissioner on Human Rights, pursuant to Human Rights Council resolution 19/11 (A/HRC/RES/19/11).

10. The Office of Ethnic Affairs had set up a language line telephone interpreting service in 43 languages. The Office worked with numerous organizations that offered language courses to the different communities and worked at maintaining each community's cultural practices. New Zealand was a multi-ethnic, multicultural, multi-faith country. Every year, numerous parliamentary events marked the huge festivals celebrated by New Zealand's different communities. The Department of Internal Affairs allocated funds generated by the national lottery to different community organizations to support linguistic and cultural initiatives.

11. In New Zealand, most redistribution of income occurred through Government spending rather than the taxation system. During the 1980s, the tax system had been completely overhauled and the tax base broadened, particularly for company tax; the tax rate had been lowered overall and a sliding scale introduced; the top marginal income tax rate had been reduced from 66 per cent to 33 per cent; business income tax had decreased from 48 per cent to 28 per cent, still higher than the average rate in OECD countries; goods and services tax (GST) had been introduced and currently stood at 15 per cent; and most personal income tax concessions had been removed. The three main fiscal revenue bases were company tax, personal tax (which together made up more than 70 per cent of revenue in 2008) and GST (nearly 20 per cent in 2008). Since those reforms had been made, the tax system had remained stable, with a general trend towards lower taxes, and a flatter tax structure, and increased reliance on GST.

12. Employers generally deducted tax at source. Tax rate thresholds were not automatically adjusted for inflation. The 2012–2013 rates were 10.5 per cent (up to \$NZ 14,000), 17.5 per cent (from \$NZ 14,001 to \$NZ 48,000), 30 per cent (\$NZ 48,001 to \$NZ 70,000) and 33 per cent (above \$NZ 70,000). A number of tax deductions were permitted (donations, childcare, domestic help, self-employment, households with children, and income under \$NZ 9,880).

13. Tax ratio as a proportion of GDP which was slightly below OECD averages and had declined markedly over the previous few years. As in other Member States, tax revenue had

declined as a result of the global financial crisis, but also of significant tax cuts made in 2008, 2009 and 2010.

14. The tax advantages afforded to families through the Working for Families programme were linked to the Consumer Price Index. The In-Work Tax Credit was not adjusted for inflation, while the Family Tax Credit was increased each time the Consumer Price Index moved cumulatively by 5 per cent.

15. The income tax and social transfer system redistributed market income from those on higher incomes to many groups with low or zero market income. It meant that families with children with low to middle incomes received more in tax credits than they paid in income tax. On the basis of the Gini coefficient, the New Zealand income tax system reduced income inequality by the same amounts as many other comparable countries (though less than some European countries). Treasury modelling showed that the changes carried out in October 2010 had had no discernible effect on either income poverty or income inequality. Also, if government services (education, health care) were included in the notion of income, inequality was further reduced.

16. **Mr. Smith** (New Zealand) said that the increase in occupational diseases between 2002 and 2006 could be attributed to awareness-raising campaigns carried out throughout the country, which had alerted the public to such diseases and had encouraged more people to report them. In addition, not only had a more efficient description system been put in place, but a reliable data-collection mechanism had also boosted measures to address the problem.

17. Occupational diseases killed 700 to 1,000 persons every year in New Zealand; 2–4 per cent of deaths were among over-20s, and 3–6 per cent were linked to cancers among over-30s. Between 17,000 and 20,000 new cases of occupational diseases were reported each year. The main diseases were leptospirosis, cancer, respiratory diseases, itching caused by irritants, anxiety, stress-related illnesses and noise-related hearing loss.

18. Under the Workplace Health and Safety Strategy to 2015, the Government had developed a national action plan for health in the workplace for the period 2010–2013, the main objectives being to reduce the impact of such diseases, introduce methods to combat them, and establish a relationship of trust between the Government industry, workplace physicians, and researchers specializing in occupational diseases.

19. In order to reduce the impact of occupational diseases, 21 initiatives had been undertaken to eliminate carcinogenic agents and skin irritants, prevent respiratory risks and psychosocial risk factors and reduce workplace noise. Those diseases had also been more closely monitored and, since the Christchurch earthquake, particular attention had been paid to dust exposure.

20. **Mr. Sadi** asked whether the Maori children's inferior school results were related to segregation in schools. If so, he wished to know whether the State party planned to end segregation and integrate Maori students into ordinary schools where they would mix with the rest of the population and follow the same courses as other children in New Zealand.

21. He also wished to know whether the State party had developed a strategy for the use of the Maori language in schools and whether it was sufficiently developed to be the language of instruction for all subjects, especially science.

22. **Ms. Barahona Riera** asked whether the sexual and reproductive health education syllabus targeted indigenous populations, including the Maori on an equal footing as the rest of the population and, if so, if they took each group's unique cultural attributes and sensibilities into account.

23. **Mr. Kerdoun** asked whether the Maori language was an official language and what measures the New Zealand Government might take to improve the level of education among Maori students in the near future.

24. **Mr. Keith** (New Zealand) assured Committee members that, since the majority of Maoris lived in urban areas, they were no longer geographically isolated and their children were not victims of segregation in schools. Many schools offered courses exclusively in Maori, but parents had a choice, rather than an obligation, to enrol their children in such schools, from which they emerged with a higher level of education than was achieved in the ordinary education system. The gap between Maori and other pupils was found only in the classic education system, and was narrowing, albeit slowly. However, the Government needed to continue its activities of the previous 10 years, such as including more Maori children in preschool education and involving Maori families more in school life. There was nothing to suggest that the use of the Maori language as a language of instruction hampered the teaching of certain subjects.

25. Maori had been an official language since 1987 and was therefore used in parliament, in all official and administrative areas and in some social immersion services, such as the *kaupapa Maori* training programmes. A number of higher education establishments were respectful of Maori culture and language.

26. The Government of New Zealand had set up a public health system that included State-funded sexual and reproductive health services, including family planning and abortion. For more information on the sexual education programmes run by the District Health Boards, he referred the Committee to the Government's written replies to the list of issues. Community public health bodies had been established to provide information on sexual and reproductive health to the Maori and other ethnic groups and to ensure that the information was easily accessible and adapted to the target population. Attention had also been given to cervical cancer screening for all women in New Zealand, together with awareness-raising programmes specifically directed at Maori and Pacific Island women, which had borne fruit as more of those women had since been screened.

27. **Ms. Power** (New Zealand) welcomed the open and fruitful dialogue with the Committee and assured members that the delegation had taken note of the need to provide more statistical data in its next periodic report so that the Committee could assess progress on implementation of the Covenant.

28. New Zealand was determined to improve the living conditions of the most disadvantaged, including the Maori, Pacific Islanders and persons with disabilities, and to reduce poverty through job-creation and protect children from violence and neglect.

29. Lastly, her country was closely following the treaty body strengthening process and therefore welcomed the fact that the meetings dedicated to the consideration of the third periodic report of New Zealand had been shown live on the Internet.

30. **The Chairperson**, thanking the delegation for its cooperation, said that he was assured of the State party's will to overcome any obstacles to the full implementation of the rights enshrined in the Covenant. In that connection, he invited the State party to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

*The first part (public) of the meeting rose at 11 a.m.*