

**AMNESTY
INTERNATIONAL**



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**UN Human Rights Council
Twelfth Session, 14 September – 2 October 2009**

Item 6: Consideration of UPR outcome reports

New Zealand

Mr. President,

Amnesty International welcomes New Zealand's willingness to "move to support" the UN Declaration on the Rights of Indigenous Peoples as recommended by many states in the UPR Working Group.¹ We call on the government to announce its clear and unambiguous support of the Declaration and to reflect its provisions in domestic legislation. This would send an important signal to the Maori, iwi and hapu communities in New Zealand, as well as to the international community, of the government's serious commitment to promoting and protecting Indigenous rights.

Amnesty International also welcomes New Zealand's acceptance of recommendations to continue the dialogue with Maori regarding the Foreshore and Seabed Act of 2004, to explore ways of mitigating the Act's discriminatory effects, and to provide compensation to Maori for their loss of land.² We note the recommendation by the Independent Ministerial Board that the Act be repealed, and look to the government to ensure that new legislation fully protect the human rights of Maori and enshrine the principles of recognition of customary rights, due process, good faith, and compensation.

Mr President,

Amnesty International welcomes New Zealand's acceptance of the need to ensure that prisoners are treated humanely, including in privatized prisons.³ We call on the government to amend the Corrections Act 2004 to require that conditions in

¹ A/HRC/12/8/Add.1, paragraph 6.

² A/HRC/12/8, paragraph 81, recommendations 58, 59 and 60.

³ A/HRC/12/8/Add.1, paragraph 31

privatized prisons comply with the UN Standard Minimum Rules for the Treatment of Prisoners.

We strongly urge the government to explore options for its early ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and for greater recognition of economic, social and cultural rights in domestic legislation.⁴

Finally, Mr. President,

We applaud New Zealand's commitment to the UPR, including the early submission of a detailed response to the recommendations and its commitment to ensure regular consultation with civil society in the follow up.

Thank you Mr. President.

⁴ A/HRC/12/8/Add.1, paragraph 4