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Amnesty International has contributed a full submission for the 3rd cycle of the UN Universal Periodic Review (UPR) of New Zealand in January-February 2019. This submission can be accessed at <https://www.amnesty.org/en/documents/asa32/9070/2018/en/>.

With regard to the national human rights framework, Amnesty International welcomes some processes to better align domestic legislation with New Zealand’s human rights obligations, but considers that fundamental institutional preventative mechanisms are still lacking in order to uphold and prevent breaches of human rights.

Amnesty International also sets out a number of concerns with regard to the human rights situation on the ground. Three key **challenges** and **recommendations** are highlighted below.

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| **CHALLENGES** | **IMPACT** |
| **Juvenile justice**  There has been a significant increase since the last UPR of New Zealand in the number of juveniles (under 18) held in police cells on remand for more than 24 hours. | Official figures released to Amnesty International show that the number of placements of juveniles in police cells for more than 24 hours increased from 62 placements per year in 2014 to 284 placements in 2017.[[1]](#endnote-1) The average period of stay in police custody has also increased in this period, from 1.8 days to 2.3. The continued and increased detention of juveniles in adult detention facilities, such as police cells breaches international human rights standards.[[2]](#endnote-2) |
| **Asylum Seekers and Refugees** | In 2018, a community sponsorship refugee pilot was developed as an additional protection pathway for refugees alongside the government’s quota resettlement programme.[[3]](#endnote-3) It offers an opportunity to improve commitment to international responsibility sharing, to increase protection spaces, and to build community support for refugee rights. However, it is yet to be implemented as a permanent programme and it currently requires refugees under the pilot to meet language, skills, health and age criteria that could be considered discriminatory.[[4]](#endnote-4) |
| **Gender based violence**  Gender**-**based violence, including sexual harassment, is continuing to violate the human rights of women in multiple spheres of their life and influence, including in online spaces. | In 2017, research commissioned by Amnesty International found that around 1/3 of the women surveyed said they had experienced online abuse and harassment. Of those women, 49% feared for their physical safety, 32% feared for the physical safety of their families as a result, and 49% said they used social media less, or had stopped altogether.[[5]](#endnote-5) Online spaces are a critical space for exercising freedom expression, particularly for women and marginalised groups. |

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| **RECOMMENDATIONS** | |
| **Juvenile justice** | **Abolish the option in legislation to detain juveniles in police cells and ensure that the practice is eradicated.** |
| **Asylum Seekers and Refugees** | **Approve the Community Organisation Refugee Sponsorship category as a permanent programme that meets all requirements of the UN Convention Relating to the Status of Refugees, including the Article 3 principle of non-discrimination.** |
| **Gender based violence** | **Review the legislative framework to ensure that it adequately protects and provides adequate remedies for victims of gender-based violence in all spheres of life, including in online platforms, in line with Sustainable Development Goal Targets 5.1, 10.3 and 16.1.** |
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For further enquiries or to arrange a meeting, please contact Annaliese Johnston, Advocacy and Policy Manager at Amnesty International New Zealand (based in Wellington), at **annaliese.johnston@amnesty.org.nz**

1. [↑](#endnote-ref-1)
2. **Endnotes**

   i Amnesty International and Ipsos *MORI Poll online abuse or harassment against women* (2017), further information available at <https://www.amnesty.org.nz/amnesty-reveals-alarming-impact-online-abuse-against-women> (accessed 25 May 2018)

   ii Including under the UN Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

   iii Oranga Tamariki­ – Ministry for Children *For the period 31 March 2014 to 31 March 2018, the number of children and young people detained in Police cells for more than 24 hours, by average duration in police custody, broken down by region*. (1 July 2018).

   IV Community-based sponsorship programs allow individuals to directly engage in refugee resettlement efforts. Sponsors commit to providing financial, emotional and resettlement support to help newly-arrived refugees integrate into life in a new country. Further information available at <http://www.refugeesponsorship.org/community-sponsorship> (accessed 28 June 2018)

   V Office of the Minister of Immigration *Cabinet Paper: Community Organisation Refugee Sponsorship Category* (2017), available at <http://www.mbie.govt.nz/info-services/immigration/oia-responses/folder-community-organisation-refugee-sponsorship-category/cabinet-paper-community-organisation-refugee-sponsorship-category.pdf> (accessed 25 May 2018) [↑](#endnote-ref-2)
3. [↑](#endnote-ref-3)
4. [↑](#endnote-ref-4)
5. [↑](#endnote-ref-5)