

Hon Andrew Little
Minister of Justice
Minister Responsible for the GCSB
Minister Responsible for the NZSIS

Proactive release – report on overseas travel (Europe – January 2019)

Date of issue: 12 April 2019

The following documents have been proactively released in accordance with Cabinet Office Circular CO (18) 4.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted.

No.	Document	Comments
1	Report on Overseas Travel: Hon Andrew Little: Europe 18 January - 25 January 2019 <i>Cabinet paper</i> Office of the Minister of Justice and Minister Responsible for the NZSIS and GCSB	Some information has been withheld in accordance with section 6(a) of the OIA, as releasing the information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand.
2	Report on Overseas Travel: Hon Andrew Little <i>Cabinet minute</i> Cabinet Office	Released in full.

Chair
Cabinet

**REPORT ON OVERSEAS TRAVEL: HON ANDREW LITTLE: EUROPE 18
JANUARY - 25 JANUARY 2019**


Proposal

1. I recommend that Cabinet note this report on my travel to Europe (the Swiss Confederation, and the United Kingdom of Great Britain and Northern Ireland) between the 18th of January 2019 and the 25th of January 2019.

Report

2. The substantive purpose of this trip was to lead the New Zealand delegation for New Zealand's third Universal Periodic Review (UPR) by the United Nations (UN) Human Rights Council in Geneva, Switzerland.
3. The UPR is a process involving a periodic review of the human rights records of all 193 UN member states. Established in 2006 by the UN General Assembly, the UN Human Rights Council has a mandate to review, based on objective information, the human rights obligations and commitments of each state. It is designed to prompt, expand, and support through technical assistance the promotion and protection of human rights of each state.
4. Each UPR review is conducted by the 47 members of the Human Rights Council, however a member state can take part in the dialogue with the state under review. In this year's UPR 77 member states made statements and recommendations to New Zealand. Each state review is also assisted by a group of three states, collectively known as a 'troika,' who draft the outcome report based on the dialogue during the review. New Zealand's troika consisted of the Federative Republic of Brazil, the Slovak Republic, and the Kingdom of Saudi Arabia.
5. The review took place over approximately three hours. During which, member states were allotted 90 seconds each to provide recommendations or comments on New Zealand's human rights obligations and record. New Zealand received 194 recommendations in total.
6. Overall, the feedback from the UN community in Geneva was that New Zealand's openness about our successes and areas where work is still

required was well received.

7. I will consult with colleagues and report to Cabinet on New Zealand's official response to each recommendation in the coming months.
8. Appendix A contains a thematic summary of the recommendations provided to New Zealand, with some specific issues noted where they arose with frequency, such as joining conventions or ratifying specific treaties. For completeness, these thematic groupings have been compiled by New Zealand officials, not the UN.
9. While in Geneva, I also met with:
 - 9.1. The Aotearoa New Youth Leaders Delegation who were observers of the UPR.
 - 9.2. United Nations High Commissioner for Human Rights Ms. Michelle Bachelet to discuss the UN's human rights programme and human rights in New Zealand.
10. The meetings in London, the United Kingdom, focused on New Zealand's security and intelligence relationship with the UK. I met with senior UK intelligence officials, UK Foreign Secretary Rt Hon Jeremy Hunt, UK Home Secretary Rt Hon Sajid Javid; and Chair of the UK Intelligence and Security Parliamentary Committee Rt Hon Dominic Grieve QC.
11. The common issues raised in these meetings were New Zealand's relationship in the Pacific, East Asia, drones, encryption, and violent extremism. Further details of these meetings cannot be outlined at the RESTRICTED level.
12. Section 6(a) 

Proactive release

13. It is proposed that this paper is proactively released in accordance with usual CO (18) 4 after 30 business days, with the exception of clause 12 which should be withheld consistent with section 6(a) of the Official Information Act 1984 (*"the making available of that information would be likely... to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand"*).

Recommendations

14. The Minister of Justice, the Minister Responsible for the NZSIS, and the Minister Responsible for the GCSB recommends that:

14.1. Cabinet note this report;

14.2. This report be proactively released after 30 business days, excepting for clause 12 which should be withheld.

Authorised for lodgement.

Hon Andrew Little

Minister of Justice
Minister Responsible for the NZSIS
Minister Responsible for the GCSB

Date:

Appendix A: List of thematic recommendations from New Zealand's third Universal Periodic Review (UPR) by the United Nations (UN) Human Rights Council

1. Theme One: The scope of New Zealand's international obligations and cooperation with international human rights mechanisms and bodies:
 - 1.1. Join or ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
 - 1.2. Strengthen the protection of asylum seekers and migrants;
 - 1.3. Accelerate the process of acceding to the International Convention for the Protection of All Persons from Enforced Disappearance;
 - 1.4. Continue consideration of joining, or become party to, the Optional Protocol to the Convention of the Rights of the Child on a communications procedure.
2. Theme Two: New Zealand's national human rights framework:
 - 2.1. Consider developing and adopting a written constitution;
 - 2.2. Strengthen the Bill of Rights Act 1990 by either giving it definition as supreme law or giving it constitutional rank;
 - 2.3. Strengthen reporting and coordination mechanisms on human rights obligations.
3. Theme Three: Equality and non-discrimination:
 - 3.1. Strengthen measures and the legislative framework to combat discrimination, with an emphasis on combatting racial, and gender discrimination;
 - 3.2. Prohibit discrimination on the basis of gender and sexual characteristics through amendment of the Human Rights Act 1993.
4. Theme Four: Development, the environment, and business and human rights:
 - 4.1. Increase technical and other cooperation with UN member states;
 - 4.2. Continue efforts to address ongoing environmental and climate change related challenges;

- 4.3. Promote the role of the private sector in implementing human rights obligations and disaster response.
5. Theme Five: Administration of Justice:
 - 5.1. Strengthen the availability of legal aid, particularly to Māori and women;
 - 5.2. Continue work to combat prison overcrowding, and discrimination against Māori in the criminal justice system.
6. Theme Six: Slavery:
 - 6.1. Increase efforts to prevent and prosecute human trafficking, sexual exploitation, and labour exploitation;
7. Theme Seven: The right to work and conditions of work:
 - 7.1. Increase employment opportunities for, and address discrimination against, marginalised groups;
 - 7.2. Address the gender pay gap and the promotion of increase the representation of women in leadership positions;
 - 7.3. Improve the conditions of migrant workers and combat migrant exploitation.
8. Theme Eight: Standard of living:
 - 8.1. Continue efforts to increase the availability of affordable housing;
 - 8.2. Prioritise and continue work on address child poverty, and invest in poverty reduction programmes and initiatives.
9. Theme Nine: The right to health:
 - 9.1. Remove abortion from the Crimes Act 1961 and amend review the Contraception, Sterilisation, and Abortion Act 1977;
 - 9.2. Address disparities in service provision, with an emphasis on access to vulnerable groups.
10. Theme Ten: Violence:
 - 10.1. Continue efforts to combat gender based violence and domestic violence and discrimination against women, and children;

10.2. Develop a national or cross party strategy on violence towards women.

11. Theme Eleven: Persons with disabilities:

11.1. Strengthen efforts to address marginalisation of persons with disabilities and implement legislation to promote and protect the rights of persons with disabilities;

11.2. Provide children with disabilities a quality and inclusive education;

11.3. Enhance mental health policies with specific attention provided to those with mental health conditions and psychosocial disabilities.

12. Theme Twelve: Māori:

12.1. Promote human rights for indigenous persons;

12.2. Continue efforts to ensure Māori have proper access to education and the labour market;

12.3. Address socio-economic disparities experienced by Māori;

12.4. Harmonise national regulations with the Declaration on the Rights of Indigenous Peoples.



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Report on Overseas Travel: Hon Andrew Little

Portfolios **Justice / GCSB / NZSIS**

On 4 March 2019, Cabinet **noted** the report from Hon Andrew Little under CAB-19-SUB-0062 on his travel, from 18 to 26 January 2019, to:

- 1 Geneva, Switzerland to lead the delegation for New Zealand's third Universal Periodic Review (UPR) by the United Nations Human Rights Council;
- 2 London, United Kingdom to meet with counterpart Ministers and senior security and intelligence officials.

Michael Webster
Secretary of the Cabinet

Hard-copy distribution:

Prime Minister
Deputy Prime Minister
Hon Andrew Little