

senting early childhood workers and primary school teachers on a unified pay system that will result in pay increases for teachers, most of whom are women; two legislative initiatives related to property rights — the Matrimonial Property Amendment Bill and the *de facto* Relationships (Property) Bill; and the establishment of the Maori Women's Development Unit of the National Collective of Independent Women's Refuges, targeting violence in Maori families.

The Committee's concluding observations and comments (CEDAW/C/1998/II/L.1/Add.9) welcomed, *inter alia*: the government's sensitivity to the situation of Maori women and its efforts to overcome obstacles to Maori women's achievement of equality; new legislative efforts, in particular the adoption of the Domestic Violence Act of 1995 and the designation of a Women's Commissioner on the Human Rights Commission.

Principal areas of concern identified by the Committee included, *inter alia*: the requirement for women to negotiate maternity leave individually with their employers, and constraints for obtaining unpaid maternity leave; the lack of awareness by women of existing unpaid parental leave rights; the failure to address adequately the impact on women of economic restructuring; that legislation such as the Employment Contracts Act of 1991, which emphasizes individual employment contracts rather than collective agreements, constitutes a major disadvantage for women in the labour market due to their dual responsibilities of work and family commitments; and the continuing wage-differential between women and men, pay differentials between women and men for equal work, and the impact of the repeal of the Pay Equity Act for women's equal pay rights.

The Committee expressed concern about: the ongoing privatization of social services and the introduction of fee-based systems in areas such as health, and the potential for a reduction in women's access to such services, especially for poor and Maori women; the fact that the Matrimonial Property Amendment Bill and the *de facto* Relationships (Property) Bill distinguish between the rights of married women in the division of property upon the death of a husband or following divorce, and the rights of women upon separation from a *de facto* partner; the failure of the Matrimonial Property Amendment Bill to take into consideration future earnings of a husband with regard to property divisions in divorce settlements; the fact that the situation of Maori women remains unsatisfactory in many areas, including the high percentage of Maori girls leaving school early, higher-than-average teenage pregnancy rates, the continuing low number of Maori women in tertiary education, their employment situation, their absence from the judiciary and political decision-making, their health situation and access to health services and higher-than-average incidences of domestic violence; and the inadequate effort being made to achieve targets set for gender balance, through the use of temporary special measures, in terms of women's equal participation in political and public life, including in Parliament, the judiciary and in statutory boards.

The Committee recommended that the government, *inter alia*:

- ♦ examine in greater detail paid maternity leave provisions that exist in a number of countries at a comparative level of economic and social development; study the impact of existing maternity leave provisions on women's equal pay and career opportunities; consider the possible long-term impact of this situation, especially in conjunction with the proposed Matrimonial Property Amendment Bill which does not recognize future earnings in divorce settlements; recognize maternity as a social function which must not constitute a structural disadvantage for women with regard to their employment rights;
- ♦ assess the impact of existing free-market legislation on women's ability to compete on an equal level with men in the labour market and assess the benefits that women derived from the favourable economic situation of recent years;
- ♦ make proactive use of temporary special measures in the public and private sectors to accelerate women's *de facto* equality in employment; systematically monitor trends in the situation of women, especially in the employment field, and assess regularly the impact of legislative and policy measures to achieve women's equality;
- ♦ make further efforts, including through legislation and innovative policies, to reduce the gender wage-differential; examine the impact of the Privacy Act on women's ability to seek redress in court for discriminatory unequal pay; consider developing an "equal pay for work of comparable value" strategy, and reinstate respective legislation;
- ♦ monitor closely the impact of privatization on social services, especially in health, so as to ensure equal access to quality health care for all women;
- ♦ reconsider the content of the *de facto* Relationships (Property) Bill with a view to bringing it in line with the Matrimonial Property Amendment Bill, especially since *de facto* relationships in the country are more common among the Maori population and a growing trend for the population in general;
- ♦ continue its efforts to implement fully the Treaty of Waitangi, with particular emphasis on achieving equality for Maori women in all areas covered by the Convention; translate, as a matter of priority, the Convention into the Maori language, and distribute it widely in Maori communities;
- ♦ consider introducing a broad range of measures, including targets and flexible numerical goals, to increase women's participation in political and public life; assess the advantages and disadvantages of the current electoral system — the Mixed Member Proportional Representation System — and, if necessary, introduce amendments to increase the number of women in Parliament; and