

**Detention of international civil servants, Report of the S-G to the CHR:** (E/CN.4/1997/25, para. 36)

The report of the Secretary-General takes note of the hostage-taking in Irian Jaya province, Indonesia, on 8 January 1996 by separatist rebels of the Free Papua Movement. Two Dutch nationals, one of whom was working with UNESCO at the time, were among the hostages. The hostages were freed in May 1996 following actions by the Indonesian military.

\* \* \* \* \*

## NEW ZEALAND

**Date of admission to UN:** 24 October 1945.

### TREATIES AND REPORTS TO TREATY BODIES

**Land and People:** New Zealand has submitted a core document (HRI/CORE/1/Add.33) for use by the treaty bodies. The report prepared by the government includes demographic data and information on the history of New Zealand, the economy, religion, language, the structure of government, the legal framework for the protection of human rights and the status of international treaties in domestic law.

The legal and institutional framework for the protection of human rights includes the Bill of Rights, the Human Rights Commission and laws related to, for example, mediation on administrative decisions or actions affecting human rights, access to information, privacy, complaints against the police, race relations, and the functioning of an industrial tribunal. The provisions of international human rights treaties are not automatically incorporated into domestic law but gain effect following changes to laws dealing with the areas addressed in each instrument. The Cook Islands and Niue have the authority to ratify international human rights treaties in their own right and are responsible for preparing their own periodic reports for the relevant treaty bodies with New Zealand's assistance if requested.

#### Economic, Social and Cultural Rights

Signed: 12 November 1968; ratified: 28 December 1978. New Zealand's second periodic report was due 30 June 1995.

*Reservations and Declarations:* Article 8 and paragraph 2 of article 10.

#### Civil and Political Rights

Signed: 12 November 1968; ratified: 28 December 1978. New Zealand's fourth periodic report was due 27 March 1995.

*Reservations and Declarations:* Paragraphs 2 (b) and 3 of article 10; paragraph 6 of article 14; articles 20 and 22; declaration under article 41.

**Optional Protocol:** Acceded: 26 May 1989.

**Second Optional Protocol:** Signed: 22 February 1990; ratified: 22 February 1990.

#### Racial Discrimination

Signed: 25 October 1966; ratified: 10 December 1971. New Zealand's 12<sup>th</sup> periodic report was due 22 December 1995.

#### Discrimination against Women

Signed: 17 July 1980; ratified: 10 January 1985. New Zealand's third periodic report was due 9 February 1994.

#### Torture

Signed: 14 January 1986; ratified: 10 December 1989. New Zealand's second report (CAT/C/29/Add.4) is scheduled for consideration at the Committee's May 1998 session; the third periodic report is due 8 January 1999.

#### Rights of the Child

Signed: 1 October 1990; ratified: 6 April 1993. New Zealand's second periodic report is due 5 May 2000. *Reservations and Declarations:* General reservation; paragraph 1 of article 32; paragraph (c) of article 37.

New Zealand's initial report (CRC/C/28/Add.3) was considered by the Committee at its January 1997 session. The report prepared by the government includes information on, inter alia: measures taken to harmonize national law and policy with the provisions of the Convention; the general principles of non-discrimination, the best interests of the child, the right to life, survival and development and respect for the views of the child; name and nationality; expression and information; freedom of thought, conscience and belief, association and peaceful assembly; the protection of privacy; parental guidance and responsibilities; separation from parents and family reunification; adoption, illicit transfer and non-return; abuse and neglect, physical and psychological recovery and social reintegration; basic health and welfare; children with disabilities; social security and standard of living; education, vocational training and guidance; special protection measures; and children belonging to a minority or indigenous group.

The Committee's concluding observations (CRC/C/15/Add.71) welcomed: the adoption of the Domestic Protection Act 1995 which provides greater protection to the victims of domestic violence than previous legislation and extends protection to children; the increasing emphasis on monitoring and evaluation of the impact on children of proposed legislation and policies affecting children; the wide range of support services that are available to assist children with disabilities to enhance their development and maximize their potential; the application of the age discrimination provisions of the Human Rights Act 1993 to include coverage of young persons aged 16 years and older, and the fact that the Human Rights Commission can receive complaints from children; and, the convening of a "Youth Parliament" as a means of realising an important dimension of article 12 (freedom of expression and the right to be heard) of the Convention.

The principal subjects of concern identified by the Committee were: the broad nature of the reservations made to the Convention by New Zealand; the failure to extend the full protections in the Convention to the territory of Tokelau (a non-self governing territory); the somewhat fragmented approach to the rights of the child; the lack of a global policy or plan of action incorporating the principles and provisions of the Convention and encompassing all areas covered by it; the lack of conformity of relevant domestic laws with the definition of the child under the Convention, especially with regard to the minimum age for charging a child with serious