

FREEDOM IN THE WORLD 2020

New Zealand

FREE

97
/100

<u>Political Rights</u>	40 /40
<u>Civil Liberties</u>	57 /60

LAST YEAR'S SCORE & STATUS

98 /100 ● Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



Overview

New Zealand is a parliamentary democracy with a long record of free and fair elections and of guaranteeing political rights and civil liberties. Concerns include discrimination against the Māori and other minority populations, as well as reports of foreign influence in politics and the education sector.

Key Developments in 2019

- In March, 51 people were killed and many more were injured when a right-wing extremist opened fire at two mosques in Christchurch. The attacker, who was motivated by anti-immigrant and anti-Muslim beliefs, perpetrated the worst mass shooting in New Zealand's modern history.
- Following the Christchurch attack, the government worked with social media platforms to limit the transmission of footage of the attack.
- New Zealand's Privacy Commissioner criticized the Terrorism Suppression Bill, debated in parliament in December, for the broad surveillance and monitoring powers it would give authorities.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

4/4

A governor general, appointed by the United Kingdom's Queen Elizabeth II on advice from the prime minister, represents the British monarch as New Zealand's ceremonial head of state. The prime minister, who is head of government, is appointed by the governor general and is usually the leader of the majority party or coalition in the

directly elected parliament. Jacinda Ardern, leader of the Labour Party, became prime minister in 2017 following that year's legislative elections, which were considered well administered and credible.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

4/4

The 120 members of parliament's single chamber, the House of Representatives, serve three-year terms. The mixed electoral system combines voting in geographic districts with proportional representation. In the 2017 elections, no single party won the 61 seats required to form a government. Although the incumbent National Party led with 56 seats, the Labour Party, which won 46 seats, formed a coalition with two smaller parties: New Zealand First, a populist and anti-immigration party that claimed 9 seats, and the Green Party, which took 8 seats. Elections in New Zealand are generally well administered, and their results considered credible.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

4/4

The legal framework supports democratic elections, and elections are implemented fairly in practice. The independent New Zealand Electoral Commission administers polls and referendums, promotes compliance with electoral laws, and provides public education on electoral issues.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

4/4

New Zealanders are able to organize political parties without undue legal restrictions or other obstacles, and parties are free to operate and campaign for support.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

4/4

The political system has experienced regular democratic transfers of power between rival parties. Power has traditionally alternated between the center-left Labour Party and the center-right National Party. Currently, the National Party serves as a strong opposition force in parliament.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

4/4

People are generally able to act on their political preferences without undue influence from powerful groups. However, several studies in recent years have raised concerns over the likelihood that sizable political donations from Chinese businesspeople and other Chinese figures have influenced the policy positions of political parties and lawmakers.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?

4/4

Political rights and electoral opportunities are granted to all New Zealand citizens, and permanent residents have the right to vote. The New Zealand Bill of Rights Act 1990 codifies civil and political rights and all draft legislation is assessed against that Act. Seven of parliament's constituency seats are reserved for representatives of the Māori population, though Māori may also vote or run in general electoral districts. In the 2017 elections, Golriz Ghahraman, from Iran, became the first refugee to win a seat in parliament.

Women are relatively well represented in politics, and the government has taken steps to encourage their participation. Ardern is the third woman to serve as the country's prime minister.

In November 2018, the Supreme Court confirmed a lower court's finding that a 2010 law disenfranchising all prisoners serving sentences was inconsistent with the country's Bill of Rights. Previous rules had allowed prisoners serving terms of less than three years to vote. The decision had no immediate effect, as it did not require parliament to change the law. Restrictions on prisoners' voting rights particularly affect indigenous people, who comprise a disproportionate share of inmates.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

4/4

The prime minister and cabinet ministers, with the support of a majority in the House of Representatives, determine and implement the government's policy agenda without improper interference from any unelected entity.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

4/4

Government corruption is not considered a significant problem in New Zealand, and cases of official malfeasance are routinely investigated and prosecuted.

Despite the country's strong anticorruption record, there is some concern about a "revolving door" between political or government posts and private-sector lobbying groups, which could entail conflicts of interest.

C3 0-4 pts

Does the government operate with openness and transparency?

4/4

The government operates with a high level of transparency, and new legislation is openly discussed in parliament and the media. Parliamentary records, government policies, and commissioned reports are published online and readily available as required by law. The government upholds transparency in budgetary procedures, and members of parliament must submit annual financial disclosure statements.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?

4/4

New Zealand has a free and robust independent media sector, including a Māori-language public network and radio station.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief

in public and private?	4/4
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Religious freedom is protected by law and generally respected in practice. Only religious organizations that wish to collect donations and receive tax benefits need to register with the government, and the process is not onerous.

D3 0-4 pts	
Is there academic freedom, and is the educational system free from extensive political indoctrination?	4/4

Academic freedom typically prevails at all levels of instruction. However, concerns persist regarding Chinese interference in New Zealand's higher education sector. Beginning in late 2017 and throughout 2018, a prominent China studies professor at the University of Canterbury in Christchurch, Anne-Marie Brady, was subjected to a campaign of intimidation, including threatening letters, damage to her car, and theft of materials related to her research, which has been critical of the Chinese Communist Party. Reports of Chinese government attempts to influence student groups and monitor Chinese students in New Zealand also emerged in 2017.

D4 0-4 pts	
Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	4/4

New Zealanders are free to discuss personal views on sensitive topics. However, new intelligence and security legislation adopted in 2017 allows law enforcement agencies to access private communications under certain conditions in order to protect national security. Separately, state security officials warned the government in late 2017 that Beijing may have attempted to “unduly influence expatriate communities.”

A Terrorism Suppression Bill was considered by the Foreign Affairs, Defence, and Trade Select Committee in December 2019. The bill was criticized by the privacy

commissioner, particularly for provisions that would allow the authorities to impose stringent control orders on individuals who have been involved in terrorism activities abroad, including allowing authorities to monitor a subject's movements and restrict their internet access.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

4/4

The government generally respects freedom of assembly. Large protests on a variety of topics have proceeded without incident in recent years, though in July 2018 police prevented protesters demonstrating against the use of a chemical pesticide from crossing Auckland's Harbour Bridge, claiming it would not be in the interest of public safety.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?

4/4

There are no significant restrictions on nongovernmental organizations' ability to form, operate, and solicit funds.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

4/4

Workers may freely organize and bargain collectively, and trade unions actively engage in political debates and campaigns. Workers also have the right to strike, with the exception of uniformed police personnel.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

4/4

The New Zealand judiciary is generally independent. Most judges are appointed by the governor general on the recommendation of the attorney general, who first consults with senior jurists.

F2 0-4 pts

Does due process prevail in civil and criminal matters?

4/4

Law enforcement practices and court procedures provide for due process protections in civil and criminal matters. Defendants and detainees are presumed innocent until proven guilty and by law must immediately be notified of the charges against them.

Pretrial detention durations have increased in recent years, as authorities have tightened bail requirements and relaxed the time limit in which cases must be concluded.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

3/4

Though rates of violent crime are relatively low, and residents have legal recourse to seek redress for violations of their physical security, the March 2019 Christchurch terrorist attacks were the worst mass shooting in New Zealand’s modern history. The shooting, which took place at two mosques during lunchtime—when members of the communities were inside praying—and killed 51 people, was preplanned and accompanied by an 87-page manifesto filled with anti-immigrant and anti-Muslim hate speech. However, the government has been criticized for its limited action in combatting Islamophobia in the country.

Prison conditions generally meet international standards, though some facilities are poorly equipped to house detainees with disabilities or mental health problems.

Following the March 2019 terrorist shooting attack at two mosques in Christchurch, New Zealand government representatives collaborated with tech companies, including Google and Facebook, to ensure the removal of material on online platforms depicting the attack, as well as implementing future measures to prevent any livestreaming of potential future attacks and the spread of extremist content online.

Score Change: The score declined from 4 to 3 due to terrorist attacks on two mosques that killed 51 people, the worst mass shootings in the country’s modern history.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

3/4

The 1993 Human Rights Act protects all people in New Zealand from discrimination on the basis of gender, religion, ethnicity, and sexual orientation, among other categories, and its provisions are generally respected in practice. However, Māori—who account for approximately 16 percent of the population—and Pacific Islanders experience some discrimination in schools, the workplace, and the health system. Indigenous people are also disproportionately represented in the penal system, accounting for just over half of the prison population as of May 2019. Recent

campaigns to recruit more officers of Māori, Pacific Islander, and Asian descent aim to improve cultural and ethnic sensitivity within the police force, and to combat profiling and discrimination.

The yearly Child Poverty Monitor Technical Report outlines the national issue of child poverty in New Zealand. Children of Māori and Pacific Islander descent are especially vulnerable to this problem. The current government has been criticized for its ineffective efforts to combat the issue of child poverty, despite it being a priority of their policy agenda. The 2019 Technical Report recognized that the government has taken steps to combat the issue, but noted that significant acceleration of such actions was necessary.

Women continue to face some disparities in employment, including a 9.3 percent gender pay gap and underrepresentation in leadership positions in both the public and private sectors. The government enforces strong legislation protecting the rights of LGBT+ people.

The New Zealand Human Rights Commission has raised concerns that refugees are not always given sufficient information to enable them to access important services such as interpreters, housing, and English language instruction. Separately, asylum seekers are sometimes detained alongside criminal inmates while their identity is being confirmed. Despite these issues, the government has been accepting of refugees, and has increased the number it would allow entry over the past several years. In October 2019, the government ended a policy seen by many as discriminatory: it had previously restricted the number of refugees from Africa and the Middle East. In December, Prime Minister Ardern reiterated to the Australian government that New Zealand would maintain its resettlement offer for the refugees currently detained in Nauru.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

4/4

The government respects freedom of movement, and neither state nor nonstate actors place undue restrictions on people's ability to change their place of residence, employment, or education.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

4/4

New Zealand's legal and regulatory frameworks are broadly supportive of private business activity and provide strong protections for property rights.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

4/4

Personal social freedoms are broadly protected, including on issues like marriage and divorce. Same-sex marriage was legalized in 2013, and same-sex couples may jointly adopt children. However, violence against women and children remains a critical problem in many communities. A 2016 government paper reported that one in three women has been a victim of sexual violence in her lifetime. Abortion is legal under certain conditions, such as when the mental or physical health of the woman is at risk. New Zealand's Law Commission recommended to the justice minister in 2018 that the laws be amended to treat abortion as a health issue rather than a criminal matter, including by repealing criminal offenses related to abortion.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic

exploitation?

3/4

Residents generally have access to economic opportunities, but the Māori and Pacific Islander populations have disproportionately high rates of unemployment, affecting their economic and social mobility.

Migrant workers are vulnerable to exploitative conditions including forced labor in industries such as fishing, agriculture, construction, hospitality, and domestic service. The government has taken action to combat these abuses.



On New Zealand

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Country Facts

Global Freedom Score

97/100 ● Free

Other Years

2019



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