

# NEW ZEALAND

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Head of state:

Queen Elizabeth II, represented by  
Jerry Mateparae

Head of government:

John Key

**The rights of asylum-seekers were at risk of being undermined by a new bill. Levels of child poverty continued to be high, disproportionately affecting Māori (Indigenous People) and Pacific Island peoples. Violence against women remained widespread, but the authorities failed to collect sufficient data on how such violence affected women, especially those from minority groups.**

## Legal, constitutional or institutional developments

A government-sponsored review of the country's constitutional arrangements continued. The review was mandated to consider a range of constitutional issues, including whether there should be a written Constitution. By October 2012, the Constitutional Review Panel had met with 56 organizations; however, open public consultations had yet to occur by the end of the year.

In May, the UN Committee on Economic, Social and Cultural Rights expressed concern that such rights had yet to be incorporated into the Bill of Rights Act 1990. It also highlighted New Zealand's failure to sufficiently protect Indigenous Peoples' rights to their lands, territories, waters, maritime areas and other resources.

## Children's rights

Child poverty remained high. An August study by the Ministry of Social Development identified up to 270,000 children as living in poverty, about 47% of whom were from Māori or Pacific Island peoples.

## Women's rights

In July, the CEDAW Committee considered New Zealand's periodic report and expressed concern at persistently high and increasing levels of violence against women. The Committee criticized New Zealand's failure to collect sufficient statistical data on violence against women, especially against Māori women, migrant women and women with disabilities.

## Rights of lesbian, gay, bisexual, transgender and intersex people

In August, the Marriage (Equality) Amendment Bill passed the first of three readings, with 80 votes for and 40 against. The bill sought to clarify the definition of marriage as contained in the 1955 Marriage Act. The new bill would allow marriage between two people regardless of their sex, sexual orientation or gender identity. The bill remained pending.

## Refugees and asylum-seekers

In April, the Immigration Amendment (Mass Arrivals) Bill was introduced to Parliament. The new bill allowed for indefinite detention of asylum-seekers arriving by boat in groups of more than 10 people, as well as limitations on family reunification and access to judicial review. The bill gave the authorities new powers to suspend the processing of asylum claims. The bill had not been passed by the end of the year.

# NICARAGUA

## REPUBLIC OF NICARAGUA

Head of state and government:

Daniel Ortega Saavedra

**All forms of abortion remained criminalized. A new law on violence against women came into effect; most victims of rape and sexual violence were girls aged 17 and under.**

## Background

Three people died and dozens were wounded in the wake of municipal elections in November. Tensions had been heightened in the run-up to the elections by allegations of fraud and irregularities against the ruling Sandinista National Liberation Front (Frente Sandinista de Liberación Nacional, FSLN) and smaller parties allegedly allied to the FSLN, which continued to be reported on election day itself.

## Arbitrary detention, torture and other ill-treatment

A fortnight after the municipal elections, continuing fraud allegations prompted clashes between

supporters of the opposition Constitutional Liberal Party (Partido Liberal Constitucionalista, PLC) and supporters of the governing FSLN in Nueva Guinea, in the South Atlantic Autonomous Region.

Human rights organizations reported that PLC supporters were arrested by the police and ill-treated in custody. Detainees reported being beaten, and women and girl detainees said that they were forced to remove their clothes in front of male officers, who humiliated them and threatened them with sexual violence.

## Violence against women and girls

During the first six months of 2012, the Police Unit for Women and Children received 1,862 reports of sexual violence. Children aged 14 or under accounted for 1,048 of the victims and 80% of all victims were aged 17 or younger. Although the statistics did not reveal the gender of victims, previous government statistics have shown that women and girls make up the majority of victims of sexual violence.

■ In October, the police in Matagalpa, in the north of Nicaragua, were instructed to execute an arrest warrant against a teacher accused of sexually abusing a 14-year-old pupil. However, the arrest warrant was not executed, allegedly due to a lack of space in the prison system and lack of police capacity; the teacher reportedly fled the city. At the end of the year, the accused remained at large.

The Integral Law Against Violence Against Women (Law 779) came into effect in June. While the law represented a positive step, lack of resources assigned to ensure its implementation remained a concern.

## Sexual and reproductive rights

All forms of abortion remained illegal.

The Inter-American Commission on Human Rights Rapporteur on the Rights of Women visited Nicaragua in May and urged the government to repeal the total abortion ban and to examine the link between gender-based violence and sexual and reproductive rights.

In July, the Ministry of Health announced that over the decade 2000-2009, the number of births to girls aged between 10 and 14 had increased by 47.9%. Sexual intercourse with a child under the age of 14 is classed as statutory rape under Nicaraguan law.

On 28 September, human rights groups and women's organizations protested against the

government's refusal to repeal the total abortion ban, and at the Supreme Court of Justice's continuing failure to rule on a 2007 petition challenging the constitutionality of the total ban.

# NIGER

## REPUBLIC OF NIGER

Head of state:

Mahamadou Issoufou

Head of government:

Brigi Rafini

**People accused of belonging to terrorist groups were ill-treated in detention. Several aid workers and their driver were abducted and held for three weeks by an armed group.**

## Background

There were clashes between government forces and armed groups based in Mali and Nigeria. In the north, the army strengthened the security system to oppose elements of armed groups involved in hostage-taking, drug trafficking and armed banditry.

As a result of the crisis following the March 2012 military coup in Mali, at least 50,000 people sought refuge in camps in Niger. They had very limited access to basic necessities and health care.

## Torture and other ill-treatment

Several people, including nationals of Nigeria, accused of being members of al-Qa'ida in the Islamic Maghreb (AQIM) or of Boko Haram, a Nigerian Islamist armed group, and suspected of terrorist activities, were ill-treated during arrest or shortly afterwards in an attempt to extract confessions.

■ In April, Moustapha Madou Abba Kiari was arrested in Difa, near the border with Nigeria, and punched and kicked. He was accused of being a member of Boko Haram and charged with terrorism offences.

## Abuses by armed groups

Several people, including foreign nationals, were abducted by armed groups.

■ In October, five aid workers – four Niger nationals and a Chad national – and their driver, a Niger citizen, were kidnapped in Dakoro by armed men and held for