

Human Rights are protected in New Zealand by way of the constitutional framework and NZ's international legal obligations.

NZ has an unwritten constitution and rights are protected by two key statutes, the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993. The NZBORA is an unentrenched law and it does not provide the judiciary with the power to strike down legislation that is inconsistent with the BORA. The NZ BORA also enshrines civil and political rights only but the prohibition on discrimination, when read with the definition of discrimination in the Human Rights Act acts as an enabling right that at least allows judges to find that a law or policy is discriminatory. The doctrine of Parliamentary Supremacy means that only the NZ Parliament can enact legislation to amend, repeal or render lawful law or policy that the Courts have found to be discriminatory. A further key legal document is the Treaty of Waitangi 1840 which sets out the relationship between the Crown and Maori, who are the indigenous people of Aotearoa New Zealand. It too is a source of rights analysis in New Zealand although the Treaty has never been codified into law; Maori have been identified as a marginalised community that experiences discrimination and a number of UN bodies have expressed concern regarding the protection of the rights of Maori the most recent being that of the UN Special Rapporteur on the Right to Adequate Housing.

The mass shooting of 51 Muslims at two Mosques in Christchurch is a key recent event which among other things has led to the establishment of a Royal Commission to investigate the lead up to the attacks and the responses of State Bodies. The shooting has reignited the debate about racism in New Zealand.

The New Zealand Human Rights Commission website is a useful resource: <https://www.hrc.co.nz/>

YOU may also find the website of the Human Rights Foundation, an NGO, to be useful: <https://humanrights.co.nz/>