



**Submission of the  
New Zealand Council of Trade Unions  
Te Kauae Kaimahi**

to the

**Government Administration Select  
Committee**

on the

**Marriage (Definition of Marriage)  
Amendment Bill**

**P O Box 6645  
Wellington  
October 2012**

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## 1. Introduction

- 1.1. This submission is made on behalf of the 37 unions affiliated to the New Zealand Council of Trade Unions Te Kauae Kaimahi (CTU). With 350,000 members, the CTU is the largest democratic organisation in New Zealand.
- 1.2. The CTU acknowledges Te Tiriti o Waitangi as the founding document of Aotearoa New Zealand and formally acknowledges this through Te Rūnanga o Ngā Kaimahi Māori o Aotearoa (Te Rūnanga) the Māori arm of Te Kauae Kaimahi (CTU) which represents approximately 60,000 Māori workers.
- 1.3. The CTU supports the purpose of the Marriage (Definition of Marriage) Amendment Bill. Banning same sex marriage is outmoded, discriminatory, contrary to New Zealand's obligations under the Universal Declaration of Human Rights and the Yogyakarta principles, and poor public policy.

## 2. CTU Policy

- 2.1. The CTU's 2007 Biennial Conference the CTU endorsed the 'Declaration of Montreal on Lesbian, Gay, Bisexual and Transgender Human Rights.' The Declaration was adopted on 29 July 2006 by the International Conference on LGBT Human Rights. The Declaration outlines a number of rights and freedoms pertaining to LGBT people that it proposes ought to be universally guaranteed. It includes, *inter alia*, the following statement on relationships and families:

LGBT people are not isolated individuals. We fall in love and establish relationships and families - however configured. For many of us, these relationships and families are the most important parts of our lives. Unless they are legally recognized, our right to equality and dignity cannot be fully secured.... As a matter of simple equality, same-sex couples are entitled to the full range of relationship options available to different sex couples, including marriage for those who choose it.

- 2.2. In February 2012, the CTU's National Affiliates Council voted to specifically endorse equal marriage and adoption rights for same-sex couples.

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- 2.3. We note the provisions of Article 16(1) of the Universal Declaration of Human Rights which states:

Men and women of full age without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, due to marriage and at its dissolution.

- 2.4. Restricting civil marriage rights to heterosexual couples is outmoded and discriminatory. This restriction has no place in a progressive forward-thinking New Zealand.

## 3. CTU Out@Work Council's submission

- 3.1. The Out@Work Council is a constitutional standing committee of the New Zealand Council of Trade Unions. Lesbian, gay, bisexual, transgender, Takataapui, Fa'afafine and queer workers (LGBTI) experience workplace discrimination. The rights of LGBTI workers are a fundamental trade union and human rights issue.
- 3.2. The CTU Out@Work Council was formed in 2003 to develop policies and programmes to support and advance the rights of LGBTI workers. The Out@Work Council works with unions to raise awareness of the issues faced by LGBTI workers and to end discrimination based on sexual orientation and gender identity
- 3.3. The Out@Work Council has prepared a detailed submission in support of the Marriage (Definition of Marriage) Amendment Bill. We endorse and support their submission and the arguments therein. We ask that their submission be read alongside this one.

## 4. Conclusion

- 4.1. On behalf of our members, the CTU supports the purpose of the Marriage (Definition of Marriage) Amendment Bill. Banning same sex marriages is outmoded, discriminatory, contrary to New Zealand's obligations under the Universal Declaration of Human Rights and the Yogyakarta principles, and poor public policy.

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- 4.2. If passed, this law will have a place in New Zealand's proud progressive history of upholding human rights alongside universal suffrage and our role in drafting the Universal Declaration of Human Rights.
- 4.3. We urge the Committee and Members of Parliament to be on the right side of history and support the passage of this Bill into law.