

# Takatāpui and rainbow human rights in Aotearoa

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# “ takatāpui & rainbow ”

indigenous and non-indigenous people whose sexual orientation, gender identity, gender expression, or variations of sex characteristics differ from majority binary norms, for example, people who are lesbian, gay, bisexual, intersex, transgender, queer, non-binary, and fa’afafine.

LGBTI+ (& similar)

sex, sexuality and  
gender minorities

queer, trans and intersex

SOGIESC  
minorities

MVPFAFF+

takatāpui & rainbow

# In the third UPR cycle

States recommended that New Zealand:

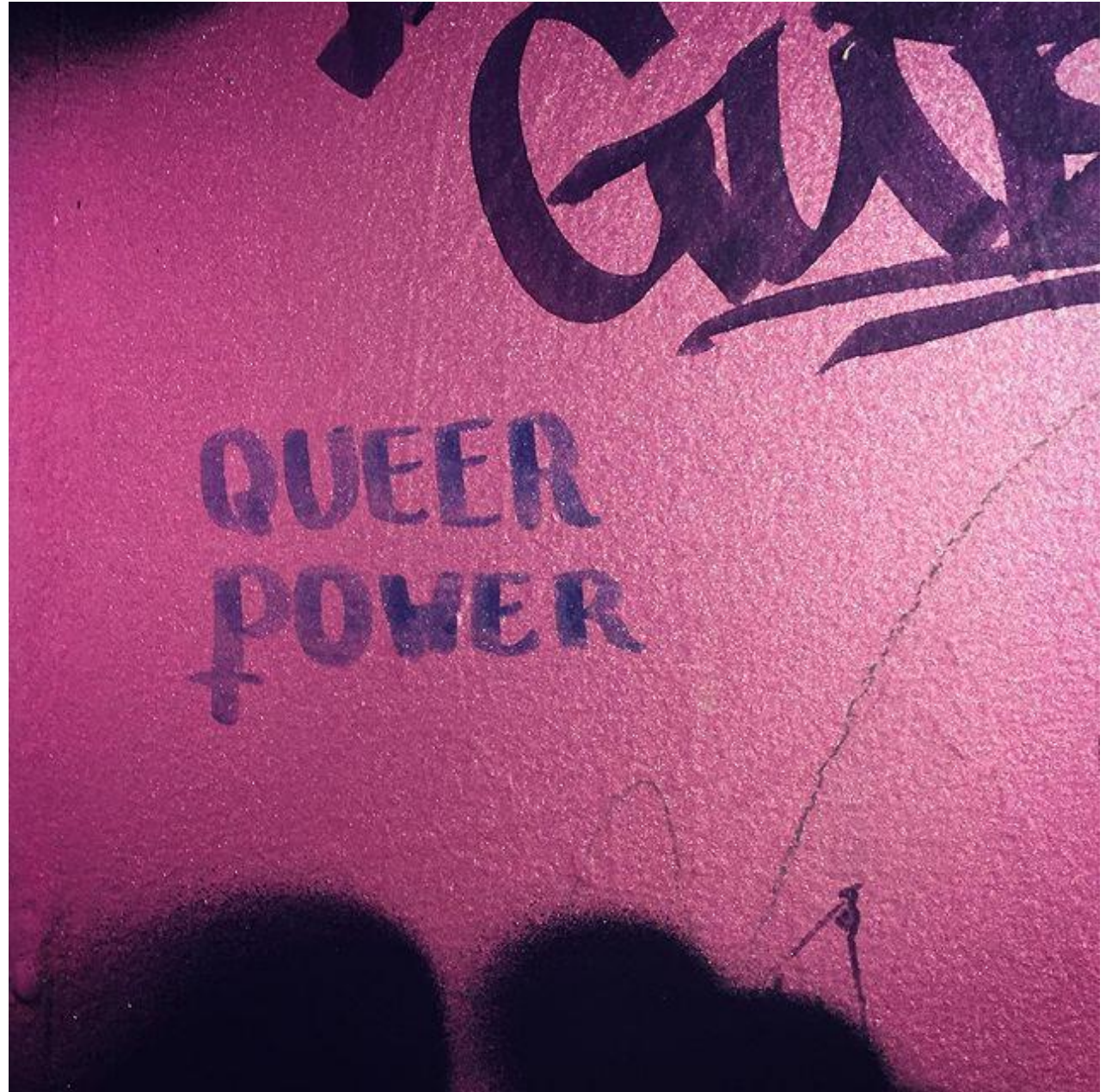
- end non-consensual medical procedures affecting intersex people (accepted by NZ)
- amend the Human Rights Act (1993) to include gender identity, gender expression, and sex characteristics as prohibited grounds of discrimination (noted, not accepted, by NZ)



Trans and rainbow communities are facing significant increases in targeted harassment and discrimination, including threats of violence



Rainbow people face inequitable health outcomes, and the health system does not provide adequate care



New Zealand schools do not consistently provide safe learning environments for rainbow students



Rainbow people are more likely to experience homelessness, transient housing and unsafe living situations than their peers



Trans refugees and asylum seekers are unable to amend their name or gender marker on any identification document until they become citizens or permanent residents







## Recommendations

1. Engage with rainbow communities in 2024 to develop a national response to anti-trans and rainbow-targeted harassment and discrimination.
2. Develop and fund a national takatāpui and rainbow health strategy, including provision of gender-affirming healthcare and progress on developing rights-based health services for intersex people of all ages.
3. Ensure that all schools have anti-discrimination policies that specifically protect rainbow students, and include plans for maintaining safe learning environments, protecting student privacy, responding to bullying and affirming gender through clothing options, facilities and teaching practices.
4. Build a national response to rainbow homelessness, including education for housing providers, gender-inclusive housing options, and community-based rainbow housing navigators.
5. Ensure refugees and asylum seekers have access to legal gender recognition as soon as they arrive in New Zealand, through a statutory declaration process that verifies self-determined name and gender identity.