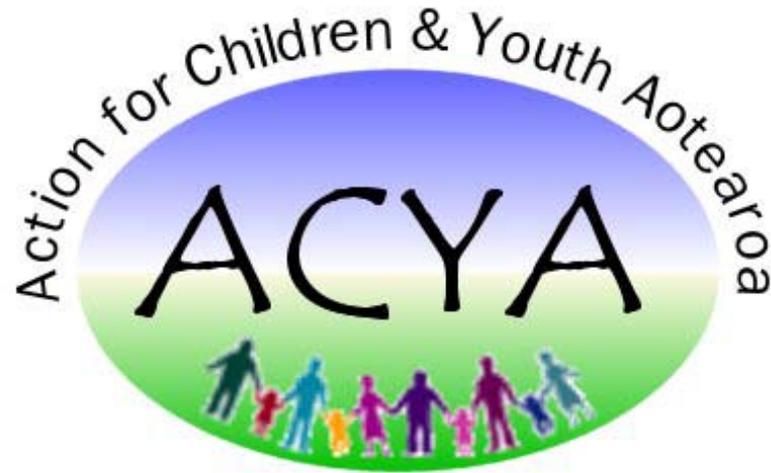


ced.simpson@article28.org.nz



www.acya.org.nz



A coalition of non-governmental organisations,
families and individuals
promoting the wellbeing of our children and youth
through education and advocacy
based on evidence
and New Zealand's human rights commitments



RESULTS

**Thriving young people leading fulfilling lives
as members of their communities**



**Policies & programmes that respect, protect & fulfil
the human rights of young people**



An effective coalition for the well-being of young New Zealanders

The human rights framework is ours

The human rights framework is useful

Human rights reviews are important

A point of leverage

Helps strength human rights as customary law

They're not hard, especially if we work together

They can bring results

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Convention on the Rights of
Persons with Disabilities



Conventi



Universal Declaration
of Human Rights



International Covenant
on Economic, Social and
Cultural Rights



International Covenant
on Civil and Political Rights



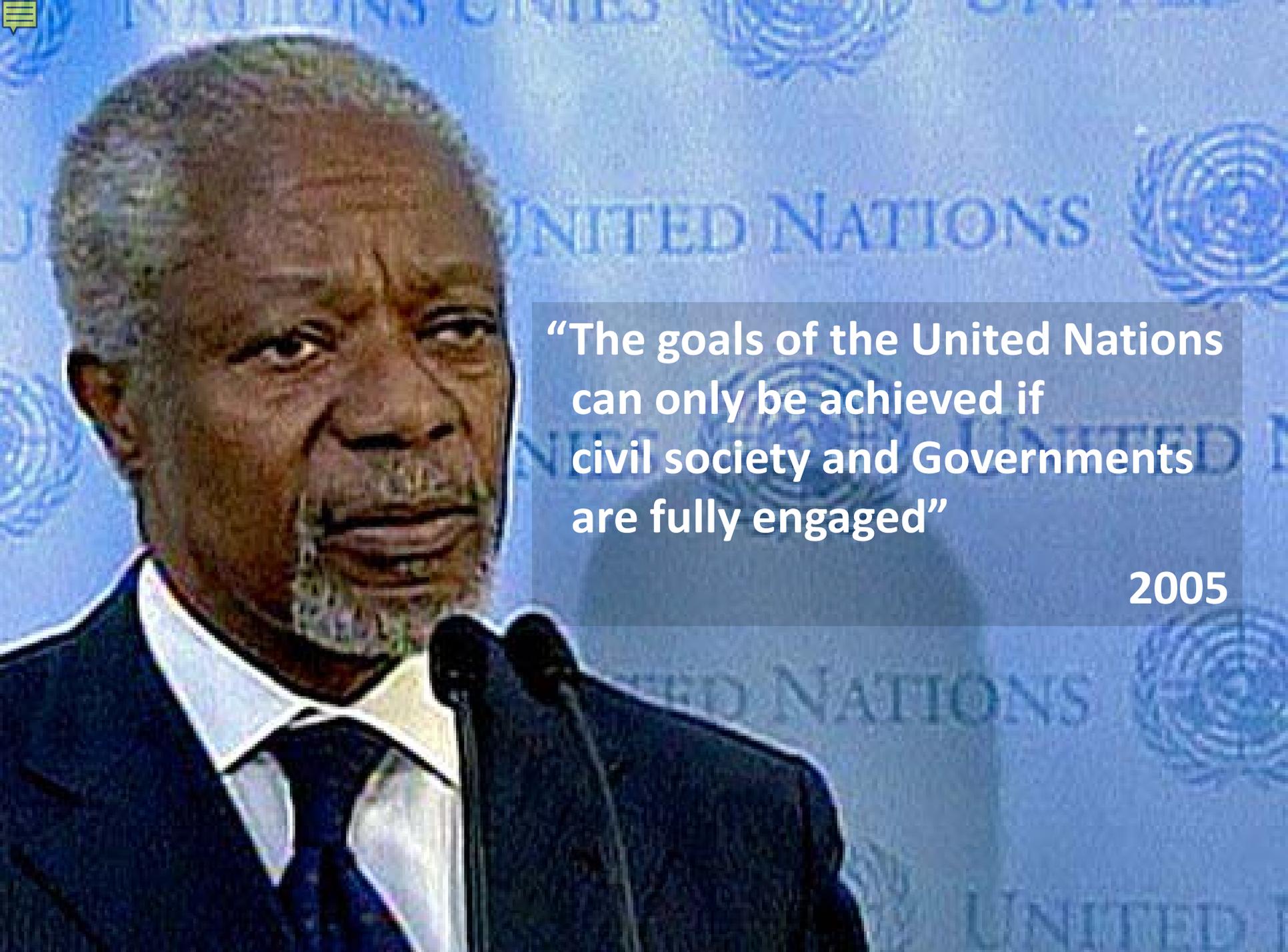
Convention on the
Rights of the Child

Elimination
of

Discrimination Against
Women

Convention Against Torture





**“The goals of the United Nations
can only be achieved if
civil society and Governments
are fully engaged”**

2005



Letters to the Editor

WAR AIMS

THE RIGHTS OF MAN

TO THE EDITOR OF THE TIMES

Sir,—You recently did me the honour of printing a letter upon the possibility of discussing the outcome of this war while it is still going on, in which I stressed the need for free and outspoken discussion. This letter produced a considerable response, and it has been reprinted extensively in America and elsewhere. I have been favoured by the views and comments of a number of very able people. With your permission I will give certain things that have become much clearer in this discussion as it has proceeded.

The first is the extensive demand for a statement of "War Aims" on the part of young and old, who want to know more precisely what we are fighting for, and the second is the practical impossibility of making any statement in terms of boundaries, federations, and political readjustments at the present time. This demand and this difficulty are



HISTORIC CHALLENGE TO CIVILISATION



A New Declaration of the RIGHTS OF MAN

MILLIONS of men and women everywhere are to-day deeply concerned that not only should they develop a better world for themselves but that all countries should generally and in freedom. The "Daily Herald" is of the opinion that the time has come for a final attempt to be taken in the coming of a new Declaration of the Rights of Man—a modern Magna Carta, which would be the central principle of human liberty. Bearing the same title as that of the first Magna Carta, the "Daily Herald" will on Monday week, inaugurate a National Debate on this vitally important subject. It has now undertaken to bring to the attention of the public a new Declaration of the Rights of Man. This new Declaration is a historic document. It is new. And the fact that it will emerge from the discussion which starts next Monday in the "Daily Herald" will have profound influence on the intellectual and spiritual outlook of the world in the years ahead to come. The debate will be under the chairmanship of Mr. H. A. Wicks, supported by the following Committee, who will be responsible for drafting the final Declaration when it is in a form to be considered.

CONSTITUTIONAL
DR. J. P. POTTER, Chairman
SIR JOHN WILSON, M.P., Secretary
SIR JOHN WILSON, M.P., Secretary

CONSTITUTIONAL
DR. J. P. POTTER, Chairman
SIR JOHN WILSON, M.P., Secretary
SIR JOHN WILSON, M.P., Secretary

CONSTITUTIONAL
DR. J. P. POTTER, Chairman
SIR JOHN WILSON, M.P., Secretary
SIR JOHN WILSON, M.P., Secretary

HERE ARE THE TEN CLAUSES OF THE DECLARATION

1. Every man has the right to life, liberty and the pursuit of happiness.
2. Every man has the right to be secure in his person, his property, his reputation, and his privacy.
3. Every man has the right to be free from unreasonable searches and seizures.
4. Every man has the right to be free from cruel and unusual punishment.
5. Every man has the right to a fair and public trial by an impartial jury.
6. Every man has the right to be free from excessive bail, excessive fines, and excessive punishment.
7. Every man has the right to be free from the obligation of self-incrimination.
8. Every man has the right to be free from double jeopardy.
9. Every man has the right to be free from the deprivation of life, liberty, or property without due process of law.
10. Every man has the right to be free from the deprivation of life, liberty, or property without just compensation.

The purpose of this document is to provide a clear and concise statement of the rights of man. It is intended to be a guide for all people, and to be a source of inspiration and courage for all who are committed to the cause of human liberty. It is a challenge to all governments and to all people to live up to the principles it sets forth. It is a challenge to all of us to stand up for the rights of the oppressed and to work for a better world for all.

STARTING IN THE
Daily Herald



"I believe we should claim certain rights for the children and labour for their universal recognition, so that...everybody who in any way comes into contact with children, that is to say the vast majority of mankind - may be in a position to help forward the movement."



Eglantyne Jebb



“The Geneva law makers confused duties with rights; the tone of the declaration is one of persuasion not insistence: an appeal to goodwill, a plea for kindness.”



Janusz Korczak

L'intolleranza politica in un libro polemico di un avvocato inglese:

Si intitola «Persecuzione 1961»
e ha fatto scalpore a Londra

LONDRA 29 — Una denuncia
dell'intolleranza politica sotto le
diverse insegne è stata
pubblicata a Londra in un
libro intitolato «Persecuzione 1961»
di Peter Drummond, un
avvocato inglese di
notorietà politica. Il libro, con
un'introduzione di
Richard Crossman, 1961 è
una raccolta di corrispondenze
con vari laburisti e di un
articolo di politica interna.
L'autore, Drummond, che
ha lavorato per il
governo di Harold Wilson,
ha denunciato la
persecuzione politica
in un libro intitolato
«Persecuzione 1961»
che ha fatto scalpore
a Londra. Il libro
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intitolato «Persecuzione
1961» che ha fatto
scalpore a Londra.

From Britain—An 'Appeal for Amnesty, 1961'

The New York Times contains the following article from 'The Observer', a London Sunday newspaper, for the
29th June 1961. It is a plea for Amnesty for the political prisoners in the
British Empire. The author is Peter Drummond, a British lawyer who has
worked for the Labour Party. The article is a plea for Amnesty for the political
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PRISONERS BEHIND BARRED WIRES—
A picture from 'The Observer'

The author is Peter Drummond, a British lawyer who has worked for the Labour Party. The article is a plea for Amnesty for the political prisoners in the British Empire.

1961: Det internationale amnesti-arbejde



1961: Det internationale amnesti-arbejde
The author is Peter Drummond, a British lawyer who has worked for the Labour Party. The article is a plea for Amnesty for the political prisoners in the British Empire.

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The human rights framework is ours

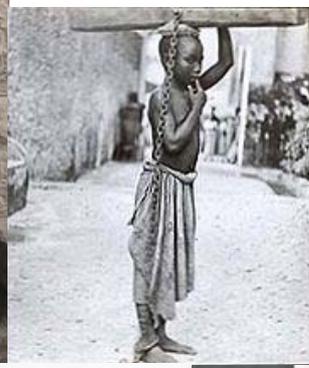
The human rights framework is useful

Human **A shared framework reflecting
our common aspirations for a decent life**

Help strength human rights as customary law

They're not hard , especially if we work together

They can bring results



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**A normative framework,
with accountability mechanisms**

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UN Convention on the Rights of the Child 1989
RATIFIED BY NZ 1993

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Points of leverage**

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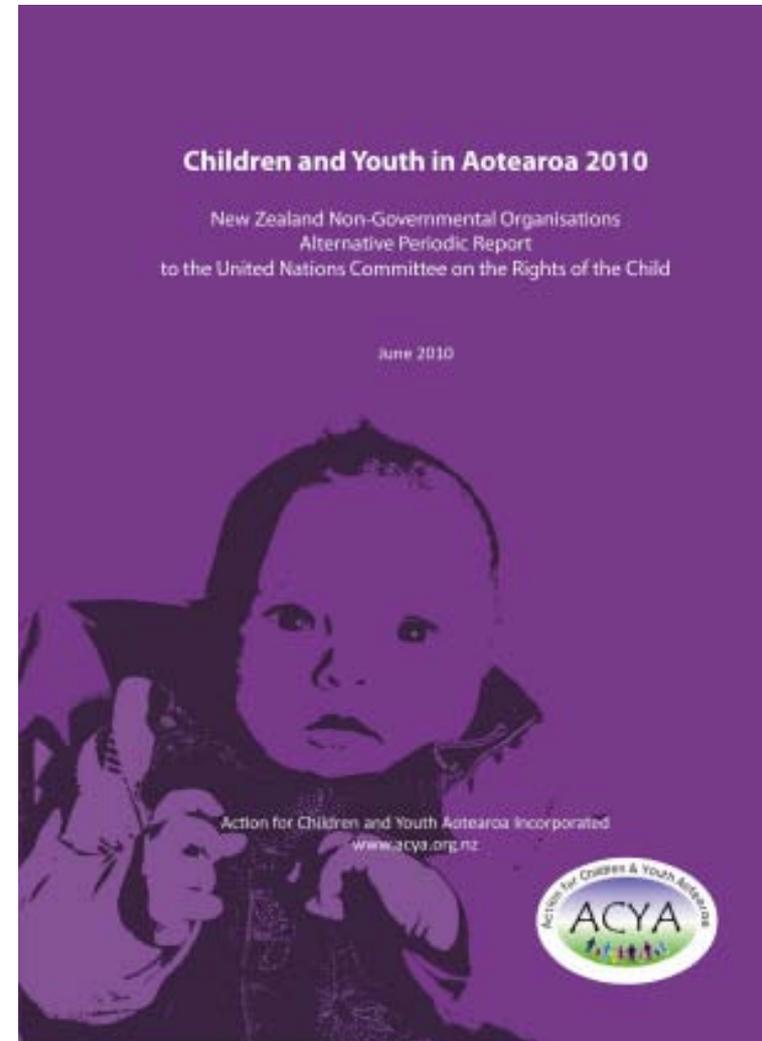
1997

2003

2011

NZ UNCRoC reports

- Government report
- Reports from OCC and HRC
- Report from NGO sector
 - ACYA



NZ UNCRoC reports

- Government report
- Reports from OCC and HRC
- Report from NGO sector
- ACYA
- Pre-session hearing (NGOs - closed hearing)
- Government session - open to public

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IMPLEMENTATION HANDBOOK
FOR THE CONVENTION ON THE
**RIGHTS OF
THE CHILD**



UNICEF SOUTH AFRICA

unicef



ngo group
for the convention on
the rights of the child

UR
INFO

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The UPR is important

- A point of leverage

- Helps strength human rights as customary law

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Children's Commissioner Act 2003

Public Act 2003 No 121

Date of assent 25 November 2003

3 Purposes

The purposes of this Act are—

- (b) to re-enact the Commissioner's functions with modifications that are consistent with the Commissioner's primary role as an **advocate for children**:
- (c) to confer additional functions and powers on the Commissioner **to give better effect in New Zealand to the United Nations Convention on the Rights of the Child**:
- (d) to require the Commissioner to **have regard to the Convention** when carrying out the Commissioner's functions and powers:

- 
- 12 (1) The general functions of the Commissioner are—
- (a) to investigate any decision or recommendation made, or any act done or omitted...in respect of any child in that child's personal capacity:
 - (b) to promote the establishment of **accessible and effective complaints mechanisms** for children and to monitor the nature and level of complaints:
 - (c) to raise **awareness and understanding of children's** interests, **rights**, and welfare:
 - (d) to raise **awareness and understanding of the Convention**:
 - (e) to undertake and promote research into any matter that relates to the welfare of children:

(f) to act as an advocate for children's interests, rights, and welfare generally (except before any court or tribunal), and, in that regard, to advance and **monitor the application of the Convention** by departments of State and other instruments of the Crown....

Care of Children Act 2004

Public Act 2004 No 90

Date of assent 21 November 2004

3 Purpose of this Act

- (1) The purpose of this Act is to—
- (a) promote children’s welfare and best interests, and facilitate their development, by helping to ensure that appropriate arrangements are in place for their guardianship and care; and
 - (b) recognise certain rights of children.**

- 4.
- (1) The welfare and **best interests of the child must be the first and paramount consideration—**
- (a) in the administration and application of this Act.;
and
- (b) in any other proceedings involving the guardianship of, or the role of providing day-to-day care for, or contact with, a child.

6. (2) In [guardianship, property...] proceedings...—
- (a) a child must be given **reasonable opportunities to express views on matters affecting the child**; and
 - (b) any views the child expresses (either directly or through a representative) must be taken into account.

16

- (1) The duties, powers, **rights, and responsibilities** of a guardian of a child include (without limitation) the guardian's—
- (a) having the role of providing day-to-day care for the child...;..
 - (b) contributing to the child's intellectual, emotional, physical, social, cultural, and other personal development;..
 - (c) **determining for or with the child, or helping the child to determine, questions about important matters affecting the child.**

Children's Act ?????

2010 NZ report on UNCRC

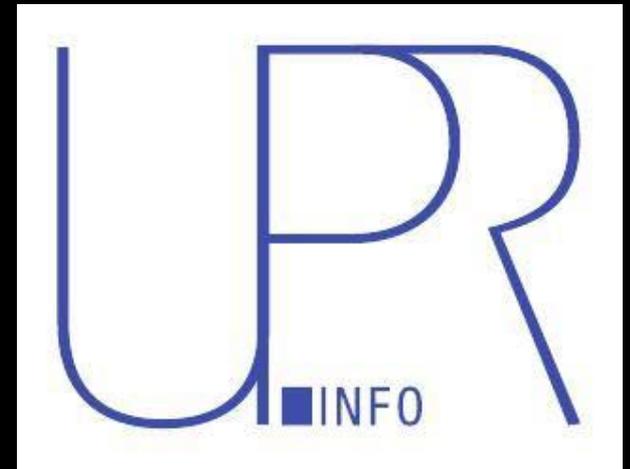
- CRC *'essential human rights instrument'*
- NZ Govt committed to *'progressive realisation'*
- Recognised that some *'issues still to be confronted'*
- Noted increase in Govt expenditure in education, health, welfare, family support
- Singled out ECE, Well child, improved immunisation rates, improved CYF response times, Whanua Ora
- Noted reservations remained but referred to changes to Immigration Act as allowing children unlawfully in NZ to attend state school

CRC response

- Welcomed legislative developments since 2003
- 2003 Concluding Observations still to be addressed
- Despite majority of NZ children doing well, noted serious concern for situation of most vulnerable children, especially regarding access to services
- Stated that despite increased expenditure, child poverty still an issue - a stronger, long-term commitment needed
- Need to improve Govt co-ordination of UNCRC implementation

**Dripping water
hollows out
stone, not
through force
but through
persistence**

UPR 13/14



FOCUS: general measures of implementation

- legislation, regulation and policies
- establishment of coordinating and monitoring bodies - governmental and independent,
- comprehensive data collection, indicators
- resource allocation, national plans of action, targets
- awareness-raising, education, professional development and training.