



# UNCROC Reporting

**Briefing: December 2013**

## **Monitoring Aotearoa New Zealand's compliance with UNCROC**

Aotearoa New Zealand ratified the United Nations Convention on the Rights of the Child (UNCROC) on 6 April 1993. Ratification means that a country commits to bringing its laws, policies and practices into line with UNCROC principles. Compliance with UNCROC by a country is monitored through periodic reports to the UN Committee on the Rights of the Child (the Committee).

### **UN Committee on the Rights of the Child**

The Committee holds three sessions of 4 weeks duration each year. It has 18 independent members, elected in a personal capacity for a 4 year term. States Parties (i.e. countries who have ratified) have the right to nominate one member each.

The Committee receives written information from non-governmental (NGO) sources to obtain a more complete picture of children's rights in the country. The Committee holds a pre-sessional working group, at which the members of the Committee will meet representatives from a country's NGOs. The pre-sessional working group reviews the NGO information in the presence of the NGO representatives. The working group draws up a list of issues to be addressed by the State Party when it appears before the Committee.

### **NGO report from Aotearoa New Zealand**

ACYA prepares and presents this report.

The pre-sessional working group is an extremely important opportunity to highlight to the Committee key issues relating to children's and young people's rights in Aotearoa New Zealand. The Committee may then put these issues to our Government, in the session that examines Aotearoa New Zealand's State Party report.

In the session that examines the Government's report, the Committee asks questions and puts issues to the Government representatives. It then prepares concluding observations indicating concerns that require specific follow up.

The expected date for submission of the next Government report is May 2015. In the next 12 – 15 months, we will be consulting our members, individuals and organisations working with children and young people. We want to know: to what extent are the rights of children and young people in Aotearoa New Zealand being delivered?

### Reporting Timetable at a Glance

What action?	When?
Gather information for NGO report	Jan 2014 to Apr 2015
Aotearoa New Zealand Government Report sent to UN Committee	May 2015
ACYA publishes NGO report	October 2015
NGO report sent to UN Committee	November 2015? (actual TBC)
Pre-sessional working group	2016? (actual TBC)

### Length and content of NGO report to the UN Committee

The NGO report must be **no more than 30 pages** in length. A separate report from children and young people can also be sent to the Committee.

The NGO report should analyse the implementation of legislation and the effects of our Government's policies. The **Committee is particularly interested in the delivery in practice** of the rights of children and young people. This means that the Committee welcomes case studies that illustrate what is actually happening for our tamariki and rangatahi.

NGO reports have a prescribed structure and must cover the following themes:

- **General measures of implementation** (is UNCROC widely known?)
- **Definition of the child** (up to 18; the age 17 cut off in Aotearoa is in breach of this)
- **General principles** (non discrimination, best interests, right to be heard)
- **Civil rights and freedoms** (freedom of expression, privacy, rights in detention)
- **Family environment and alternative care** (Supports for families, care and protection)
- **Basic health and welfare** (accessible health care, supports for those affected by disabilities, decent standard of living)
- **Education, leisure and cultural activities** (right to education, right to play)
- **Special protection measures** (indigenous children, refugee children, sexual exploited and trafficked children, young people accused of offending behaviour)

### Gathering information for NGO reports to UNCROC

The UN Committee states in its reporting guidelines that NGO reports prepared and presented by national coalitions carry much greater legitimacy than information from individual organisations. The Committee advises national coalitions to draw on the broadest possible range of information sources. It encourages NGO reports to present the experiences of organisations and bodies working with children and young people, and of the children and young people themselves.

ACYA will set up "cluster groups" of its members and other interested parties. These cluster groups are the mechanism by which ACYA will gather the experiences of those working with children and young people, to inform the NGO report. We will draw up lists

of those interested in particular policy areas, establish a mailing list for each group and circulate position papers for comment and workshop discussion.

### *Joining ACYA cluster groups*

ACYA is inviting all organisations and individuals in Aotearoa New Zealand, whose work and expertise we are aware of, to join one or more of our ACYA cluster groups. The cluster groups are designed around key policy areas.

Key policy areas that the cluster groups will consider are:

- **Indigenous children's issues**
- **care and protection**
- **health**, including mental health
- **children affected by disability**
- **poverty**
- **education**
- **refugee children**
- **economic and sexual exploitation**
- **youth justice**

Joining a cluster group indicates that you want to receive information about ACYA's work in the policy area covered by that cluster group and that you want to make comments and/or attend workshops to ensure that the NGO report takes account of your knowledge and experience.

If you want to join a cluster group

- send an email to [alison.cleland@auckland.ac.nz](mailto:alison.cleland@auckland.ac.nz)
- put "ACYA cluster groups" in the subject line
- note the cluster group(s) you are interested in
- note your name and organisation

### *Position papers presenting Information gathered by cluster groups*

Once we have established the cluster groups, we will send out information sheets and draft position papers for the members of the cluster groups to comment on and amend. The draft position papers will draw on the work of subject experts.

The draft position papers will usually contain:

- relevant articles of UNCROC
- analysis of key legislation
- analysis of key policies in the area
- available statistics on outcomes for children and young people
- statement of breaches of UNCROC

The facilitators of each cluster group will collate all comments and amendments on the draft position papers from members of the group. The draft papers will then be revised. ACYA hopes to organise workshops, where members of cluster groups can discuss the draft position papers and to the key messages that ACYA should include in the NGO report.

## Where to find some useful UNCROC reports

The following documents can all be found on ACYA's website, <http://www.acya.org.nz> under "Children's Rights and Resources":

- full text of UNCROC
- full text of reservations to UNCROC made by Aotearoa New Zealand's Government
- Aotearoa New Zealand Government's last report to the UN Committee on the Rights of the Child (2008)
- ACYA's last shadow report to the UN Committee on the Rights of the Child (2010)
- The UN Committee's concluding observations on Aotearoa New Zealand's 2008 report

## What you can do to help

### Join a cluster group

- send an email to [alison.cleland@auckland.ac.nz](mailto:alison.cleland@auckland.ac.nz)
- put "ACYA cluster groups" in the subject line
- note the cluster group(s) you are interested in
- note your name and organisation

**Get more information** on ACYA's work and the UNCROC reporting process, by contacting:

Alison Cleland	Chair	<a href="mailto:alison.cleland@auckland.ac.nz">alison.cleland@auckland.ac.nz</a>
Golriz Ghahraman	Policy Officer	<a href="mailto:golrizghahraman@gmail.com">golrizghahraman@gmail.com</a>

**Join ACYA**, to indicate your commitment to the preparation and presentation of the NGO report on the rights of children and young people in Aotearoa New Zealand, by contacting:

Adele Brady	Treasurer	<a href="mailto:adele.b@officeprofessionals.biz">adele.b@officeprofessionals.biz</a>
-------------	-----------	--

**Send this information sheet to individuals and organisations that you think would be interested in our work.**

ACYA gratefully acknowledges the financial support of the JR McKenzie Trust, which makes our work possible.