Article 33 – the NZ experience

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Article 33 Architecture

National Implementation

Office for Disability Issues

Monitoring
Article 33.2- Independent mechanism

• Three partners in NZ with the NHRI as the co-ordinator
• Disabled people from six organisations have formed a Convention Coalition- “lived experience”
• Office of Ombudsmen is third partner
Monitoring role

Disability Convention Coalition
Ombudsmen’s Office
Human Rights Commission
Early challenge to monitoring State’s implementation

- Devastating earthquakes in Christchurch September 2010 and February 2011 claimed 182 lives
- Several hundred seriously disabled people
- 100,000 houses, thousands of businesses
- Article 11 of CRPD-Situations of risk and humanitarian emergencies-all of CRPD.
Better response to disaster?

• Earthquakes have altered State’s priorities in the meantime, refocus of NZ’s Disability Action Plan for next 18 months (supports for living, mobility and access, jobs)

• Without CRPD may not have been a “voice” and participation of disabled people in rebuilding of city infrastructure

• Sign Language information in emergency, TV
Jeremy, the “sign language guy” providing vital service
Positives for independent mechanism- but early days

- Modalities of working as three partners with NZHRC co-ordination-positive experience
- Acceptance of value of “lived experience”
- Impetus to consult with indigenous disabled people (whanau haua)
- Expectations of move from rhetoric to reality
- Some movement towards “joined up” approach-ministerial group meeting.
Article 33- Challenges

• Wide and somewhat overwhelming scope of CRPD (Articles 24 education and 27 employment have 13 clauses each)

• Resourcing inequalities- 2 partners have received funding (NZHRC and Ombudsmen) but Disability Convention Coalition still negotiating
Work in progress

- Developing an overall monitoring methodology to co-ordinate work
- What does Article 33.3 actually mean—does the “monitoring process” include “promote, protect and monitor implementation of the Convention” as implied in 33.2?
Work in progress

• New Zealand has yet to sign the Optional Protocol - still under consideration
• The three independent mechanism partners will produce an Annual Report to Parliament
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