

# At a glance: Making a complaint to the United Nations Disability Committee

## Know

Disabled people can make a complaint to the United Nations Committee on the Rights of Persons with Disabilities (UN Disability Committee) if their rights have been denied because of their disability. You can only do this if you cannot sort out your complaint in New Zealand (NZ) first. Below is an outline of how to make a complaint using the Optional Protocol to the Convention on the Rights of Persons with Disabilities (CRPD-OP).

### What?

The UN Disability Committee considers complaints when your rights have been denied or abused under the CRPD.

### Who?

A disabled person, a group of disabled people, or somebody making a complaint on their behalf.

### When?

The abuse must have happened after NZ acceded to the CRPD-OP on 4 November 2016, or started before and is still happening.

## Steps



### Try to sort out your complaint in NZ

First try to resolve your problem with the agency you are making the complaint about.

### Unsuccessful?

If that does not work, take your complaint to a complaints agency such as the Human Rights Commission or the Ombudsman.

### Tried everything?

Send your complaint to the UN Disability Committee using the online model complaint form – [www.ohchr.org/EN/HRBodies/CRPD](http://www.ohchr.org/EN/HRBodies/CRPD). You can get legal information from your local Community Law Centre – [www.communitylaw.org.nz](http://www.communitylaw.org.nz)



### Complaint received

The UN Disability Committee decides if they will or will not examine it. You will be told their decision.

### Complaint accepted

The UN Disability Committee will examine your complaint and decide if your rights have been denied under the CRPD.

### Decision

If the UN Disability Committee decides in your favour, they will send their recommendations to the NZ Government.



### NZ Government receives the recommendations

### Consideration

NZ Government considers next steps and takes action to resolve your complaint. It might advise an agency to change a policy or put one in place.

### Follow-up

The UN Disability Committee checks the NZ Government has followed its recommendations.

If the UN Disability Committee thinks something **dangerous** is happening and putting a person or people at **risk**, they can ask the NZ Government to take action. This does not mean the complaint will be examined or upheld.

For more information read the Independent Monitoring Mechanism's Making Complaints to the UN Disability Committee: A Guide for New Zealanders: [http://bit.ly/CRPD\\_OP\\_Guide](http://bit.ly/CRPD_OP_Guide)