# Disability Convention

## Plan for the next *Making Disability Rights Real* report

New Zealand’s compliance with the United Nations Convention on the Rights of Persons with Disabilities (Disability Convention) is periodically reviewed. The next review will likely be in 2020 or 2021. This will be New Zealand’s second review since the Government ratified the Disability Convention in 2008. The review takes place approximately every four years.

In the lead up to the United Nations review, New Zealand’s Independent Monitoring Mechanism (IMM) will be publishing the next Making Disability Rights Real report. This report will provide an independent view of the current state of disability rights in New Zealand. The report will be published in New Zealand and presented to Parliament. It will also be sent to the United Nations to give them information for their own review.

As part of preparing the Making Disability Rights Real report, the IMM sought comments from the public, and in particular the disability community. The IMM also sought comments from the Government. The IMM will then put together its independent report.

If there are particular issues that you wish to raise with the United Nations, you can also prepare your own report. This is called a shadow report.

## About the Independent Monitoring Mechanism (IMM)

The IMM was designated by the New Zealand Government in 2010 to fulfil obligations under Article 33 (National implementation and monitoring) of the Disability Convention. It is made up of the [Human Rights Commission](https://www.hrc.co.nz/), the [Office of the Ombudsman](http://www.ombudsman.parliament.nz/) and the [Disabled People’s Organisations](https://www.odi.govt.nz/guidance-and-resources/new-resource-item-page-2/) (DPO) Coalition. The role of the IMM is to independently promote, protect and monitor the implementation of the Disability Convention in New Zealand.

## Disability Convention

The Disability Convention is an international human rights treaty intended to protect the rights and dignity of people with disabilities. The text of the Disability Convention was adopted by the United Nations General Assembly on 13 December 2006, and came into force on 3 May 2008.

Parties to the Disability Convention are required to promote, protect and ensure the full enjoyment of human rights by persons with disabilities and ensure that they enjoy full equality under the law.

There are eight guiding principles that underlie the Disability Convention:

* Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons
* Non-discrimination
* Full and effective participation and inclusion in society
* Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
* Equality of opportunity
* Accessibility
* Equality between men and women
* Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

Read the [full text of the Disability Convention](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html) (and its [Optional Protocol](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/optional-protocol-to-the-convention-on-the-rights-of-persons-with-disabilities.html)).

## IMM reporting

On 30 November 2017, the IMM provided a submission to the United Nations Committee on the Rights of Persons with Disabilities (the Committee). The IMM provided suggestions for the Committee’s List of Issues (the questions it has for the New Zealand Government) to be raised with the New Zealand Government. On 6 March 2018, the IMM spoke further to its submission with the Committee in a video conference. Following the discussion, the Committee released a copy of its advance List of Issues on 23 March 2018.

Read [the IMM submission (and other submissions)](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCRPD%2fIFR%2fNZL%2f30085&Lang=en) and the [official List of Issues from the Committee](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fNZL%2fQPR%2f2-3&Lang=en).

The IMM has identified six key priority areas for disabled people being:

* Data: there are large gaps in disaggregated disability data in New Zealand. We need this data to properly understand our progress in making disability rights real.
* Education: engagement with education is one of the most critical protective factors and indicators of a life course. Our education system is not fully inclusive. Forty-two percent of disabled young people aged 15-24 are not in education, training or employment.
* Employment: Unlocking the employment potential of people with disabilities is critical both for their independence and self-worth. Twenty-five percent of disabled persons are in the labour force compared to 73% of non-disabled persons.
* Seclusion and restraint: Seclusion and restraint is overused, including for people in detention, and not always used as a last resort as part of a suite of options.
* Access to information and communication: Disabled people still are not getting fundamental information communicated in accessible ways.
* Housing: There is a lack of accessible housing in New Zealand.

## Join the conversation

The Government has written [a report to respond to the Committee's List of Issues.](https://www.odi.govt.nz/united-nations-convention-on-the-rights-of-persons-with-disabilities/second-periodic-review/)

The Committee will consider this response and then hold a review session for the New Zealand Government – this will likely be in 2020 or 2021. Anyone can make a submission to the Committee on any aspect covered under the Disability Convention. This is called a shadow report.

If you would like to make a shadow report but don’t know how to start, please email [imm@hrc.co.nz](mailto:imm@hrc.co.nz) for more information.

The IMM will provide its next report on Making Disability Rights Real to the Committee. The report will address the IMM’s six key issues, as well as other issues arising under articles 5–33 in the Convention, and make recommendations for improvement.