

In Confidence

Office of the Minister for Social Development and Employment

Cabinet Social Outcomes Committee

Progressing the Government's response to the United Nations Convention on the Rights of the Child Concluding Observations

Proposal

- 1 I seek agreement to publish the United Nations Convention on the Rights of the Child (UNCRC) Concluding Observations and associated government actions on the Human Rights Monitor (the Monitor). This is provided in more detail in the attached appendices. These actions will form the basis for ongoing work between agencies and Ministers, as well as ongoing engagement with the Children's Convention Monitoring Group, and provide visibility and public accountability on New Zealand's overall progress.

Relation to government priorities

- 2 This work supports a wide range of Government priorities focused on improving the wellbeing of children in areas such as education, health and employment. This work also contributes to New Zealand's international reputation as a country that takes its international human rights obligations seriously.

New Zealand is required to monitor and report back to the United Nations on progress towards implementing the Children's Convention

- 3 The UNCRC is the principal international treaty affirming children's civil, political, economic, social and cultural rights, which New Zealand ratified in 1993. New Zealand was examined in 2023 on its implementation of the UNCRC by members of the United Nations Committee (the Committee) on the Rights of the Child. Following the examination, the Committee released 94 Concluding Observations or non-binding recommendations on how New Zealand can accelerate progress to meet the intent of the UNCRC. The recommendations cover several Ministerial portfolio responsibilities and their associated agencies.
- 4 The Ministry of Social Development (the Ministry) is the coordinating agency for the UNCRC. As the responsible Minister for progressing this work, I am seeking agreement from Cabinet to getting the UNCRC recommendations and associated actions published on the Monitor.
- 5 New Zealand has ratified seven of the nine core United Nations (UN) international human rights treaties, including the UNCRC. This means that New Zealand has assumed obligations under international law to respect, protect, and fulfil the human rights as are set out in those treaties for everyone in New Zealand. As a state party to these treaties, New Zealand periodically reports to the Committee on its progress in implementing the treaty in question. In the case of the UNCRC, an eight-year

reporting cycle was introduced at the last examination in 2023. The next review is expected to take place in 2031. There is no mid-term report required but the Children's Convention Monitoring Group has indicated that they may run their own independent review process as part of their responsibilities to monitor and report on children's rights as outlined in section 21 of the Children's Commissioner Act 2022.

- 6 Concluding Observations issued by UN Committees, and the actions being taken by the Government in response that are already published on the Monitor include: the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT); Convention on the Rights of Persons with Disabilities (UNCRPD); and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). New Zealand also participated in its Universal Periodic Review (UPR) at the Human Rights Council in 2024.

Human Rights Monitor

- 7 The Monitor is the New Zealand Government's online monitoring tool. This is part of our National Mechanism for Human Rights that is administered by the Ministry of Justice and is overseen by the Human Rights Governance Group. The Monitor was introduced in September 2024 as part of New Zealand's approach to provide a single, public-facing, transparent system for tracking government action on recommendations arising from human rights treaty body reviews and the UPR.
- 8 The Monitor helps agencies identify similar recommendations and responses from other treaty bodies or previous reviews, streamlining monitoring, implementation, reporting and follow up work.

Approach to progressing this work

- 9 The Ministry has worked with relevant agencies to map existing activities against the relevant UNCRC recommendations, looking at progress across agencies, as well as linking to existing actions already in the Monitor. The Ministry found 45 recommendations are currently being progressed in full through government actions and existing operational practice, and some progress is being made to 31 recommendations but there are opportunities to progress these further.
- 10 The Ministry also identified that there are 18 recommendations with no action proposed as they are not currently being progressed. **Appendix 1** provides a high-level summary of all the recommendations and relevant actions. The detailed recommendations and actions, including comments by agencies are provided in **Appendices 2, 3, 4 and 5**.
- 11 This work provides a solid base for sustaining momentum in progressing the recommendations. The Ministry will continue to work with other agencies and the Children's Convention Monitoring Group to identify opportunities to advance the Government's response ahead of New Zealand's next examination expected in 2031. I intend to come back to Cabinet at the end of 2027 to report on progress, which may include seeking agreement to progress any cross-government work in alignment with key priorities.

Implementation

- 12 The Ministry will lead the monitoring and coordination of work to implement the actions identified. Government agencies will continue to lead progress on the recommendations and associated actions relating to their portfolios.
- 13 Progress on the recommendations will be uploaded to the Monitor progressively and updated on a one-yearly basis. I will come back to Cabinet in late 2027 to provide an update on the Government response to the recommendations.

Cost-of-living Implications

- 14 There are no cost-of-living implications associated with this paper.

Financial Implications

- 15 There are no financial implications arising directly out of the recommendations in this paper. Funding for any of the work in the actions is for the lead agency to consider.

Legislative Implications

- 16 No legislation is needed to implement the proposals outlined in this paper.

Impact Analysis

Regulatory Analysis Summary

- 17 A Regulatory Analysis Summary is not required for this paper.

Climate Implications of Policy Assessment

- 18 A Climate Implications of Policy Assessment is not required for this paper.

Population Implications

- 19 Given the focus of this work is to improve the overall wellbeing of children, consideration needs to be given for impacts on different groups of young people, which include but are not limited to; disabled children and young people, Māori, Pasifika, young women and girls, refugee and migrant groups, and the LGBTQIA+ community.

Human Rights

- 20 Treaty body reporting supports the protection, promotion and realisation of human rights and improves wellbeing outcomes for children in New Zealand. The introduction of the Monitor helps to ensure transparency and accountability on our human rights commitments. The proposals in this paper will contribute to New Zealand's implementation of the UNCRC.
- 21 The response to the recommendations also overlaps with recommendations relating to the other core treaties that New Zealand is a party to, including UNCAT and

UNCRPD, as well as the UPR. Publishing all the recommendations on the Monitor will help to ensure that progress on overlapping actions can be linked to multiple human rights instruments, supporting efficiency across the public service.

Consultation

- 22 The following agencies were consulted on this paper and provided comments on the status of the Concluding Observations in their remit, or on the paper itself: The Accident Compensation Corporation; Department of Internal Affairs; Statistics New Zealand; the Treasury; Social Investment Agency; New Zealand Police; Department of Corrections; Te Puni Kōkiri; and the Ministries of/for Business, Innovation and Employment; Cities, Environment, Regions and Transport; Foreign Affairs and Trade; Education; Youth; Health; Justice; Defence; Pacific Peoples; Oranga Tamariki —Ministry for Children; Women; and Whaikaha – Ministry of Disabled People. The Children’s Convention Monitoring Group has also been consulted on the paper.

Communications

- 23 I will follow the standard internal communications when the actions are published on the Monitor.

Proactive Release

- 24 I intend to proactively release this paper in accordance with the Cabinet Office Circular CO (23) 04, subject to any redactions as appropriate under the Official Information Act 1982.

Recommendations

The Minister for Social Development and Employment recommends that the Committee:

- 1 **note** that New Zealand participates in regular reviews of its implementation of the United Nations Convention on the Rights of the Child (UNCRC), to which it has been party to since 1993 with the next formal review scheduled for 2031
- 2 **agree** to publish the UNCRC Concluding Observations or recommendations and associated government actions provided in the attached appendices
- 3 **note** that actions will be updated regularly with additional actions and process steps to be added during the reporting period as work programmes are developed and agreed, consistent with the other Human Rights mechanisms on the Human Rights Monitor
- 4 **note** that the Ministry of Social Development, as the lead agency responsible for administering the UNCRC, will work with other agencies to regularly update the actions on the Human Rights Monitor
- 5 **note** that I intend to come back to Cabinet at the end of 2027 with a progress update, following one year of the actions being on the Human Rights Monitor.

Hon Louise Upston
Minister for Social Development and Employment