



7 March 2023

Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (OPCP)

Ā te 23 o Tihema 2022 i whai mana ai te Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (OPCP) ki roto i Aotearoa

Tā te OPCP e whakaae ai ki ngā tono o te UN Committee on the Rights of the Child (te Komiti UN) mēnā rā ka whakapono ai te kaituku tono kua hē te mahi a te Kāwanatanga i ā rātou tika i raro iho i UN Convention on the Rights of the Child (the Children’s Convention) me āna kawenata kōwhiringa: ko te Optional Protocol on the Involvement of Children in Armed Conflict (OPAC)¹ me te Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC)².

Tā te OPCP he whakapai ake i te haumarutanga o ngā tika tamariki

Tā te OPCP he whakapai ake i ngā tika tamariki mā te whakarato iho i tētahi tukanga ki te UN me te tātari Motuhake o ngā honenga Kāwanatanga.

Ko te whai hoa atu ki te OPCP e hōnoretia pai ake ai i tā Aotearoa here i raro i Te Tiriti o Waitangi, ā, ka whai mana ake ki tā mātou ngākaupono kētanga hei Pāti Whenua ki te Children’s Convention.

Ka whakatakotohia e te Children’s Convention ngā tika kau noa o ngā tamariki katoa

Ko te Children’s Convention³ he tiriti tika tangata i whāia ai e Te Whakakotahitanga o ngā Whenua i te tau 1989, ā, i whakamanahia e Aotearoa i te Āpirera 1993, e here ana ki ētahi āpitianga⁴.

¹ OPAC full text: <https://www.ohchr.org/en/professionalinterest/pages/opaccrc.aspx>

² OPSC full text: <https://www.ohchr.org/en/professionalinterest/pages/opscrc.aspx>

³ Children’s Convention full text: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

⁴ These are: a general reservation allowing the Government to distinguish in its law and practice between children according to the nature of their authority to be in New Zealand (Article 2); reservation on minimum age and conditions of child employment (Article 32(2)); and reservation related to age mixing in detention facilities (Article 37(c)).

Tā te Children's Convention e whakarato ana kia whakaute, kia whakatūturu hoki ngā Whenua i ētahi tika tangata motuhake kau noa ki ngā tamariki. Ka hāngai ai te Children's Convention me te hunga rangatahi tae ake ki te 18 te pakeke.

Ka whai wāhi hoki te Children's Convention i ngā tika tūmatanui, tōrangapū hoki te (arā he haumarutanga i te whakatoihara me te mana whakaputa kōrero me te whakahuihui), ngā tika ā-oaha, ā-hapori (arā, ngā tika whai kāinga pai me te whai toko o te ora). Ko ngā tika me ngā here, koia ēnei kei raro, me ētahi ake anō:

- te mana whakakore whakatoihara
- te tika ki te ora, te toitūtanga me te whakawhanaketanga
- te tika kia whai ingoa, kia whai iwitanga me te tiakinga tuakiritanga
- ngā tika ki te whai i te mātauranga me te hauoratanga
- ngā tika ki te mana hei whakaputa ihiihi, whakaaro, whakaputa whakaaro, whakapono hāhī me te whai rōpū
- ngā tika whai taumata orange papai
- kia whai haumarutanga i te taikaha, te rāwekeweketanga tinana, te taihara me te rāwekeweke oaha
- ngā tū mahi hei whakahaumaru i ērā kua heitaratia, kua whakapae rānei i hara ā-ture
- he āhei mā ngā tamariki kua kore i whai taiao whānau
- he haumarutanga ki ērā nō ngā iwi tokoiti
- ka whai here kia whaiwhakaaro nui ki te tamaiti ina whakatau ana ngā take mō taua tamaiti.

I te nuinga o te wā me whakapau rawa ngā mahi whakatikanga kāinga e whakaaetia ai e te Komiti UN

I te nuinga o te wā ko ngā amuamu e hāngai ana ki te kāinga me whakapeto ngoi rawa, ka roa e hē ana, he kore kite urupare rānei i mua i te whakaaetanga a te Komiti UN i tētahi tono.

Ngā tono ('whakawhitiwhiti kōrero' rānei) ki te komiti UN e taea ana te tuku mā anō, mā tētahi atu rānei mā te takitahi rānei, he huinga rōpū rānei.

Ka taea anake ngā tono te tuku i raro i te OPCP ki a Aotearoa ina whai mana ai, ā, ko te tikanga o tēnei ka kore e taea ngā tono te tuku mō ngā take i puta i mua i te 23 o ngā rā o Tihema.

Ko ngā toronga e whai ai i ngā whakapaenga hara

He ara i te whenua nei e wātea ana ki te tohu i ngā hara whakapae o ngā tika tamariki i Aotearoa.

Ko ngā āhuatanga amuamu whānui hei whai atu koia ēnei, Te Kāhui Tika Tangata (Human Rights Commission); Taraipiunara Mana Tangata (Human Rights Review Tribunal); Tari o te Kaitiaki Mana Tangata (Office of the Ombudsman, including oversight of the Oranga Tamariki system); Te Mana Mātāpono Matatapu (Privacy Commissioner); Te Kaikōmihana mō ngā Tamariki o Aotearoa (Children's Commissioner); me ngā kooti.



He umanga anō, he āhuatanga Motuhake rānei e wātea ana kia āhukahuka i ngā whakapaetanga tūkinō o ngā tika tamariki mēnā rā e kōrero ana mō: te ture me kawē tika (Mana Whanonga Pirihimana Motuhake); manaakitanga me te haumarutanga i te kāinga, manatika taiohi, me ngā ratonga whāngai tamariki (Oranga Tamariki); ngā ratonga arapoutama, ngā ratonga manene; ngā ratonga hauora (Te Kaikōmihana Hauora me te Whaikaha); ngā ratonga whakahiato ora (Te Tari Whakahaumarū Hapori, Te Taraipiunara Reti); me te mahi (Ngā Tukanga Amuamu Takitahi, Ngā Ratonga Takawaenga Mahi, Te Mana Take Mahi, me te Kaitiro Mahi).

He kōrero atu anō me ētahi tūhonotanga (ko te pepe tuku tono me te ārahi o te UN) kei raro ake nei anō hoki?

Children's Convention

<https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/monitoring/uncroc/index.html>

OPCP

<https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/monitoring/uncroc/optional-protocols.html>

<https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-communications>

<https://violenceagainstchildren.un.org/content/optional-protocols-crc>

Ngā mea e pai ai mā ngā tamariki o te OPCP

https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/children_declarations/child_friendly_opsc_opcp/opcp.pdf

<https://defenceforchildren.org/20th-anniversary-of-the-optional-protocols-to-the-convention-on-the-rights-of-the-child/>

[Final report of the NZ Parliament select committee, and public submissions](#)

[Previous papers about New Zealand joining the OPCP](#)

[Link to the UN OPCP claims form and guidance](#)

Nga taipitopito kōrero a te Ētita

I whakamanahia e Aotearoa i te UN Convention on the Rights of the Child (the Children's Convention) i te tau 1993.

Nā konā, ka whakamana anō a Aotearoa i ngā Tikanga Whiringa e rua o te toru ki te Kawenata: te Optional Protocol on the Involvement of Children in Armed Conflict (OPAC) (whakamanahia ai i te tau 2001); me te Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC) (whakamanahia ai i te ta 2011).

Ko te tuatoru, te Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (OPCP) i whai niho ai i te tau 2014. Hei urupare ki ngā whaikupu whai i muri mai i tā Aotearoa Universal Periodic Review (UPR) 2019, i whakaae te Kāhui Minita kia whaiwhakaarohia ai kia hoa atu ai ki te OPCR.

I te 1 o Nōema 2021, i whakaae ai te Kāhui Minita mō Aotearoa kia noho hoa atu ai ki te OPCR [CAB-21-MIN-0447 refers). Te OPCR me te National Interest Analysis (NIA) e tautoko ana i Aotearoa kia noho hei hoa, ka whakatakotoria ki te Paremata i te 11 o Nōema 2021.

Ko ngā tukanga tātaringa mahi tiriti a te kāwanatanga i oti ai whai i muri mai i ngā tono a te tūmatanui me te whaiwhakaarotanga nā te Foreign Affairs, Defence and Trade Committee (FADTC).

I whakauruhia e Aotearoa te puka e whakaū ana i tāna whai mana me te Kāwanatanga o te UN i te Taite, 22 o Hepetema 3.00pm Te wā i Te Āporo Nui (7:00am Paraire 23 o Hepetema te wā i Aotearoa), tēnā ko te wā i tuku kia whai mana ko te Paraire 23 o Tihema 2022 (e 3 marama nō muri atu i te rā i whakauruhia e mātou tā mātou puka).