

## CONSTITUTIONAL ISSUES & HUMAN RIGHTS

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ICCPR

## International Covenant on Civil & Political Rights

The International Covenant on Civil and Political Rights (ICCPR)  was adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 and entered into force on 23 March 1976. New Zealand ratified the ICCPR on 28 December 1978.

New Zealand has made and still maintains the following reservations to the ICCPR:

'The Government of New Zealand reserves the right not to apply article 10 (2) (b) or article 10 (3) in circumstances where the shortage of suitable facilities makes the mixing of juveniles and adults unavoidable; and further reserves the right not to apply article 10 (3) where the interests of other juveniles in an establishment require the removal of a particular juvenile offender or where mixing is considered to be of benefit to the persons concerned.

The Government of New Zealand reserves the right not to apply article 14 (6) to the extent that it is not satisfied by the existing system for ex gratia payments to persons who suffer as a result of miscarriage of justice.

~~The Government of New Zealand having legislated in the areas of the advocacy of national and racial hatred and the exciting of hostility or ill will against any group of persons, and having regard to the right of freedom of speech, reserves the right not to introduce further legislation with regard to article 20.~~

The Government of New Zealand reserves the right not to apply article 22 as it relates to trade unions to the extent that existing legislative measures, enacted to ensure effective trade union representation and encourage orderly industrial relations, may not be fully compatible with that article.'

On 28 December 1978, the Government of New Zealand made the following declaration under Article 41 of the ICCPR:

'The Government of New Zealand declares under article 41 of the International Covenant on Civil and Political Rights that it recognises the competence of the Human Rights Committee to receive and consider communications from another State Party which has similarly declared under article 41 its recognition of the Committee's competence in respect to itself except where the declaration by such a state party was made less than twelve months prior to the submission by it of a complaint relating to New Zealand.'

## Optional Protocols

The Optional Protocol to the International Covenant on Civil and Political Rights [LINK] was adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 and entered into force on 23 March 1976. New Zealand ratified the Optional Protocol to the ICCPR on 26 May 1989.

The Second Optional Protocol to the International Covenant on Civil and Political Rights,[LINK] aiming at the abolition of the death penalty was adopted and proclaimed by General Assembly resolution 44/128 of 15 December 1989 and entered into force on 11 July 1991.

New Zealand ratified the Second Optional Protocol to the ICCPR on 22 February 1990.

The Ministry of Justice is responsible for administering the ICCPR and its Optional Protocols.

## Monitoring

The ICCPR provides for:

- a reporting procedure (Article 40), and
- an optional interstate complaints procedure (Article 41).

The Optional Protocol to the ICCPR provides for:

- an individual complaints mechanism.

**Find out more**

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### Find out more

[Read the latest reports relating to New Zealand, produced under the reporting procedure provided for by the International Covenant on Civil & Political Rights \(ICCPR\)](#) 

[Reporting procedure for the core human rights instruments of the United Nations](#)

 [New Zealand's common core document: 'Human Rights Review 2010' \[PDF, 4.7 MB\]](#)

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