

## International Presentation Association – UPR Submission – New Zealand – May 2009

### INTRODUCTION:

#### 1. Who We Are:

Established in 1989, the International Association (IPA) is an NGO in special consultative status with Economic and Social Council at the UN. Representing Presentation women, the IPA has 2,600 members living and working in 22 countries. The IPA is particularly concerned with: human rights, women and children; indigenous peoples; the environment and sustainable living.

#### 2. Executive Summary:

The IPA is concerned about policy changes that affect human rights in New Zealand particularly in relation to child poverty, the rights of women to adequate health care especially in relation to breast cancer and anomalies in relation to people on different available benefits such as the Invalid's Benefit when compared with those on ACC,

**Key words:** child poverty, women's rights, Invalids and Sickness benefits, ACC – Accident Compensation Corporation, Specific drugs.

#### 3. Methodology:

For this submission we collected data from many sources including but not limited to: the Government of New Zealand; CPAG – Child Poverty Action Group Inc; Cancer Society; ACC – Accident Compensation Corporation; New Zealand News Media; Human Rights Council and associated web sites; *Pharmac* – NZ's controlling body which decides what medicines will or won't be subsidised; Justice and Human Rights Magazines including 'Living Justly in Aotearoa', 'Te Kupenga Reo-Net Voice', 'The Common Good'

### CHILD POVERTY: POLICY CHANGES

- 4: A quarter of children in New Zealand are considered to be living in poverty. One of the acknowledged causes has been the change of policies from a *Universal Benefit* in the late 1980's up to the current *Working For Families* package along with the *Minimum Family Tax Credit* policy. The basic right to a 'standard of living adequate for health and well being' applies to all children as is emphasised in Article 25 Section 2 in the *Declaration of Human Rights* that New Zealand signed. IPA believes that current government Policies in this area are divisive and discriminatory and go against the basic human right that "All human beings are born free and equal in dignity and rights" Article 1 Human Rights Declaration.
- 5: IPA fully supports the case taken by CPAG against the Attorney General in relation to the anomalies and divisive nature caused by the Working For Families Package, and its accompanying In Work Tax Credits which discriminate against the poorest children in New Zealand. We eagerly await the outcome of this case.

### **WOMENS HEALTH: DRUG FUNDING FOR BREAST CANCER**

- 6: IPA believes current funding policy of the drug *Herceptin* goes against human rights of women with breast cancer. Funding is for nine wks only in the case of the the cancer being labelled as Her 2 whereas funding is for 1 yr if the disease is labelled differently. There have been fully supported public petitions questioning *Pharmac's* decision on the funding of this drug. IPA questions why is there is a distinguishing factor between these two types of breast cancer? We believe the women and their medical support person are being denied the right to make the call as for how long they require the treatment unless they can find a means to privately fund the drug. We at IPA believe *Pharmac's* decision discriminates on the basis of costs and the personal wealth of individuals rather than on the right for all women to receive appropriate medical support and we call on the government to apply the basic human right of all those affected with breast cancer to receive appropriate medical treatment as decided by themselves and their doctors. Medical treatment is a protected right under *Article 25 Part 1* of the *Universal Declaration of Human Rights*.

### **PEOPLE BORN WITH DISABILITES: INCONSISTENT BENEFITS**

- 7: IPA recognises that children and those disabled through an accident receive excellent support through the Accident Compensation Act 1974. All other people disabled from birth or with a medical condition do receive benefits but it is the differences in the level of support available that gives cause for concern. One area this occurs is in relation to medical costs. The disability allowance, no matter what your medical costs are, is capped at \$54.05 a week and that is all you can claim. The question arises as to why disabilities are classified in this way? A child or person disabled by an accident can make a claim on all medical assistance including the treatment and travel to treatment under the Accident Compensation Act 1974. The amount provided is based on the actual needs of the person. Discriminating between the two types is a breach against equal rights as listed in the provision of the *New Zealand Human Rights Act 1993* under Section 73 “Measures to ensure equality (b) those persons or groups need or may reasonably be supposed to need assistance or advancement in order to achieve an equal place with other members of the community.”