

### **Children's Right to Freedom from Violence:**

Submission by the Canadian Coalition for the Rights of Children for the Study on Violence against Young Women and Girls in Canada by the House of Commons Standing Committee on the Status of Women

The Canadian Coalition for the Rights of Children (CCRC) welcomes the increased focus on the issue of violence against women and girls in Canada and the focused study of specific issues relating to young women and girls by the House of Commons Standing Committee on the Status of Women. The CCRC is a national umbrella organization that promotes full realization of the Convention on the Rights of the Child in Canada.

The CCRC recommends that members of the committee, as legislators responsible for Canada's implementation of the Convention on the Rights of the Child, take time to consider relevant provisions of the Convention, which Canada has ratified, before making recommendations to respond to evidence about the specific issues named in the mandate for this study. In particular, Article 19, and the related *General Comment 13: The Right of the Child to Be Free from All Forms of Violence*, provide guidance for states as duty-bearers in the development of effective national strategies to prevent violence and protect the rights of all children under its jurisdiction.

The CCRC recommends using the Convention as a framework for whatever actions the committee suggests, for the following reasons:

1. The Convention provides legal grounding for positive measures to prevent violence.

The Convention on the Rights of the Child, which Canada ratified 25 years ago, provides robust legal grounds for positive measures by the state to prevent violence against children. Article 19 obligates governments to take "***all appropriate legislative, administration, social and educational measures***" to protect children from all forms of violence.

General Comment 13, issued by the UN Committee on the Rights of the Child, provides helpful guidance for duty-holders on implementing the provisions in the Convention relating to violence against children.

2. A comprehensive approach is most effective.

The Convention provides a framework for a comprehensive approach to address all forms of violence against all children. Article 19 of the Convention calls on states to protect children from "*all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent (s), legal guardian(s), or any other person who has care of the child.*"

A comprehensive approach is more effective than piece-meal strategies. This was documented in evidence gathered for the World Report on Violence Against Children (United Nations, World Report on Violence Against Children, <http://www.violencestudy.org>) and subsequent research done for the INSPIRE strategy recommended by the Global Partnership to End Violence Against Children (End Violence Against Children Global Partnership, *Inspire: Seven Strategies for Ending Violence Against Children*, available at <http://end-violence.org>.)

In recent years there have been a number of narrowly-targeted initiatives in areas such as bullying, on-line harassment, sexual exploitation of children, with good but limited impact toward ending violence against children. These would be more effective as part of a comprehensive strategy. Following the 3<sup>rd</sup>/4<sup>th</sup> review of Canada's implementation of the Convention in 2012, the UN Committee on the Rights of the Child urged Canada to:

*Develop and implement a national strategy for the prevention of all forms of violence against all children, and allocate the necessary resources to this strategy and ensure that there is a monitoring mechanism;* (UN Committee on the Rights of the Child, *Concluding Observations: Canada*, paragraph 47(a), CRC/C/CAN/CO/3-4, 5 October 2012)

3. Respect for gender identity and sexual orientation fits within a comprehensive framework.

Implementation of the Convention includes use of data, analysis, and strategies that are sensitive to gender identity or expression and sexual orientation. Evidence in Canada shows that some forms of violence are more prevalent for girls, for example, and require focused attention. Other forms of violence are more prevalent for boys and require specific, focused attention. Violence experienced by LGBT youth as a result of their identity requires focused attention. A rights-based, effective violence prevention strategy will include such focused strategies within a comprehensive plan for all children.

The Convention also reinforces the important principle of the participation of young people in the development and implementation of effective strategies. The Convention provides a positive framework for such engagement.

4. Rights-based approaches foster long-term sustainability and systemic change.

Grounding a national strategy in Canada's obligations under the Convention on the Rights of the Child increases the potential for systemic and sustainable change that will endure, without relying on reaction to high profile incidents or partisan political priorities.

High profile attention to violence against women and some forms of violence against children in the past have not resulted in durable mechanisms. Significant investments of public energy, research, and publicly funded programs, have been lost when short-term priorities changed. While experience shows that implementation of children's rights also needs vigilant attention, grounding strategies in the Convention includes systemic measures and regular public reporting, which increases the likelihood of continuing progressive realization.

### Summary

Children's rights are integral for an effective national strategy to end violence against young women and girls. Canada ratified the Convention on the Rights of the Child twenty-five years ago, including its provisions on the right to freedom from violence, but it has not been fully implemented. Paying attention to implementation across Canada would make a major contribution toward the goal of this study and should be a high priority for all legislators.

For further information, please contact Cheryl Milne, Chair of the CCRC Board of Directors, or Kathy Vandergrift, Co-coordinator, at [info@rightsofchildren.ca](mailto:info@rightsofchildren.ca).

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