

Children’s Rights and a National Strategy on Gender-based Violence:
Submission by the Canadian Coalition for the Rights of Children toward a
National Strategy to End Gender-based Violence in Canada

Introduction

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 commitment of the federal government to develop an effective national strategy that includes a strong focus on prevention. The CCRC is a national umbrella organization of agencies and individual who work with children to promote full realization of children’s rights in Canada.

The CCRC recommends that the government give consideration to the following:

- The importance of a specific focus on children, both girls and boys, in the development of an effective national strategy, rooted in recognition of the rights and evolving capacities of children and the legal differences between the state’s roles in relation to adults and children.
- Adoption and use of the Convention on the Rights of the Child (Convention) as a framework for all elements in the strategy that relate to young people under age 18, with particular reference to Article 19 and other provisions related to prevention of violence.
- Guidance on violence prevention available in *General Comment 13: The Right of the Child to Be Free from All Forms of Violence*, prepared by the UN Committee on the Rights of the Child, and the on-going work of the global movement to End Violence against Children.

Benefits of these recommendations

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 3rd/4th 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, 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 gender-based violence. 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 initiative and should be a central part of the new national strategy.

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

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