

July 30, 2021

Honourable Steven Guilbeault, P.C., M.P,
Minister of Canadian Heritage
12th floor, 15 Eddy Street
Gatineau, Quebec K1A 0M5

Re: 5th/6th Review of Children's Rights in Canada

Dear Minister Guilbeault:

Thank you for taking the time to meet with the Canadian Coalition for the Rights of Children (the CCRC) and our member organizations in March to discuss the current review of how Canada implements the Convention on the Rights of the Child. We appreciate the fact that you agreed with the need to improve the process and found the suggestions we made to be reasonable. As a follow-up to the meeting, this letter highlights some of the suggestions that we hope to see in Canada as part of the 5th/6th Review.

More than 30 alternative reports were submitted by individuals and groups for the 5th/6th review of children's rights in Canada. They include evidence from more than 100 organizations because several were group submissions. The evidence and recommendations in these reports cover a wide range of conditions that Canada has a duty to address so that children can realize their rights in Canada; some of our member organizations have and will offer further insights in their areas of expertise. They also show there is broad support across Canada for improving the way Canada implements children's rights. For a more complete understanding of the substantive issues, please consult the alternative reports now posted: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&CountryID=31&TreatyID=5.

In the March 2021 meeting, the CCRC made 2 short-term requests:

- Share drafts of the responses to the list of issues that Canada plans to submit to the committee in December, with enough lead time to allow discussion and feedback from youth and civil society organizations, to enable presentation of a final report that takes account of civil society concerns.
- Organize transparent conversations with young people both before meeting with the UN Committee and after concluding observations are received. Invite relevant cabinet ministers, focus on what can be done to implement recommendations made during reviews, and take steps to improve the process of on-going engagement with children and civil society in Canada.

In addition to these suggestions for Canadian Heritage, the CCRC and some others have urged the Chairs of the Interdepartmental Working Group on Children's Rights to actively engage with the

CCRC and its members and find practical ways to respond to previous recommendations within the jurisdiction of the federal government; this would make the review process more productive for everyone, show the benefits for children in Canada, and model leadership for the provinces in their own consultations. This would also contribute to ending the pattern of blaming other jurisdictions instead of taking seriously the duties we all share to create conditions where children can realize their full potential, which is the goal of the Convention.

The CCRC umbrella report focuses on past recommendations that would be of benefit in Canada, if implemented, and systemic changes to advance children's rights and prevent further violations. It can be found here: <http://rightsofchildren.ca/wp-content/uploads/2020/03/Close-Gaps-through-Systemic-Change-CCRC-Report-to-UN-Committee-March-1-2020.pdf>.

In the long-term and drawing on 30 years of efforts to improve implementation of the Convention in Canada, the CCRC recommends a systems approach. This also addresses the challenge of federalism faced by the Continuing Committee of Officials for Human Rights, chaired by Canadian Heritage. This would include in brief:

- Ensuring that Child Rights Impact Assessments are conducted before statutes, regulations, and program budgets are considered;
- Creating a senior-level federal government coordinating body with a transparent deliberative process;
- Developing, and continuously improving guidance on child-sensitive budget analysis;
- Creating a senior-level federal/provincial/territorial coordinating body;
- Establishing child-friendly complaints mechanisms at federal/provincial/First-Nations levels;
- Creating the office of a Children's Commissioner with adequate security of tenure to champion the rights of children and work with child rights advocates in civil society; and
- Ratifying the Third Optional Protocol to the Convention on the Rights of the Child to allow children to bring complaints to the United Nations Committee on the Rights of the Child when local redress mechanisms prove to be ineffective.

Please feel free to reach out with any questions or to discuss this in more detail.

Sincerely,

The Canadian Coalition for the Rights of Children