

*Private Members' Business*

Nations working group. I understand that at the last federal-provincial-territorial ministerial conference on human rights, the human rights ministers recognized the active role of Canada in drafting the convention and agreed to continue their co-operation on this subject.

It is a matter of high priority that federal and provincial governments continue their co-operation on this very important convention. When it becomes open for ratification, the federal and provincial governments will all need to review Canadian legislation to ensure that Canada is in a position to ratify it. Then Canada will have to prepare an honest report to the United Nations Committee on the Rights of the Child on measures Canada has taken to ensure that children here have the benefit of the rights provided to them in this United Nations convention.

This future process, relating to the draft convention on the rights of the child, will be a very helpful initial step toward determining whether it would be appropriate to have a domestic bill of rights for children and just what rights it should contain. For the moment, we should focus our efforts on this United Nations initiative regarding children's rights before we consider starting on a similar idea in the domestic area.

As I mentioned earlier, the Charter applies to children and some of its provisions deal with them in quite a specific way. There are already a number of Charter cases relating to children, to such questions as the confidentiality of proceedings involving young offenders, or the various age limits that are found in the Criminal Code, especially regarding sexual offences. It is not as yet clear just what all the implications of the Canadian Charter of Rights and Freedoms will be for children. Until Canadians have a better idea of the nature of children's rights under the Charter, it would be too early to begin writing a children's bill of rights.

There is one last concern of a constitutional nature that I will briefly draw to the attention of the House. The motion does not make it at all clear who is expected to enact the proposed bill. Is it to be the federal government or is it to be the provinces of Canada? Much of the jurisdiction over children lies with the provinces. Unless a constitutional document is contemplated, I question how one comprehensive bill of rights for children could be enacted in a federal country such as Canada. As my

colleague from Halifax West pointed out earlier, this is an obstacle that, indeed, we must overcome.

To summarize, considering our current commitment to ensure the successful completion, ratification and implementation of the draft convention on the rights of the child, and because of the Constitutional division of powers in Canada that I have just mentioned, it would not in my view be advisable for the government to support this motion.

• (1805)

[*Translation*]

**Mr. Jacques Vien (Laurentides):** I welcome this opportunity to make my contribution as did those who spoke previously on the very important subject of rights for children in Canada. I want to thank the hon. member for Mission—Coquitlam for presenting this motion. In the course of this debate on providing a comprehensive Bill of Rights for children, a number of members mentioned developments on the international scene. In fact, several members suggested that instead of drafting a Bill of Rights for children, Canada should concentrate on the United Nations Convention on the Rights of the Child. I support this suggestion which, I think, is a realistic approach to enhancing the protection of children's rights in this country.

Mr. Speaker, at the beginning of this debate, when we heard references to the United Nations Convention on the Rights of the Child, we knew the General Assembly had not yet given its final approval. That important step was taken on November 20, 1989, when the General Assembly adopted the Convention on consensus. As a Canadian, I am proud of the leadership shown by my country in drafting and adopting this very important instrument. Now that the Convention has been adopted, the matter of signatures and ratification by Canada can be considered.

As the debate on the motion before the House progressed, it became increasingly clear that many, if not all aspects Canada intends to cover in the Bill of Rights for children had already been covered by the United Nations Convention on the Rights of the Child. Members who raised this point mentioned a number of major problems that made it necessary to improve child protection, including poverty, mistreatment, needs of disabled children and children suffering various forms of mistreatment or abuse. All these problems would undoubt-