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## INTRODUCTION

### **Definition of Case**

This case study examines management issues around DFAIT's involvement in the final drafting, ratification and implementation of the Convention on the Rights of the Child. The case study spans the period from November 1988 to June 1995. Four key events or processes have been selected for analysis from this period including:

1. the November 1988 meeting of the UN Open-ended Working Group on the Draft Convention on the Rights of the Child;
2. the organization of the World Summit for Children held in September 1990;
3. the federal/provincial review process leading to Canada's ratification of the Convention in December 1991; and
4. the presentation of Canada's first report on the Convention in Geneva in May 1995.

### **Global Human Rights Context**

The Convention on the Rights of the Child is the result of a long, international process regarding both individual, and more specifically, children's rights. In 1924, the Geneva Declaration on the Rights of Child, adopted by the League of Nations, was the first manifestation by the international community of a concern with children's rights. This was followed by the 1959 Declaration on the Rights of the Child, an expanded version of the earlier initiative, adopted unanimously by the United Nations General Assembly. The first draft of a Convention on the Rights of the Child was submitted to the U.N. in 1978 for the International Year of the Child. The idea was to transform the 1959 Declaration (not legally binding) into a legally binding Convention. The United Nations Human Rights Commission established a working group in 1979, open to all States and non-governmental organizations including Canada, to build on the first draft submitted by Poland. Ten years later, the Convention on the Rights of the Child was adopted by the U.N. General Assembly in November 1989. The Convention is the most widely ratified human rights instrument in international history.

### **Canada's Involvement**

Canada is party to all the major conventions on human rights developed by the UN since the 1960s. Like many Western nations, Canada was concerned initially that the draft did not adequately address children's political and civil rights. In addition, East-West tensions were running high making progress in achieving consensus quite slow. By 1982, however, Canada and other Western nations became more actively involved in the drafting of the Convention as East-West tensions eased and the value of Convention as a human rights instrument became more apparent. In 1982, a sub-group of the Federal/Provincial/Territorial Consultative Committee on Human Rights was established to give input on the drafting of the Convention for the Canadian delegation to the UN Working Group. Canada subsequently became very active in the UN Working Group helping to draft several articles including those related to freedom of religion, disabled children, juvenile justice, female circumcision and procedures for monitoring the Convention.

### **Roles and Responsibilities of Key Stakeholders**

Key players in the drafting, ratification and reporting on the Convention have included the following:

#### **DFAIT/JLO:**

- leads the Canadian delegation to the UN Open-Ended Working Group on the Draft Convention in Geneva;
- represents Canada's interests at the UN Working Group on the drafting of the Convention;

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