

Private Members' Business

are the central and indeed the only concern of the courts when deciding the difficult question of custody of children.

The government has expressed its concern in other ways for children in situations of divorce through the Family Orders and Agreements Enforcement Assistance Act. This act plays an important role in the enforcement of child support payments, as well as the recovery of children wrongfully abducted from the custodial parent by the non-custodial parent.

All too often, it is sad to say, the parent who is to pay support for the child, and it is usually the father, economically abandons his child by not paying or by paying late or by paying less than was ordered or agreed to. The Federal Enforcement Assistance Act allows for the garnishment of designated federal funds to enforce delinquent support payments, and I understand that program has been a tremendous success, having intercepted a total of over \$6 billion in the year prior to June 30, 1989.

In many instances the debtor father chooses to disappear rather than to pay child support. In such cases the federal government will search its information banks in an effort to locate the father, thereby aiding provincial authorities in the enforcement of the support order or agreement. Information will also be released where a non-custodial parent takes a child contrary to an existing custodial agreement.

The government's work in the areas of support and custody and the Criminal Code are simply a few examples of our commitment to the protection of all Canadian children. The value of children cannot be over-emphasized. They are the future of our country. This motion, however, fails in my estimation to significantly improve the lot of children in Canada.

Mr. Pat Sobeski (Cambridge): Mr. Speaker, the motion which I would now like to address proposes that the government enter into negotiation with the provinces with a view to achieving a comprehensive bill of rights for children which would standardize laws throughout Canada respecting children.

This government recognizes that the basic rights of children is very significant. There are many existing laws, both federal and provincial, which have a bearing on children. Examples are the provincial child care protec-

tion laws and the federal Young Offenders Act and the Divorce Act.

I remind this House that all of the rights guaranteed by the Canadian Charter of Rights and Freedoms accrue to children as much as to any other person in Canada. Indeed, some of these rights relate in quite a specific way to children. For example, Section 15 of the Charter guarantees the right to equality without discrimination on a number of grounds including age, and Section 23 provides for certain minority language education rights. None of these laws sets out in a comprehensive way the basic rights of children per se.

The question that we must now consider is whether it would be appropriate to begin negotiations with the provinces with a view to achieving a comprehensive bill on this subject.

One very relevant consideration is the stage of development in the draft convention on the rights of the child. After 10 years, almost a decade of work by the United Nations working group to complete the drafting of this complex and important convention, it was adopted by the United Nations Human Rights Commission about one year ago in March 1989. There appears to be an excellent prospect that it will be finally adopted by the United Nations General Assembly later this year. That will become open for ratification by all the countries of the world.

• (1800)

This draft convention on the rights of the child is very comprehensive in nature. It includes social and economic rights, such as those relating to social health and education security, as well as the sort of rights we find in our Charter. That is the fundamental freedoms of religion, freedoms of expression, freedom of association and freedom of assembly and also certain rights relating to the criminal process.

The draft convention on the rights of the child also contains many provisions in the area of family law, dealing with such matters as adoption, the resolution of custody disputes and measures relating to family reunification where parents decide to reside in different countries.

This country has been very actively involved in the drafting of this United Nations convention. A federal-provincial working group has met every year since 1981 to determine what should be the position of Canada on many issues regarding it. Many Canadian proposals have served as the basis for negotiations by the United