

Ratification of the Convention in Canada — May 1989 to December 1991

Event/Process	Synopsis of the Event
Context	<ul style="list-style-type: none"> • Canada signed the Convention in May 1990, indicating its commitment to ratification. • Canada ratified the Convention in two and a half years following extensive consultations between federal, provincial and territorial jurisdictions to ensure Canadian compliance. • this case examines DFAIT's role in providing advice to Canadian stakeholders on the interpretation of the Convention, upholding Canada's international commitments regarding the ratification of the Convention and promoting the signing and ratification of the Convention by States Parties to the UN.
DFAIT Objectives	<ul style="list-style-type: none"> • To honour Canada's international commitments by ensuring the Convention's ratification in Canada by 1991. • To ensure Convention compliance globally by promoting its signing and ratification at the UN.
DFAIT value-added	<p>providing expertise in international fora (IMH):</p> <ul style="list-style-type: none"> • advised the F/P/T Consultative Committee on the ratification process for an international instrument, the meaning of reservations and their significance to Canada's international reputation; • prepared memos to the Minister on the process of ratification, answered letters from the public on interpretation of the Convention and organized NGO consultations. <p>providing legal expertise (JLO):</p> <ul style="list-style-type: none"> • seen as the expert on the Convention in Canada; • advised the F/P/T Continuing Committee on the interpretation of the Convention and its implications for domestic law; • briefed provinces, academics, NGOs on content of the Convention and prepared legal opinions on Convention; • helped provinces reduce the number of their reservations to Convention from approximately 30 to 2; • prepared the Cabinet Memorandum recommending the ratification of the Convention in Canada. <p>exerting influence:</p> <ul style="list-style-type: none"> • IMH and Canadian Missions lobbied other countries to sign the Convention and have it be the fastest Convention ever to come into force at the UN; • IMH managed Canada's co-sponsoring of key resolutions on the ratification of the Convention at the UN general Assembly; • IMH and JLO advised and pressured Canadian stakeholders to agree to ratification in order to meet Canada's international commitments and deadlines.
Management of the Event	<p>priority setting: the Convention and its ratification continued to be a top foreign policy priority.</p> <p>resource allocation:</p> <ul style="list-style-type: none"> • continuity in legal expertise provided by JLO supported Canadian stakeholders in understanding the Convention and thus accelerating the ratification process; IMH resources allocated were modest but provided continuity between Summit objectives with the ratification process in Canada and at the UN. <p>coordination with stakeholders:</p> <ul style="list-style-type: none"> • stakeholders perceived JLO's legal expertise and IMH's expertise on foreign policy questions as invaluable. <p>decision-making:</p> <ul style="list-style-type: none"> • DFAIT was proactive in lobbying provincial and territorial governments as well as Cabinet to ratify the Convention as early as possible; • DFAIT was effective in arguing for early ratification in Canada and proposing workable solutions to provincial concerns.
Performance	<ul style="list-style-type: none"> • DFAIT objectives were achieved • the continuity and quality of legal expertise provided by DFAIT throughout the drafting and ratification process resulted in successful achievement of DFAIT objectives and an enhanced image as expert on the Convention, at minimal cost to the organization in human or financial resources.