



May 17, 2016

Via email: justin.trudeau@parl.gc.ca

The Right Honourable Justin Trudeau, P.C., M.P.  
Prime Minister of Canada  
Langevin Building  
80 Wellington Street  
Ottawa, ON K1A 0A2

Dear Prime Minister:

**Re: UN Convention on the Rights of the Child**

I write on behalf of the Canadian Bar Association (CBA) to ask your government to create a detailed action plan to effectively implement the UN Convention of the Rights of the Child (UNCRC). The Concluding Observations of the UN Committee on the Rights of the Child (UN Committee) offer a road map that could prove transformational in improving the lives of Canadian children.

The CBA is a national association of over 36,000 lawyers, law students, notaries and law teachers. Among our primary objectives are improvement in the law and the administration of justice, and promoting the rule of law.

In October 2012 the Canadian government received the Concluding Observations of the UN Committee on Canada's Third and Fourth Reports on the UNCRC. Government representatives expressed a strong commitment to fulfill Canada's obligations under the UNCRC in the review process. This follows from Canada's role as a key proponent and one of the first of many states to sign the UNCRC (ratified in 1991). Canada's commitment to fulfill its obligations under the UNCRC includes recognition of a special obligation to the Indigenous peoples of Canada and Indigenous children in particular. This recognition was affirmed with Canada's recent adoption of the UN Declaration on the Rights of Indigenous People.

The UN Committee's Concluding Observations followed a careful examination of government reports and evidence from other experts, including Canadian organizations who work with children across the country. The Concluding Observations contained serious criticisms of Canada's failure to more fully implement the Convention and provided detailed and general recommendations for areas of improvement. For example, the UN Committee expressed concerns about the lack of national implementing legislation for the UN CRC and pointed to the need for a National Children's

Commissioner.<sup>1</sup> It also expressed a need for better data collection and monitoring of child wellbeing. Perhaps most urgently, the UN Committee urged Canada to curb the over-representation of aboriginal and African-Canadian children in custodial and out of home care settings.<sup>2</sup> While some recommendations address matters within provincial and territorial jurisdiction, the federal government also has a role in areas where it can effect change, working in partnership with provinces and territories in others. This approach is recognized in your mandate letter to the Minister of Families, Children and Social Development, which says that “all Canadian children deserve a real and fair chance to succeed, and all Canadians should be able to live with dignity... I know you will undertake your work in a collaborative way with an appreciation that provinces and municipalities play a leadership role in these areas.”

Canada has now had over three years to consider the recommendations of the UN Committee. In March 2014, the CBA wrote to the Prime Minister of the day asking for swift action to better implement children’s rights in Canada. As Canada prepares to submit its fifth report to the UN Committee on the Rights of the Child, the CBA suggests this is the time to reclaim Canada’s leadership in the area of promoting children’s rights. Canadians have welcomed your government’s early and strong commitments to advancing children’s rights.

We would welcome a chance to meet with you or your representatives to discuss how we can help the federal government to achieve this important goal.

Yours truly,

*(original letter signed by Janet M. Fuhrer)*

Janet M. Fuhrer

cc. The Honourable Stéphane Dion, P.C., M.P. (stephane.dion@parl.gc.ca)  
 The Honourable Jody Wilson-Raybould, P.C., M.P. (mcu@justice.gc.ca)  
 The Honourable Mélanie Joly, P.C., M.P. (Hon.Melanie.Joly@canada.ca)  
 The Honourable Jane Philpott, P.C., M.P. (Hon.Jane.Philpott@Canada.ca)  
 The Honourable Jean-Yves Duclos, P.C., M.P. (Jean-Yves.Duclos@parl.gc.ca)  
 The Honourable Doctor Carolyn Bennett, P.C., M.P. (InfoPubs@aadnc-aandc.gc.ca)

---

<sup>1</sup> CRC/C/CAN/CO3-4, para. 23, 6 December 2012.

<sup>2</sup> The full text of these Concluding Observations can be accessed online at [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCAN%2fCO%2f3-4&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCAN%2fCO%2f3-4&Lang=en)