

**List of issues : Canada. 10/02/95.
CRC/C.9/WP.1. (List of Issues)**

COMMITTEE ON THE RIGHTS
OF THE CHILD

Ninth session

Pre-sessional working group

30 January to 3 February 1995

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with
the consideration of the initial report of Canada
(CRC/C/11/Add.3)

General Measures of Implementation
(Arts. 4, 42 and 44, para. 6 of the Convention)

1. In light of the contents of the World Conference on Human Rights' Declaration and Plan of Action by which States were encouraged, inter alia, to consider reviewing any reservation to a human rights convention with a view to withdrawing it, please provide information on whether the Government is considering the possibility of withdrawing its reservations to the Convention on the Rights of the Child.
2. Please provide information on the measures taken to incorporate education about the principles and provisions of the Convention in training and re-training programmes for professionals working with or for children, including lawyers, judges, teachers, prison authority personnel, youth detention facility employees and police officers.
3. Please indicate whether any additional steps are being considered for creating more widespread awareness among adults and children about the principles and provisions of the Convention.

Definition of the Child (Art. 1 of the Convention)

4. Are there any plans to consider the possibility of harmonising legislation throughout the country with regard to the minimum age for employment of children and the minimum age for legal or medical counselling without parental consent?

General Principles

(a) Non-discrimination (Article 2)

5. Please provide more information on the concrete measures being taken to combat discrimination against children born out of wedlock, refugee children, children claiming refugee status or asylum-seeking children, Aboriginal children, visible minority children and children living in remote areas. In particular, in view of the

information contained in paragraph 64 of the report which indicates that Aboriginal groups are concerned about the treatment of Aboriginal children in the criminal justice and educational systems, please provide details of the measures being considered to address these issues.

(b) Best Interests of the Child (Article 3)

6. Please provide further information with regard to the statement contained in paragraph 69 of the report which indicates that amendments to the regulations of the Immigration Act are being considered to improve the safeguard of the best interests of the child.

7. With respect to paragraph 70 of the report, please indicate the measures being taken or envisaged to address the Aboriginal community's concerns that current practices regarding adoption and alternative care are not consistent with the best interests of children in those cases where Aboriginal children are placed with non-Aboriginal parents.

(d) Respect for the views of the child (Article 12)

8. Please provide further information on the measures taken to ensure that the right of the child to express his/her views and to have those views taken into account are respected, particularly with regard to the placement of children in mental health institutions.

Civil rights and freedoms

(Arts. 7, 8, 13-17 and 37(a) of the Convention)

9. Para. 117 of the report provides details of the provisions of the Privacy Act by which "authorized" persons may seek access to a child's personal information on his or her behalf. Please provide clarification as to the persons "authorized" to access this information and whether the child's consent is required in such matters.

10. What steps, if any, are being considered or envisaged to prohibit the corporal punishment of children both within the school and family environment?

Family environment and alternative care

(Arts. 5, 18 paras. 1 and 2, 9, 10, 27 para 4, 20, 21, 11, 19, 39 and 25 of the Convention)

11. What measures are being taken or are envisaged to improve the legal status of children born out of wedlock?

12. Please provide further details of the steps taken to ensure the right of the child to maintain contact with both parents in cases where the child's parents are separated or divorced.

13. Please provide further information on the measures taken to effectively ensure that the best interests of the child and the views of the child are taken into account in cases of adoption.

Basic health and welfare

(Arts. 6 para. 2, 23, 24, 26, 18 para 3, 27 paras. 1-3 of the Convention)

14. Please provide further information on the efforts being taken to effectively ensure that single parent families receive sufficient and adequate support for the upbringing of their children.
15. Please provide more details of the policies and measures being taken to prevent children and their families being affected by homelessness and from living in poor quality housing.
16. Please provide further information on the measures being taken to address the problem of the poor quality of water affecting Aboriginal children in their communities.
17. With regard to the implementation of article 26 of the Convention, please indicate whether children have direct access to the social security system.
18. Please provide more information on the measures in place for the treatment of HIV infected children.

Education, leisure and cultural activities (Arts. 28, 29 and 31 of the Convention)

19. What measures are being taken to improve school facilities in remote areas and Aboriginal communities?
20. In view of the recent establishment of a United Nations Human Rights Education Decade, please indicate whether there are any plans on the part of the Federal, Provincial or Territorial Governments to utilize this initiative for the purpose of incorporating education about the Convention into school curricula.
21. Please provide information on the system regulating school expulsions and on any measures being taken to reduce the incidence of school expulsions.

Special protection measures

(a) Children in situations of emergency (Arts. 22, 38 and 39 of the Convention)

22. Please provide information on the measures taken to ensure that the procedures governing the according of refugee status to asylum seeking children are guided by the provisions and principles of the Convention.

(b) Children in conflict with the law (Arts. 40, 37 and 39 of the Convention)

23. With regard to matters relating to the system of administration of juvenile justice, and in the light of the provisions of article 40 para. 4 of the Convention in particular, please provide further information on the alternatives available to the detention or imprisonment of children.

24. Please provide more information on the reasons for the transfer of children from juvenile courts to adult courts and the effects of such transfers.

25. Does the Government have any plans to reform Section 139 of the National Defence Act which allows for the possibility of the application of the death penalty for members of the Canadian forces, which may include children of 16 or 17 years of age?

26. What measures are being planned to address the Aboriginal communities' concern of the treatment of Aboriginal children in the criminal justice system?

(c) Children in situations of exploitation (Arts. 32 to 36 and 39 of the Convention)

27. Please provide information on the ratification and implementation of ILO Conventions relating to the minimum age of employment of children.
28. With regard to the implementation of article 39 of the Convention, please provide further information on the steps taken or envisaged to ensure the effectiveness of measures for the rehabilitation or recovery of child victims of abuse or neglect.
29. In view of the information contained in paragraph 374 of the report, please indicate whether any measures have been recently undertaken to address the issue of children living or working, or both, on the street.

(d) Children belonging to a minority of an indigenous group (Art. 30 of the Convention)

30. What studies have been undertaken on the reasons for the high incidence of suicides among Aboriginal children?

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