



Alberta

Child and Youth Advocate

Ph: (780) 422-6056

Email: ca.information@ocya.alberta.ca

British Columbia

Representative for Children and Youth

Toll-Free: 1-800-476-3933

Email: rcy@rcybc.ca

Manitoba

Advocate for Children and Youth

Ph: (204) 988-7440

Email: info@manitobaadvocate.ca

New Brunswick

Child and Youth Advocate

Ph: (506) 453-2789

Email: advocate-defenseur@gnb.ca

Newfoundland and Labrador

Child and Youth Advocate

Ph: (709) 753-3888

Email: office@ocya.nl.ca

Nova Scotia

Office of the Ombudsman

Youth Services

Ph: (902) 424-6780

Email: ombudsman@novascotia.ca

Nunavut

Representative for Children and Youth

Ph: (867) 975-5090

Email: contact@rcynu.ca

Ontario

Office of the Ombudsman

Children and Youth Unit

Ph: (416) 325-5669

Email: cy-ej@ombudsman.on.ca

Prince Edward Island

Office of the Child and Youth

Advocate/PEI

Ph: (902) 368-5630

Email: voiceforchildren@ocypei.ca

Québec

Commission des droits de la personne

et des droits de la jeunesse

Tél: (514) 873-5146

Email: information@cdpdj.qc.ca

Saskatchewan

Advocate for Children and Youth

Ph: (306) 933-6700

Email: contact@saskadvocate.ca

Yukon

Child and Youth Advocate

Ph: (867) 456-5575

Email: annette.king@ycao.ca

MEDIA STATEMENT

June 14, 2022

Committee on the Rights of the Child Releases its 2022 Concluding Observations for Canada

SASKATOON – June 9, 2022, the United Nations Committee on the Rights of the Child released its Concluding Observations for Canada as its final step in this reporting cycle (found [here](#)). Concluding Observations acknowledge progress achieved, identify areas of concern, and make recommendations to State parties for the full implementation of the United Nations Convention on the Rights of the Child (UNCRC) and its Optional Protocols.

Canada ratified the UNCRC in 1991, becoming legally bound to implement the rights codified within. The Committee last issued Concluding Observations to Canada in 2012. Unfortunately, due to Canada's inaction, many of the same recommendations from 2012 remain in 2022.

"Although Canada ratified the UNCRC over 30 years ago, it has either stalled progress or has neglected to act entirely on a number of matters critical to ensuring the rights of children and youth are respected in our country," said Dr. Lisa Broda, President of the Canadian Council of Child and Youth Advocates (CCCYA) and the Saskatchewan Advocate for Children and Youth.

The Committee put a strong emphasis on improving accountability for the implementation of children's rights. Its recommendations are in alignment with the Council's own long-standing advocacy efforts for equal access to legal protections and independent monitoring processes in every jurisdiction and at every level.

For instance, the Committee reiterated recommendations for Canada to ensure its laws are compliant with the UNCRC by "develop[ing] a comprehensive law on children's rights at the federal level" and "repeal[ing] section 43 of the *Criminal Code*" to prohibit corporal punishment and legally sanctioned violence against children. "Our Council has long advocated for the repeal of section 43, and it is reprehensible that Canada continues to allow corporal punishment of children – it must do better and repeal this from the *Criminal Code*," said Broda.

The CCCYA has long advocated for improved youth suicide prevention, and is encouraged by a recommendation of the Committee recognizing the need to "strengthen mental health services and programmes for children" and to make a federally legislated suicide prevention framework more child centred.

"We urge Canada to go a step further and create a National Youth Suicide Prevention Strategy, setting out clear jurisdictional mandates, multi-sectoral, responsibilities, resources, and timelines, to serve as the foundation for addressing this devastating outcome," said Broda.

The CCCYA has long advocated for the establishment of an independent child rights monitoring body at the federal level, such as a National Commissioner for Children

and Youth, provided that its legislation appropriately recognizes relevant jurisdictional boundaries. Canada failed to meet the Committee's 2012 recommendation to create such a body. The Committee reiterated this recommendation and urged Canada to "[e]xpediently establish an independent mechanism at the federal level" with a mandate to monitor children's rights, receive, investigate, and address complaints by children and produce public reports on children's rights in Canada. This mechanism is critical to ensuring children's rights, interests, and well-being are championed within federal legislation, services, and policies that affect their lives.

The Committee again recommended that Canada ratify the Third Optional Protocol to the UNCRC on a communications procedure, which would allow children or their representatives to take complaints directly to the Committee should recourse for child rights violations be unavailable or ineffective. Although this Optional Protocol entered into force in 2014, Canada has taken no action towards its ratification, leaving children without the same access to justice at the international level as has been afforded to other groups whose human rights may be violated.

Canada will report to the UN Committee again in 2027. This is an important opportunity to implement both new and long-standing recommendations and for Canada to regain its position as a leader in the promotion and protection of children's rights. "Canada must be held to account for implementing the recommendations in the Concluding Observations. This onus also extends to provincial and territorial governments for those recommendations falling under their jurisdiction. Concluding Observations are a powerful tool to push for and measure progress, and we encourage all those working in support of children and youth to use them to continue advocating for change in the best interests of all children," said Broda.

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The Canadian Council of Child and Youth Advocates is an association of children's Advocates, Representatives, and Ombudspersons from across Canada who are independent officers of the legislatures in their respective jurisdictions, with legislated mandates to promote and protect children's human rights through complaint resolution, advice to government, amplification of child and youth voices, and public education functions.

For more go to www.cccya.ca

Media contact:

Karen Topolinski – ktopolinski@saskadvocate.ca
Manager, Communications and Public Education