

Children's rights must go beyond words on paper

By Marvin M. Bernstein

Following is the viewpoint of the writer, the Saskatchewan Children's Advocate.

Proclaimed by the Canadian government in 1993, National Child Day celebrates two historic events involving children — the adoption of the United Nations Declaration on the Rights of the Child in 1959 and the UN Convention on the Rights of the Child, adopted by the General Assembly on Nov. 20, 1989.

The Convention on the Rights of the Child was ratified by the Canadian government on Dec. 11, 1991. The Saskatchewan legislature, too, confirmed its own support, with the government stating:

“Support for the convention is essential because it reaffirms our responsibility for the care and well-being of all children in our society. The convention also serves as a reminder that as long as there are still children in this province who are not receiving the care and protection to which they are entitled, there is more which must be done.”

This year, National Child Day has special significance, reaching the milestone of 18 years in existence. Consequently, Saskatchewan and Canadian youth who reach age 18 as of Nov. 20, will be the first generation of children born with universal rights under the convention.

While Canada and Saskatchewan have made some progress in protecting the rights and promoting the well-being of this first generation, these entitlements have not been sufficiently implemented and to a great extent have been relegated to mere “paper rights.”

At this important juncture, we must, as a province and community, pledge a stronger commitment to a new second generation of children with rights under the convention. We must all seek opportunities to make a tangible difference in their lives and to ensure that they will be able to practically access and exercise their rights.

This way, we will go a great distance toward transforming these “paper rights” into actual “lived rights.”

Saskatchewan created an Action Plan for Children in 1994, which developed a number of programs and services to support and enhance the care and protection of our children.

The plan also established the Children's Advocate Office and was the foundation for the excellent work later achieved by the non-partisan provincial Committee on the Sexual Exploitation of Children.

The plan was a good beginning. As a province, we must now take the necessary next steps to ensure that the fundamental human rights of children and youth under the convention are given sufficient priority and integrated within legislation, government policy and practice, to truly make them “lived rights.”

The convention specifies and UNICEF articulates that, “Children everywhere have basic human rights: the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life.”

Earlier this year, with these rights in mind, my office established a set of eight Children and Youth First Principles for Saskatchewan children and youth, which can be found on our website at www.saskcao.ca

Recent developments at the federal level from the Senate and the Supreme Court of Canada have helped advance a Child First focus on the issue of rights and the child-welfare system. Consideration is also being given to establish an independent national children's commissioner, to monitor the federal government's implementation of children's rights.

Seen as an opportunity to build consensus at a national level for all children and to bridge inter-jurisdictional issues for the particular benefit of aboriginal children within individual provinces, this recommendation has been endorsed and supported by my office and other Children's Advocates across Canada.

The convention expressly recognizes that parents have the most important role in bringing up their children. The text encourages parents to deal with rights issues with their children "in a manner consistent with the evolving capacities of the child."

As Sen. Landon Pearson has stated, "The standards set by the convention should not be seen as entitlements that set the child against the adult world. On the contrary, they represent the highest norms of civilized behaviour."

It is imperative that children and youth have as many advocates as possible — be they natural, family, community or statutory.

I encourage everyone, whether a parent, family member, teacher, caregiver or professional, to become effective advocates for children and youth and to find practical ways to help them on a day-to-day basis.

Can we transform children's "paper rights" into "lived rights"?

It is my sincere hope that by National Child Day next year, and for every day thereafter, we will see Saskatchewan take the lead in moving beyond the rhetoric of children's rights and make the convention a reality for all of our children and youth.