



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 8 (1) OF THE OPTIONAL PROTOCOL TO THE
CONVENTION ON THE RIGHTS OF THE CHILD ON THE
INVOLVEMENT OF CHILDREN IN ARMED CONFLICT**

Initial reports of States parties due in 2004

CANADA*

[16 September 2004]

* This report has not been edited before being submitted for translation.

Introduction

1. Canada ratified the *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict* (Optional Protocol or OP) on July 17, 2000. The present report, the first report submitted by Canada under the terms of the OP, provides information on the measures adopted up to August 2004 that serve to implement the provisions of the Optional Protocol. As required under article 8 of the OP, subsequent information related to the implementation of the Optional Protocol will be included in Canada's periodic reports under the *Convention on the Rights of the Child* (CRC).

2. Additional information related to the involvement of children in armed conflicts, as well as information on the implementation of children's rights in Canada, can be found in Canada's reports under the *Convention on the Rights of the Child*, (http://www.pch.gc.ca/progs/pdp-hrp/docs/crc_e.cfm).

3. General information on Canada, its land and people, political structure and general legal framework for the protection of human rights can be found in Canada's Core Document, submitted to the UN in 1997 (http://www.pch.gc.ca/progs/pdp-hrp/docs/core_e.cfm).

Article 1: Participation in hostilities

4. Members of the Canadian Forces (CF) who have not yet reached the age of 18 may not be deployed to any theater of hostilities, or indeed, any area where armed combat is a possibility. The Canadian Forces also do not permit persons under the age of 18 to be deployed in any domestic emergency where weapon use cannot be ruled out. Canada has amended its *National Defence Act* (NDA) to entrench into law the Canadian Forces pre-existing policy of precluding persons under the age of 18 years from being deployed into areas where hostilities are taking place. This amendment (section 34 of the NDA) came into effect June 29, 2000.

Article 2: Compulsory recruitment

5. All recruitment into the Canadian Forces is strictly voluntary regardless of whether an individual has attained the age of 18 years. Canada has not had compulsory military service since the end of the Second World War.

Article 3: Voluntary recruitment

Minimum age

6. The minimum age of enrollment into most of the Canadian Forces programs is 17. However, individuals may be enrolled in the Regular Officer Training Plan (Junior Program) and the Reserves at age 16. The CF provide valuable education, training and employment opportunities to these young Canadians. Individuals under the age of 18 years cannot be recruited without a reliable proof of age and the consent of a parent or guardian.

7. Individuals under the age of 18 seeking to join the forces are required to watch instructional videos and read detailed informational brochures before enrollment. These materials are designed to ensure that any prospective members are fully informed as to what their military service will entail. The duties, responsibilities and risks borne by a member of the Canadian Forces are further explained in a mandatory interview with a CF career counselor.

8. The Department of National Defence does not presently collect statistics on members of the forces specifically under the age of 18. However, data is collected for the ages 16-19 category. As of 2004, there are currently 6,116 members of the Canadian Forces under the age of 19 out of 90,564 total members: 1,140 members aged 16 to 19 in the Regular Forces and 4,976 in the Reserve Forces.

Safeguards

9. Section 20 (3) of the *National Defence Act* makes it mandatory to have the consent of one of the parents or the guardian of a person under the age of 18 years before such person is enrolled in the CF.

10. Parents or a legally recognized guardian of an individual under the age of 18 must complete and sign two forms before their child or ward is considered for enrolment into the Canadian Forces. The forms detail the procedures individuals under 18 will follow to become members of the Canadian Forces.

11. There is also an obligation on the part of the Canadian Forces to ensure that the parent or the guardian is informed and fully comprehends the rights and obligations of their child, or any person under the age of 18 years in their care, when the child becomes a member of the CF.

12. The Canadian Forces requires that a legally recognized document containing proof of age be provided by any individual under 18 wishing to enrol. A copy of the original birth certificate or baptismal certificate (Québec) is retained in the member's files for verification.

13. A member of the Canadian Forces under the age of 18 may withdraw at any time with no penalty. Individuals under 18 who have joined the military through programs such as the Regular Officer Training Program (wherein their university education is fully subsidized by the Canadian Forces) may withdraw without penalty at any time up to and including the end of their first year of service. However, if they choose to discontinue the program after the commencement of their second year, they will be liable for the costs of their schooling. By this time, the member will very likely have attained the age of 18. Flexible repayment options are available to those who request release from the Forces after their second year.

Military schools

14. In Canada, the Royal Military College (RMC) is the only school operated by and under the control of the CF. The RMC is exempt from raising the age of recruitment as required by paragraph 1 of the present article.

Article 4: Armed groups distinct from the armed forces

15. For the purposes of article 4, armed groups distinct from the armed forces are not known to be operating within Canada.

Article 6: Implementation and enforcement

Legal and administrative measures

16. Canada has adopted specific measures to protect persons under the age of 18 years from being deployed into a theatre of hostilities, as well as requiring a reliable proof of age and parental or guardian consent before an individual under the age of 18 years can be enrolled into the CF.

Promotion

17. As part of the Department of Canadian Heritage's mandate to promote the development, understanding, respect for and enjoyment of human rights, the Department has made the *Optional Protocol to the Convention on the Rights of the Child* available on its Web site (http://www.pch.gc.ca/progs/pdp-hrp/docs/crc/protocol-ac_e.cfm). The Optional Protocol is also distributed to any interested individual upon request.

Demobilization assistance

18. The Canadian Forces takes a preventive approach by prohibiting persons under the age of 18 from participating in hostilities.

Article 7: Prevention, rehabilitation and social integration

Winnipeg International Conference on War-Affected Children

19. In September 2000, the Canadian International Development Agency (CIDA) and Foreign Affairs Canada (FAC) jointly hosted the Winnipeg International Conference on War-Affected Children. The Conference was the first global meeting on war-affected children, and it succeeded in galvanizing the international community on the issue of children and armed conflict, including the involvement of children in armed conflicts.

Action Plan on Child Protection

20. CIDA's *Action Plan on Child Protection* promotes the rights of children in need of special protection from exploitation, abuse and discrimination. CIDA has committed to quadrupling its investment in the area of child protection between 2000 and 2005 for a total of \$122 million. Children affected by armed conflict are one of two areas of strategic focus for the plan.

Financial assistance and technical cooperation

21. Since Canada's ratification of the Optional Protocol in July 2000, CIDA has provided technical cooperation and financial assistance, primarily to support the rehabilitation and social reintegration of children who have been involved in hostilities. In this work, CIDA supports a rights-based approach to programming that uses the United Nations *Convention on the Rights of the Child* as a framework. This approach recognizes the rights of girls and boys to participate in decisions affecting their lives, analyses the structural causes which lead to violations of children's rights, and advocates a holistic response.

22. Bilateral cooperation includes \$1 million for disarmament, demobilization and reintegration projects with UNICEF for children in the Democratic Republic of the Congo and in Sri Lanka; a \$1 million project with Foster Parents Plan to prevent the recruitment of children into fighting forces while increasing their participation in peace-building and peaceful coexistence initiatives; a \$10 million contribution to the United Nations Development Program to support the demobilization and reintegration of soldiers, including children, in Afghanistan; and a \$15 million contribution through a World Bank trust fund for the demobilization and reintegration of ex-combatants, including children, in the Great Lakes region of Africa.

23. Multilateral programming includes a \$3 million grant to UNICEF's program for war-affected children. Peacebuilding Fund projects total over \$5 million and include initiatives with Cause Canada and World Vision to reintegrate former child soldiers in Sierra Leone; projects with UNICEF Canada to rehabilitate child soldiers in Somalia; interventions with UNICEF and Canadian Physicians for Aid and Relief to reintegrate children abducted in Uganda; an initiative with Save the Children UK to eradicate the abduction of women and children in the Sudan; a project with Defense for Children International to support the role of war-affected children as peacebuilders; and support to the office of the Special Representative of the Secretary-General for Children in Armed Conflict.

24. CIDA's International Humanitarian Assistance programming for children involved in armed conflicts has totalled over \$1.5 million and includes projects with the Red Cross and UNICEF to reintegrate former child soldiers in Sierra Leone; support to the International Organization for Migration for the repatriation of Ugandan children abducted into Sudan; and an initiative with UNICEF to address the recruitment of children by the Tamil separatist forces in Sri Lanka.

25. Partnership programming with Canadian non-governmental organizations in this area totals over \$700,000 and includes support to Hope for the Nation for work including education and counselling to former child soldiers; and a project with World Vision to resettle and reintegrate former child soldiers in Uganda.

Research initiatives

26. To develop a deeper understanding of the reality of the lives of children in armed conflict and identify practical solutions to the issue, CIDA has supported a number of research initiatives. Through the Child Protection Research Fund (CPRF), CIDA supported a \$315,000 research project on girls in militaries, paramilitaries, militias and armed opposition forces in Sierra Leone,

Northern Uganda and Mozambique. Other relevant CPRF projects currently underway total over \$400,000 and include research on the experiences and perspectives of former child soldiers in Sierra Leone; on the impact of conflict on children in East Asia and the Pacific; and on girls abducted during armed conflict in Angola. CIDA's Peacebuilding Fund provided over \$500,000 to the Institute for Security Studies for policy research aimed at helping to mainstream the issue of child soldiers within the peacebuilding/peacekeeping debate. CIDA is now finalizing a guide and tool to support disarmament, demobilization and reintegration programming for child soldiers. Finally, CIDA's Development Information Program has supported the production of documentaries to raise public awareness about the situation of former child soldiers in Rwanda, Sierra Leone and Uganda.

Special Advisor on War-Affected Children

27. Lieutenant-General (Retired) Roméo A. Dallaire, as Special Advisor on War-Affected Children to CIDA and to the Minister for International Cooperation, works to inform and engage Canadians about war-affected children and to provide policy and programming advice to CIDA on the issue. A key focus for his work has been on the importance of eliminating child soldiering and reintegrating child soldiers into society.

Human Security Program initiatives

28. The Human Security Program of Foreign Affairs Canada is providing \$80,000 of financial support to the NGO Watchlist on Children and Armed Conflict in its efforts to collect, verify and strategically disseminate consolidated information on violations against children in armed conflict. This project will also aim to increase the capacity of local NGOs in the collection and distributing this important information.

29. With \$50,000 of support from the Human Security Program, The Coalition to Stop the Use of Child Soldiers will publish a newsletter in English, French, Spanish and Arabic. The newsletter is a tool to exchange information and increase awareness of this issue to encourage better collaboration in all stages of conflict from demobilization and rehabilitation, to reintegration of former child soldiers back to their communities.
