



Ministerstvo práce, sociálnych vecí a rodiny Slovenskej republiky
Ministry of Labour, Social Affairs and Family of the Slovak Republic
Národné koordinačné stredisko pre riešenie problematiky násilia na deťoch
National Coordination Centre for Resolving the Issues of Violence against Children
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Slovak Republic

● The Office of the High Commissioner
for Human Rights ●

● ●

Your ref.
OHCHR/HRTD/GIF

Our ref.
5061/2015-M_NKSpRPNnD

Attended to by/☎
Ms Nicolaouová/
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Bratislava
August 26, 2015

**Subject: Call for comments – Advanced version of the Committee on the Rights of the Child
Draft General Comment – Article 4 – reply**

Dear Sir/Madam,

we appreciate the invitation to comment on the draft version of the General Comment no 19 on article 4 of the Convention on the Rights of the Child that was forwarded to us by the Permanent Mission of the Slovak Republic to the United Nations Office and other international organizations in Geneva.

National Coordination Centre for Resolving the Issues of Violence against Children hereby submits the following comments to the draft version of the General Comment for consideration by the respectful Committee Members:

I. Introduction, Chapter A. (Background), line 9

The Committee explains that the General Comment does not examine every pertinent article of the Convention and its Optional Protocols and, instead, seeks to provide States with a framework for respecting, promoting, protecting and fulfilling the Convention in relation to public spending.

The protection of the totality of the rights provided for in the Convention and its Optional protocols may however be challenged in times of global financial crisis when States may be prone to impose austerity measures that significantly cut public spending in some sectors in order to tackle the situation. The austerity measures are likely to result in retrogressive steps affecting the realization or implementation of human rights, incl. children's rights. In light of this, we would like to suggest that the General Comment elaborates in more detail the principle of non-retrogression and includes a paragraph (i.e. in *IV. Principles of Public spending*) or a separate chapter on human rights compliance/justification criteria for the imposition of austerity measures¹. The current references made under *line 20 (c)* and *line 37* appear too narrow to fulfill the guiding function of the General Comment in question and may need to be further elaborated.

¹ see Report of the United Nations High Commissioner for Human Rights on austerity measures and economic and social rights

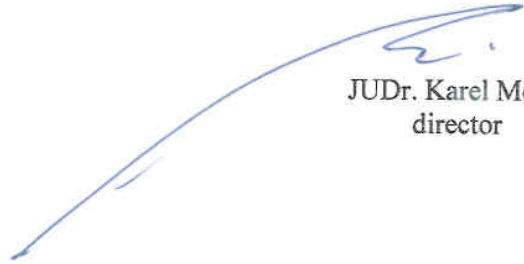
III. Public spending considerations implied by article 4 and the general principles – B. The general child rights principles and public spending – 1. Public spending and the right to non-discrimination (art. 2) – line 48.

For greater clarity and applicability in due time, we propose that the range of the actors in question and the term "awareness-raising" are further elaborated on.

V. Implementation of the rights of the child in public spending – A. Planning – 3. Mobilizing resources – line 98.

For greater clarity and applicability in due time, we propose that the current wording "wastage of resources" is further elaborated on.

Best regards,

A handwritten signature in blue ink, consisting of a long, sweeping curve that starts from the left and ends with a small flourish on the right.

JUDr. Karel Molin
director