

All appropriate measures.
Budgeting for the realisation of children's
rights

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Outline:

1. **Legal basis** – within the ‘all appropriate measures’.
2. Guidelines to member states.
3. **Evolved concept** of the Committee on Child Right’s budgeting (from 2003 until 2016).
4. CRC CoBs to Sweden of 2015.
5. How to address the recommendation to Sweden - Principles and rules to implement it.

The legal basis: Article 4 CRC

- States Parties shall undertake **all appropriate** legislative, administrative, and other **measures** for the implementation of the rights recognized in the present Convention.

All measures = general measures of implementation
(CRC Reporting Guidelines)

- With regard to **economic, social and cultural rights**, States Parties shall undertake such measures to the **maximum extent of their available resources** and,
- where needed, within the framework of international co-operation.

General measures to be taken by States in implementation of the CRC (GC 5)

1. Legislation - *is fully compatible with CRC*
2. Administrative – institutions in the executive as well as independent human rights institutions for children
3. Comprehensive strategies or agendas and action plans
4. Permanent mechanisms for governmental coordination
5. Systematic monitoring: data collection and evaluation
6. **Resource allocation for children**
7. Education on CRC, training, and awareness raising
8. Collaboration in the implementation process with civil society, including children
9. Ensure that all (including private companies) respect rights

Implementation of Rights:

Rights in the CRC are *interdependent and indivisible*.

Civil and political rights should be fulfilled **immediately**.

Progressive realisation of economic, social and cultural right means: immediate steps to mobilize, allocate and spend budget resources.

No retrogressive measures even in times of economic crisis.

2003/ GC 5: Making children visible in budgets

State should:

- identify the proportion of national and other budgets allocated to the social sector and,
- within that, to children, both directly and indirectly.

Committee needs to know:

- that economic and social planning and decision-making and budgetary decisions are made with the best interests of children as a primary consideration
- that children, incl. in particular marginalized and disadvantaged groups, are protected from the adverse effects of economic policies or financial downturns.

GC 19: (2016) Budgeting for the realisation of children's rights:

Para 14: The objective of the present general comment is to:

- improve understanding of the obligations under the Convention in relation to budgeting for children's rights so as to strengthen the realization of those rights (concept & principles);
- promote real change in the way budgets are planned, enacted, executed and followed up in order to advance implementation of the Convention and its Optional Protocols (process).

Guidelines to Member states:

- UN CRC General Comments:

No 5 (2003) on General measures of implementation of the Convention on the Rights of the Child (arts. 4, 42 and 44, para. 6) and

No 19 (2016) on public budgeting for the realization of children's rights

- Report from the Day of General Discussion, 2007
- UNICEF – Child Rights Toolkit: Integrating Child Rights in Development Cooperation, Module 6: Child Responsive Budgeting; projects in Armenia (currently), Mexico etc.

<https://www.unicef.org/eu/crtoolkit/toolkit.html>

- Council of Europe – develops methodologies
- Eurochild – Project 'Childonomics – measuring the long term social and economic value of investing in children' -
<http://www.eurochild.org/projects/childonomics/>

Based on two types of principles

- **General principles of the Convention:**
 - No discrimination
 - Best interests of the child
 - Participation
 - Right to life and development
- **Plus budgetary principles from a human rights perspective...**

Double perspective

Use budgets to guarantee children and adolescent rights

Respect and guarantee of the children and adolescent rights during the budgetary process



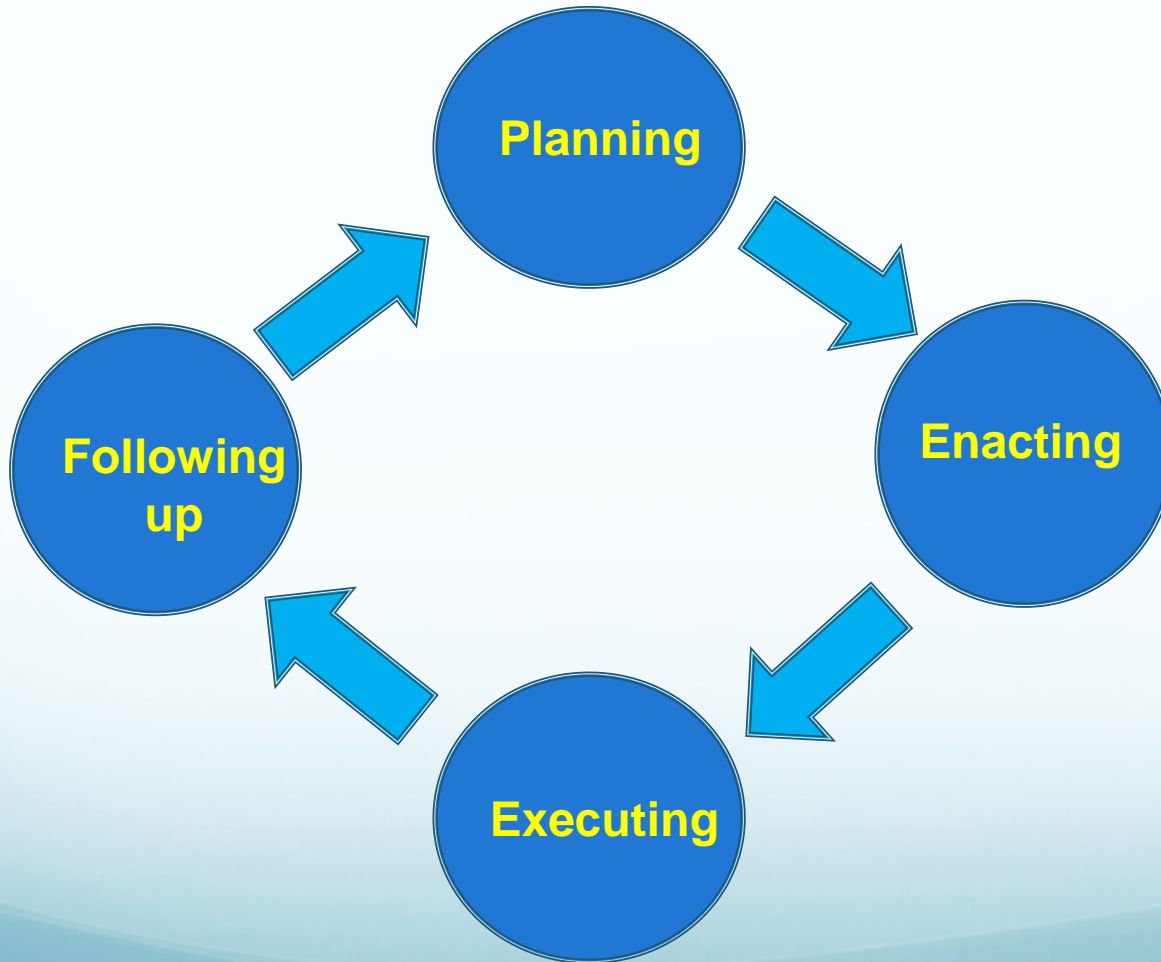
Budgetary principles:

- **Effectiveness**
- **Efficiency**
- **Equity**
- **Transparency**
- **Sustainability**

Criteria for the budgeting process:

- Transparent
- Sufficient
- Participative and inclusive
- Accountable

...throughout the entire budget process



Concluding observations on the fifth periodic report of Sweden, 2015:

The Committee notes with concern that the national budget does not include specific budgetary allocations for the implementation of the Convention.

- Recommends to Sweden:

(a) Provide, in its next periodic report to the Committee, specific information, **in figures and percentages**, on the national budget with regard to the implementation of the Convention;

(b) Adopt a **child rights-based approach** in the preparation of the State budget by implementing a *tracking system for the allocation and use* of resources for children throughout the budget;

(c) Undertake **impact assessments** on how “the best interests of the child” are taken into consideration in relation to *investments or budget cuts in any sector*, and measure the *impact* of such investments or budget cuts on both girls and boys.

Implementation of the rights of the child in public budgets: Planning of the budget:

1. Ensure participation: Convince the Government (lobbying work)

Ministry of Finance – a key

Prepare a step by step guide !!!!

Interinstitutional group to start to consider the budget

Child participation – transparency, commitment of **resources and training** ; Provide **feedback** to children

2. Featuring budget:

- Not necessarily year based – could be 3, 5 years budgets
- Start with some items in budget and extend to the whole budget.

Planning of the budget 2:

1. Invest in understanding the child situation:

Assessment based on **comprehensive disaggregated data** of the

- economic situation
- extent to which existing legislation, policies and programmes sufficiently respect, protect and fulfil children's rights.
- Child impact of the budget– **best interests of the child principle** (directly and indirectly – e.g. via caregivers - labour, debt, taxation system!).

Planning of the budget 3:

2. Decide on **priorities** – *Competing* budget allocation and spending priorities!

different age groups (elderly – ageing societies and children),

children of different ages (early childhood and adolescent children) (*impact of investment in early childhood!*)

Inter generational justice! Budget for current generations but considering the future children.

Children in vulnerable situations (non discrimination: deliver **equality** and **equity via budgets!**)

Planning of the budget 4:

3. **Resource** mobilization at national and subnational level:

- revenue – through taxes and non taxes revenues

(if insufficient – through international development cooperation).

- Transparency - Combat tax evasion and corruption
- Improve debt management
- Prevent waste of resources.

Planning of the budget 5:

4. Budget proposal: how the Government will meet its obligations to children (CRC):

- **visualise** the resources to children:

Direct (health, education, social) and **indirect** (family support, labour, social security etc)

Universal – targeted

Performance targets and indicators!

- **disaggregate** all planned, enacted, revised and actual expenditures that directly affect children, by:

(a) Age, (b) Gender; (c) Geographical area, for example, by subnational unit;

(d) Current, and possible future, categories of children in vulnerable situations.

Enacting the budget 1:

- The Role of the Parliament:

Scrutiny of the budget proposals from child's rights perspective.

Enough time, information, own analyses, discussions.

Executing Budget:

- Spend the budget well
- ensure value for money when goods and services are purchased to advance child rights.
- monitor, analyse and publicly report the outcomes of expenditures
- establish public accountability mechanisms that allow civil society, including children, to monitor outcomes of public spending.

Follow up:

- release year-end user-friendly reports to legislatures and make reports and evaluations accessible and publicly available in a timely manner;
- provide comprehensive information on all revenue collected and actual expenditures that affect children's rights.
- Implement a child rights impact analyses of the budget expenditures.

Conclusions:

Investing in childhood is not only a moral and legal obligation but also:

- ✓ Socially and economically profitable – investments return
- ✓ Politically necessary - Good governance practice
- ✓ Tool for decision making (esp. in austerity context)
- ✓ A need in order to achieve the Sustainable Development Goals of all states.

Thank you for your attention

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