

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS  
COMITE EUROPEEN DES DROITS SOCIAUX**



28 March 2008

**Case document No. 4**

**International Centre for the Legal Protection of Human Rights  
(INTERIGHTS) v. Croatia**  
Complaint No. 45/2007

**RESPONSE FROM INTERIGHTS TO THE  
GOVERNMENT'S OBSERVATIONS**

Registered at the Secretariat on 27 March 2008



### ADMISSIBILITY OF COMPLAINT 45/2007

In reply to the letter of Mr Brillat of 7<sup>th</sup> March 2008 and the attached observations of the Croatian government on the admissibility of complaint 45/2007 submitted by INTERIGHTS we wish to make the following response.

The Croatian government, whilst admitting that INTERIGHTS is an organization registered to submit complaints, maintains that we lack the particular competence to do so. In so doing the government fails to mention the specific examples provided by INTERIGHTS regarding our recent work on sexual and reproductive health rights which we will not repeat here.

In addition, and specifically in response to the Croatian government's allegation that we have not worked on the protection of the rights of the child and young people, we would wish to draw the Committee's attention to the following recent cases:

- *DH v Czech Republic* (Appln No. 57325/00) 14 November 2007 decided by the Grand Chamber of the European Court of Human Rights in which the amicus brief submitted by INTERIGHTS was highly influential in a decision by the Court condemning the segregated education of Roma children and accepting that they had been the subject of indirect discrimination.
- *MC v Bulgaria* (3972/98) 4 December 2003 in which INTERIGHTS submitted an amicus brief with respect to the upholding of a complaint by the European Court of Human Rights regarding the lack of effective protection for a 14 year old victim of rape.
- *Catan and 27 others v Russia and Moldova* (43370/04) pending before the European Court of Human Rights in which INTERIGHTS is working closely with and advising the applicants' local lawyers on a case alleging harassment of schoolchildren, their parents and teachers with respect to their education on account of their ethnicity and language.

Other work on children's rights during the last five years includes the publication of two INTERIGHTS Bulletins on the *Participatory Rights of Children* (2003) and the *Right to Education* (2007) (both edited by myself), together with numerous other articles contained in other Bulletins on *HIV/AIDS*, *Disability* and *Positive Obligations* and a current project on trafficking of women and children. Personally, I have carried out significant work on Children and Young People's rights including appearing before the UN Human Rights Commission and authoring the *Human Rights of Street and Working Children : A Practical Manual for Advocates* (IDTG 1999).

Beyond this we would wish to reiterate that INTERIGHTS is an organization with over two decades of experience of litigating before regional and international human rights bodies in addition to the other related activities – publishing, seminars, training - we have carried out. It is for these reasons we believe that our registration for the submission of complaints was first accepted and then renewed by the Committee for another four years in 2006.

The remainder of the observations relate to the merits of the complaint and it would therefore be inappropriate for us to respond at this stage save to remark that events subsequent to the submission of the complaint do not in our opinion invalidate in any way the original complaint and that, should the complaint be declared admissible and proceed to a merits hearing, we will be submitting further evidence to reinforce that fact.

A hard cope of this letter is being faxed to you today.

Yours sincerely

Iain Byrne

Senior Lawyer, Commonwealth and Economic and Social Rights Programmes  
 DDI: +44 (0)20 7843 0483  
 INTERIGHTS  
 The Intl. Centre for the Legal Protection of Human Rights

Lancaster House  
33 Islington High Street  
London N1 9LH  
UK  
Telephone: +44 (0)20 7278 3230  
Fax: +44 (0)20 7278 4334  
Website: <http://www.interights.org>