

UNESCO

and the Right to Education



The Right to Education

The international framework

The right to education has been firmly enshrined in every major human rights treaty since the Universal Declaration of Human Rights in 1948. These treaties are international, customary law, and every country in the world has become party to at least one of them. With currently more than 100 million children not attending school – most of them girls – the world continues to face a great challenge.

At the World Education Forum in Dakar, Senegal, in April 2000, 164 governments rose to this challenge and reaffirmed the right to education as the fundamental principle of Education for All (EFA). The EFA process, with UNESCO as the lead agency, aims to ensure access to free and compulsory good-quality primary education by 2015, achieve gender equality in education, and improve levels of literacy and all aspects of the quality of education, from early childhood care to the life skills of youth and adults. In September 2000, the United Nations Millennium Declaration (MD) reaffirmed this pledge to achieve universal primary education, and to promote gender equality and empowerment of women through education by 2015.

UNESCO's role

Both the EFA and MD frameworks are fundamentally rights-based and, together with the legal treaties, form a powerful set of instruments to ensure the right of everyone to education. Joining hands with the rest of the United Nations family and other partners, UNESCO leads the international co-ordination of the EFA process, advises and assists Member States in embedding the right to education in national legislation, educational policies and plans, and in core areas such as teacher training and curriculum development. UNESCO is mandated to work with education in its many aspects, and places the language of rights at the very heart of its efforts, with emphasis on inclusion, lifelong learning and non-discrimination.

Principal instruments on the right to education

- Universal Declaration of Human Rights, 1948
- UNESCO Convention against Discrimination in Education, 1960
- International Convention on the Elimination of All Forms of Racial Discrimination, 1965
- International Covenant on Economic, Social and Cultural Rights, 1966
- International Covenant on Civil and Political Rights, 1966
- ILO Convention on the Minimum Age of Employment, 1973
- Convention on the Elimination of All forms of Discrimination against Women, 1979
- Convention on the Rights of the Child, 1989
- ILO Convention concerning Indigenous and Tribal Peoples, 1989
- UNESCO Convention on Technical and Vocational Education, 1989
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990
- ILO Convention on the Worst Forms of Child Labour, 1999

Contact

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What is the right to education?

“Everyone has the right to education” – according to Article 26 of the Universal Declaration of Human Rights. This cannot be stated more clearly. It is a litmus test for the individual to assess his or her government’s commitments to fundamental rights, as well as those of the international community.

Education is an inalienable human right. It is also unique in that it empowers the individual to exercise other civil, political, economic, social and cultural rights, attaining a life of dignity, while ensuring a brighter future for all, free from want and from fear.

To become an effective means for learning to know, to do, to live together and to be, education must be available, accessible, acceptable and adaptable. Thus, the right to education will help the individual to make informed choices in life.

Everyone has the right to education

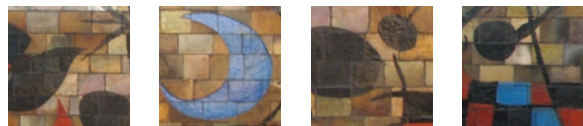
(Universal Declaration of Human Rights, Art. 26)



Free and compulsory education

In the quest to achieve Education for All, states must prioritize free and compulsory primary education. It is a fundamental right that cannot be forfeited. Yet it may still be misunderstood – for what is free, what is a cost, who defines it, and who will bear it? The expenses for education are numerous: school fees, uniforms, transport, books and writing materials, all of which may prove burdensome. However, with sufficient political will and allocation of funds, governments and the international community can meet these costs. Thus, primary education can be free of charge for the child, the parent and the learner.

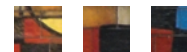
In addition, opportunity costs, whether direct or indirect, must be addressed: for example, the loss of earnings from work, at home, or as provider for the family – as well as the perceived loss of marital value of girls in some cultures. These costs must be understood and met, realizing the necessity for coherence in time between the stipulated age for compulsory education and the minimum age for employment and marriage, as well as for criminal responsibility. States must also take concrete action towards progressively making secondary education free, and ensuring that higher education is available based on merit and capability.



Education and poverty

Education is a proven way out of economic despair, and there is a close correlation between low levels of education and poverty, both the poverty of the individual and the relative poverty of the state. Through education, individuals contribute to alleviating poverty, liberating both the mind and the hands to a life of dignity.

Girls' education has particularly strong multiplier effects: investment in education for girls contributes to better nutrition for the family, improved health and family planning, poverty reduction, and better overall economic performance, leading to greater opportunities and life choices for women.



Quality in education

Higher enrolment rates, and especially those of retention and completion, bear evidence of quality and sustained commitment from governments and the international community to ensure children's learning, promoting their cognitive, creative and emotional development. Inclusiveness and respect for cultural values and heritage will be attained through quality schooling, encouraging social commitment, responsibility and open-mindedness.

Thus, a classroom is only a meaningful space if there are sufficient books of good quality, adequately trained teachers, and a curriculum that addresses issues of relevance to the community. These may be related to HIV/AIDS, post-conflict reintegration of child soldiers, the demands of industrialization, the move from rural to urban settlements, the challenges posed by new information technology, or the effects of a changing environment.

Non-discrimination in education

Education must be inclusive and accessible to all, in law as well as in fact. No provider of public education may discriminate on the grounds of gender, ethnicity, language, religion, opinion, disability, or social and economic status. Governments must formulate, develop and apply national policies, which directly address equality in education, private as well as public. Disaggregated data is paramount for such policy formulation on discrimination, and sends a powerful signal: being counted shows that each individual counts, is recognized, included, and can exercise his or her rights!



Shortcomings of financial resources must never lead to continued or renewed discrimination of particular groups: access of some to free quality education must not be bought at the expense of others. Private schools enhance the essential freedom of choice in learning, but only if they meet the standards set by the government and the international community who – as duty bearers – must be guarantors of quality and inclusiveness for the rights holder: the learner.