

THE EDUCATION DEFICIT**Failures to Protect and Fulfill the Right to Education in Global Development Agendas***2016 Human Rights Watch***The Education Deficit**

At the international level, more than 120 million children and adolescents are still absent from class. Despite concerted efforts, the UN and other global experts have indicated that global progress in education has significantly “left behind” millions of children. Further, more children and adolescents continue to face the risk of dropping out school, and adverse learning conditions. This has resulted in an “education deficit”—a shortfall between the educational reality that children experience around the world and what governments have promised and committed to.

Many of the governments who had signed the development agendas and form part of global partnerships—including among the 16 champion countries that were appointed by the UN to “lead by example” in promoting education globally—are those that are also failing many of their school-aged children.

The Education Deficit in Numbers

- Around 124 million children between 6-15 years old have either never started school or have dropped out, compared to 122 million in 2011.
- 12-15 years old children, who should be in lower secondary education are almost twice as likely to be out of school as primary school-aged children.
- 31 million girls worldwide do not attend primary school.
- 34 million girls are absent from secondary school.
- An estimated 24 million girls may never enter school.
- 29 million children are not in school due to conflict and displacement, including a “lost generation” of Syrian children, 2.1 million of whom do not go to school in Syria, and nearly 1 million who live in neighboring countries as refugees.
- Millions of children embroiled in forgotten emergencies—such as in the Central African Republic, Nigeria, and South Sudan—have had their education decimated or jeopardized.
- Over 93 million children under 14 are particularly disadvantaged, whom the World Health Organization in 2011 estimated have moderate or severe disabilities—an unknown number of whom are excluded from mainstream education.

Key Suggestions made through the Report to Governments:

- Increase primary and secondary enrollment, attendance, and completion statistics by age, gender, disability, and other categories, especially where minorities have been traditionally discriminated against.
- Ensure protection for the right to education, including secondary education, consistent with international law.
- Ensure primary education is free and ensure indirect costs do not become a barrier to access.
- Protect the compulsory nature of primary education, adopting mechanisms to monitor the enforcement of compulsory education at a local level.
- Increase the legal age of marriage to 18 for both men and women and monitor local compliance with this age requirement by judges, local government officials, or traditional leaders who are involved in performing or registering marriages, and enforcement by police of laws criminalizing child marriage.
- Ensure the provision of education in crises and displacement, and adopt special measures to ensure children can continue to go to school in highly insecure areas, by reducing the distance to school, offering distance learning programs, and setting up protective spaces for girls and teachers.
- Endorse the Safe Schools Declaration and implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict and ratify key treaties, including the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education, the Convention on the Rights of Persons with Disabilities, and the International Labor Organization 1973 Minimum Age Convention (No. 138) and 1999 Worst Forms of Child Labor Convention (No. 182).

Highlights

Violations and Barriers Affecting the Right to Education

The Cost of Going to School

While many governments have adopted policies to expand free primary education to all children, some have not translated their international obligations into national legislation, which impedes governments from providing free primary education to all children in their territories.

According to UNESCO, a growing number of young adolescents are also out of school, with the global total reaching almost 65 million in 2013. Adolescents of lower secondary school age—ranging from 12 to 16 years—are almost twice as likely to be out of school as primary school-age children, with 1 out of 6 not enrolled.

Yet, in countries like Tanzania or Bangladesh, it has found that access to secondary education is often limited through national assessments in the form of primary school exams, which filter the number of students passing through to secondary education, and school fees.

Indirect Costs and Expenses

While removal of formal school fees opens the door to compulsory education, the associated costs of education in primary and secondary schools result in direct financial barriers—in the form of transport costs and payments for books, uniforms, stationery and equipment, and exam fees.

In Bangladesh, Morocco, Congo and Tanzania, it has been reported that some indirect costs exclude poor children as a result of questionable practices by teachers.

Abuses where teachers do not teach students compulsory subjects during class hours, but instead charge students and their families to teach these classes outside of school, remains widespread and impacts on children's equal access to the same standard of education.

Case study: India

In India, the government adopted the Right of Children to Free and Compulsory Education Act in 2009. However, discrimination against children from economically and socially marginalized communities, such as the so-called lower castes, tribal groups, and Muslims, by school authorities plays a significant part in children's irregular attendance and low retention rates.

Research shows how teachers ask Dalit children to sit separately in classrooms, or to wait for their free school lunches only after all the other students have had theirs. Teachers often continue to make insulting remarks about Muslim and tribal students.

Discrimination and Violence in Schools

This is particularly the case with children with disabilities globally, or children belonging to minorities, such as the Roma, who may be placed in segregated or specialized schools in countries like the Czech Republic or Bosnia and Herzegovina, or many Kurdish children who are blocked from learning in their mother tongue in Turkey.

School-based violence, including bullying, deeply affects children's experience in schools. Violence within or near schools undermines children's ability to learn, puts their physical and psychological wellbeing at risk, and often causes them to drop out of school entirely. According to the UN Girls' Education Initiative, approximately 246 million girls and boys around the world experience school-related violence each year.

Education under Attack

In the past decade, armed forces and non-state armed groups, and at times international peacekeeping forces have used schools and other institutions for military purposes, in at least 26 countries with armed conflict in Africa, the Americas, Asia, the Middle East, and Europe.

According to the International Labor Organization (ILO), in 2012, 168 million children between the ages of 15 and 17 were engaged in child labor, including 75 million below the age of 12. 85 million children were engaged in hazardous child labor.

The ILO has found that school attendance rates of working children are only about half of those of non-working children. Children working as domestic workers, for example, are often not allowed to go to school by their employers.

Highlights

Case Study: India

In India, the involuntary admission and arbitrary detention of girls and women with psychosocial or intellectual disabilities in mental hospitals and residential care institutions significantly limits their right to education, despite national legislation which protects the right to education and makes it compulsory. Girls interviewed were often denied their right to leave the institution to go to school, and those who did attend school often received an inferior education.⁹⁶ According to a representative of a local Child Welfare Committee, girls with disabilities in these institutions, “are not being taught anything. There is no dignity, no engagement. Nothing is being done for their self-esteem.

Impact of Global Crises on Children’s Education

Armed Conflicts

According to UNICEF, one in four children living in conflict zones are out of school, and nearly 87 million children under the age of 7 have spent their entire lives in conflict zones.

In 2014, the Israeli incursion in Gaza led to vast destruction of the precarious education infrastructure, like schools, kindergartens, and university buildings. More than 90 percent of United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools in Gaza run double shifts, truncating education.

Natural Hazards and Health Crises

Changing precipitation patterns such as drought, and shorter but more intense rainfall, which lead to desertification and flooding, food insecurity, migration, and increased conflict, often have a direct impact on children’s ability to stay in school. In 2011, a drought in Africa exacerbated a malnutrition and hunger crisis which spread out to Sahel countries in West Africa. 8.5 million children were estimated to be out of primary school across many countries worst affected by the prolonged impact of natural hazards.

Forced Displacement

As of June 2015, continued instability and conflict led to the displacement of around 19.5 million refugees worldwide; including over 38 million people who were internally displaced due to conflict. Half of them are children.²³⁸ Conflict in the Middle East and North Africa region alone has driven 13 million children out of school.²³⁹ The ongoing armed conflict in Syria, for example, has forced four million Syrian children out of school for over four years.

Internally Displaced Children

According to UNICEF, 46,453 school-age children displaced in Adamawa, Borno, Gombe, and Yobe states have been enrolled into schools. This represents less than 10 percent of the over 800,000 displaced out-of-school children, many of whom have never had access to education.

Refugee Children

In Iran, 280,000 Afghan primary and secondary school pupils and another 11,000 university students currently studying in Iranian educational institutions.

5 Point Recommendations:

- Ensure that education is integrated into national planning for risk reduction, and increase special protections or financial measures for children who are at risk of dropping out.
- Host states, and bilateral and multilateral donors should provide resources and technical cooperation to ensure the continuity of education in planning for emergencies and early recovery.
- Governments and humanitarian and development agencies should ensure that internally displaced, asylum seeking and refugee children and youth are included in national education plans.
- Governments hosting children of foreign nationality regardless of immigration status should provide access to free and compulsory primary education, access to secondary education for adolescents or vocational and skills training on an equal basis with their nationals.
- Governments should de-link immigration-related requirements from enrollment criteria, particularly where such requirements effectively serve to isolate or discriminate against refugee and asylum-seeking children.

Highlights

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