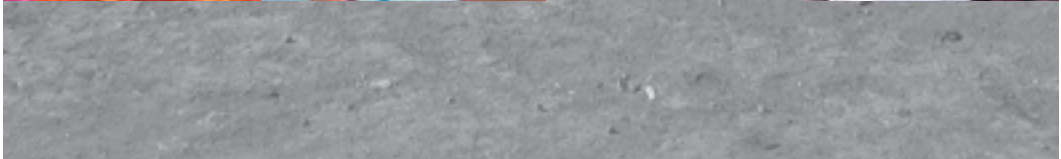




Right to Education During Displacement

A resource for organizations
working with refugees and
internally displaced persons





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working with refugees and
internally displaced persons



Women's Commission for Refugee Women and Children

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Mission Statement

The Women's Commission for Refugee Women and Children works to improve the lives and defend the rights of refugee and internally displaced women, children and adolescents. We advocate for their inclusion and participation in programs of humanitarian assistance and protection. We provide technical expertise and policy advice to donors and organizations that work with refugees and the displaced. We make recommendations to policy makers based on rigorous research and information gathered on fact-finding missions. We join with refugee women, children and adolescents to ensure that their voices are heard from the community level to the highest levels of governments and international organizations. We do this in the conviction that their empowerment is the surest route to the greater well-being of all forcibly displaced people. Women's Commission is legally part of the International Rescue Committee, a non-profit 501(c)(3) organization. The Women's Commission receives no direct financial support from the IRC.

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FOREWORD



I am pleased to be able to write the foreword for this booklet on the human right to education.

Education is an internationally guaranteed human right, enshrined in treaties, conventions and resolutions to which almost every nation in the world has agreed. Although education is an internationally accepted right, over 120 million primary school-aged children are not in school; more than 52 million of those children are in situations of conflict or post-conflict recovery.

The main obstacle to progress on the right to education is that it has been “de-linked” from a culture of respect for human rights. Many people see education as a service, a business or a way to improve the economic struggle against poverty; however, the aim of education is linked to human dignity and to the realization of the individual’s rights that states have an obligation to implement. Education should be viewed as a human right, not as an economic good.

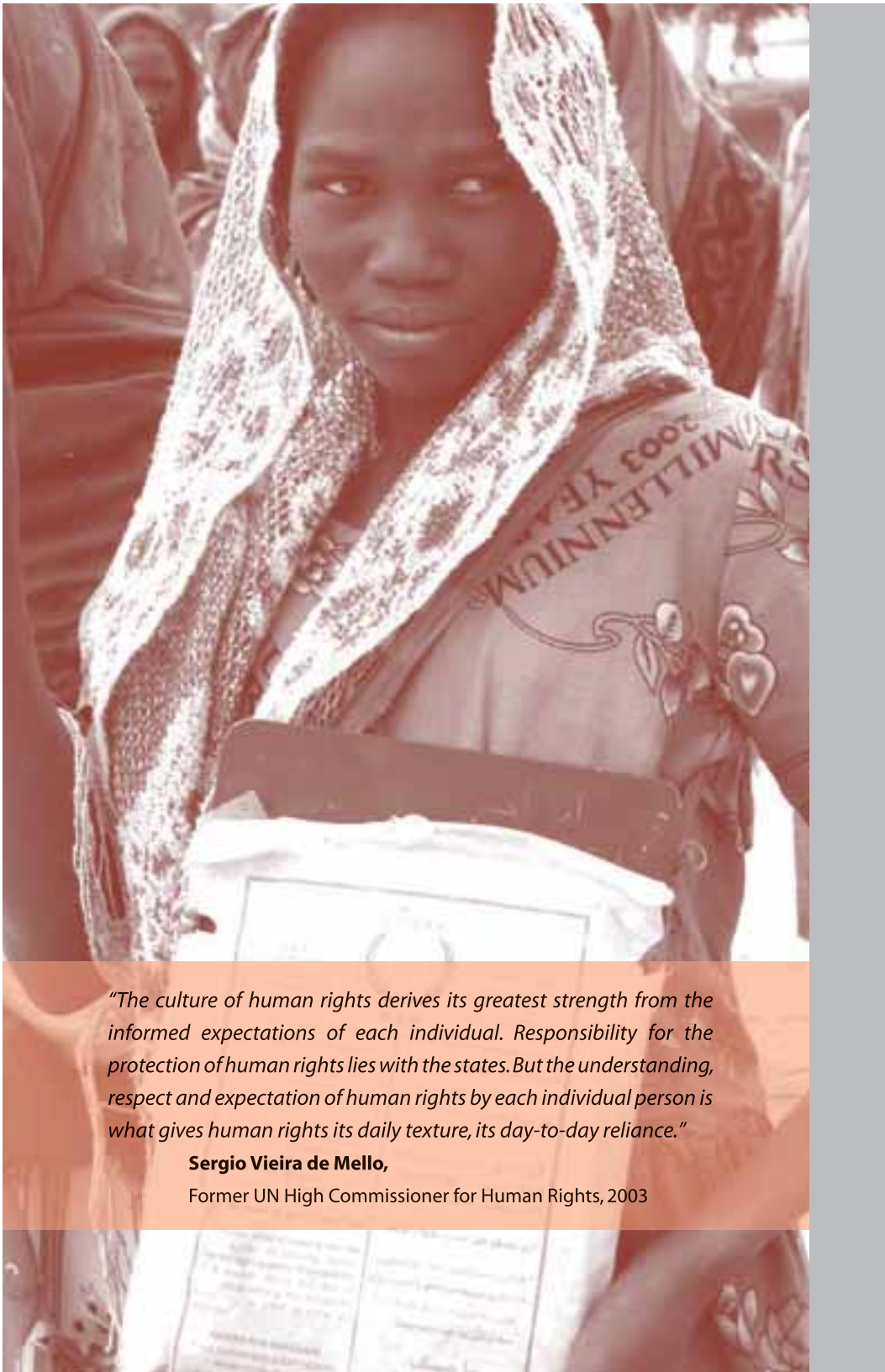
Because it is a human right, education needs to be seated in a human rights framework. Human rights learning and education are mechanisms that could allow us to transform patriarchal practices that reduce education to a mechanism that perpetuates existing social and cultural traditions and practices, regardless of their impact on human rights.

There are many hurdles to ensuring education for all: tuition fees; lack of teachers; poverty; gender disparity; the inferior position given to education in national budgets; conflict; displacement; lack of facilities and supplies. If we are to build an equitable, just world, education **for all** must be prioritized **by all, in all** circumstances. From multilateral agencies to national governments to local communities, the right to education must be upheld, and free, quality, appropriate and accessible rights-based education must be made available to children and youth. It is perhaps the best way to ensure a world that respects the dignity of each person.

A handwritten signature in dark ink, appearing to read 'Vernor Muñoz Villalobos'.

Vernor Muñoz Villalobos

United Nations Special Rapporteur on the Right to Education



"The culture of human rights derives its greatest strength from the informed expectations of each individual. Responsibility for the protection of human rights lies with the states. But the understanding, respect and expectation of human rights by each individual person is what gives human rights its daily texture, its day-to-day reliance."

Sergio Vieira de Mello,

Former UN High Commissioner for Human Rights, 2003

INTRODUCTION

EDUCATION IS A HUMAN RIGHT, enshrined in the Universal Declaration of Human Rights, the Geneva Conventions, the Convention on the Rights of the Child and numerous other international laws and treaties. These rights apply no less because a child or young person is displaced and not able to access education services in her home area: children and youth* are entitled to education no matter where they live.

Education in emergencies is the formal and nonformal education provided to children and youth whose access to national or community education systems has been destroyed by war or other humanitarian calamities. Providing education in emergencies not only ensures that children realize their guaranteed right to education; it provides them with a sense of hope and normalcy when their lives have been disrupted, promotes their psychological and social well-being and cognitive development, and lessens the risk that they will be recruited into or exposed to dangerous activities. Providing quality education in emergencies is among the best ways to reduce the impact of conflict on children, and it helps lay a solid foundation for peace and development. Without the skills that a basic education can provide, societies lack an educated workforce to tackle poverty and pursue sustainable development.

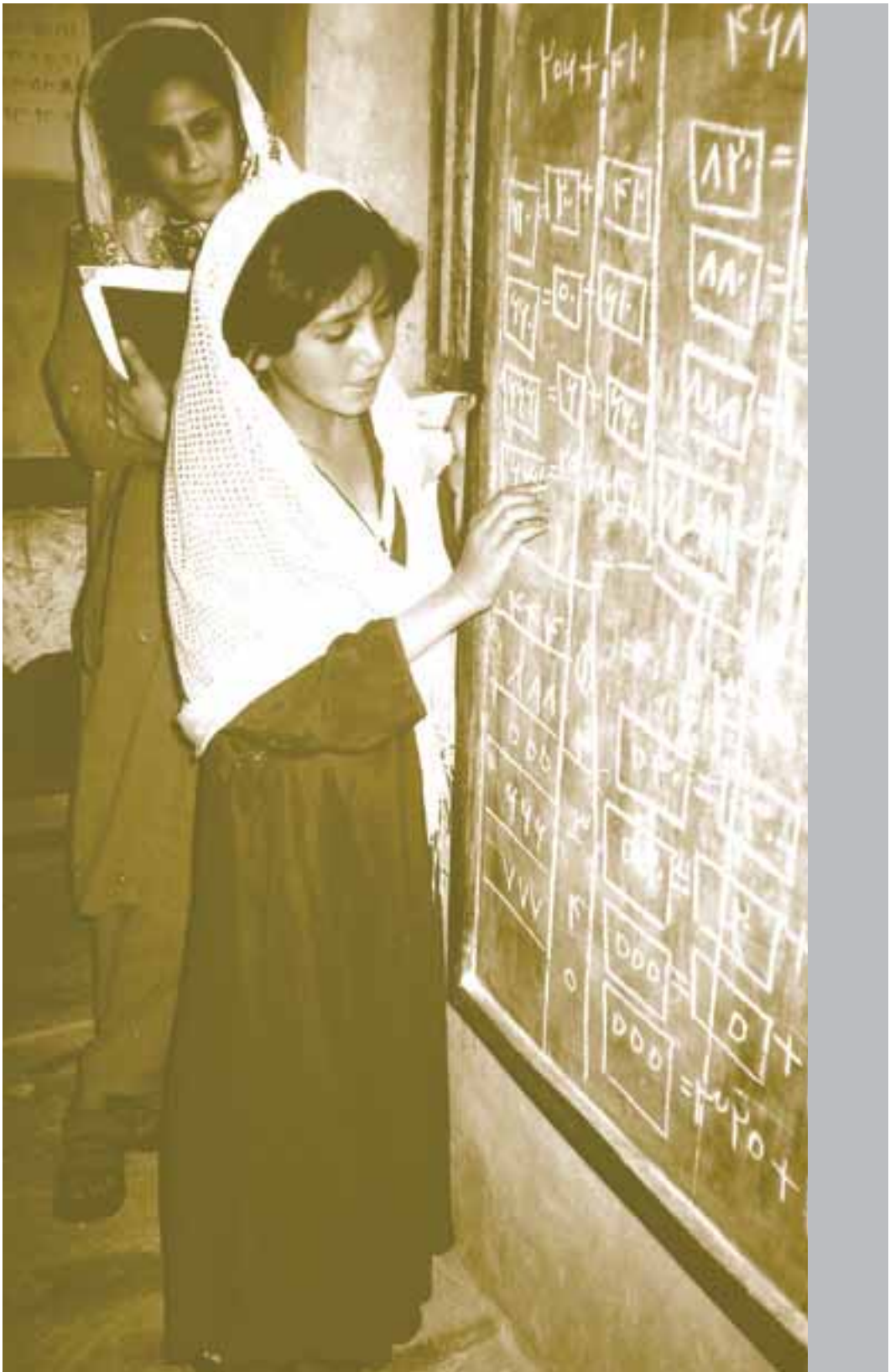
This resource is the first in a series of tools that identifies everyone's right to education, with a focus on refugees, returnees and internally displaced persons (IDP). This version is designed for use by local, regional and international organizations, United Nations (UN) agencies, government agencies and education personnel working with displaced communities. It is meant to serve as:

- **an awareness-raising tool** to encourage humanitarian assistance agencies to implement education programs – and donors to fund them;
- **a training and capacity-building resource** for practitioners and others working with displaced populations on international rights around education; and
- **a call to action for organizations and individuals** to promote access and completion of quality education for all persons affected by emergencies.

The information in this booklet is based on international human rights, humanitarian and refugee law; it is not a guide on rights-based education, although we believe that rights-based education is critical. The intention of the Women's Commission is to revise this version based on feedback from around the world, translate it into local languages and develop an accompanying training module. We welcome any suggestions and request that people send examples of how this resource is being used to include in future revisions.

Please send all comments to Jenny Perlman Robinson at jennyr@womenscommission.org or mail to: Women's Commission for Refugee Women and Children, 122 East 42nd Street, 12th Floor, New York NY 10168, USA.

* For the purpose of this resource, we are defining children as under 18, according to the Convention on the Rights of the Child, and youth as age 15–24, according to the UN World Health Organization.



What Are HUMAN RIGHTS?

EVERY SINGLE PERSON IS BORN WITH BASIC HUMAN RIGHTS that cannot be denied, altered or taken away. This is true regardless of a person's situation—whether that individual is an internally displaced girl, a refugee boy, a widowed woman or a disabled man. Every human being is entitled to enjoy his or her human rights **regardless of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.**¹

Human rights are **legally guaranteed by human rights law**, protecting individuals and groups against actions that interfere with fundamental freedoms and human dignity. They are expressed in **conventions, treaties, customary law, principles and other sources of law.**² Every country has an obligation to respect, protect and fulfill the human rights of its citizens. Other countries and the international community have a right, and responsibility, to protest if states do not adhere to this obligation.

Not all rights are the same type. Some are concerned with **civil and political freedoms**—such as the right to vote; others are **economic and social rights**—such as the right to work. Some rights may require an investment of money from the country—such as the right to education. **Yet they are still rights.**³



What Are Basic Elements of HUMAN RIGHTS?

SOME IMPORTANT CHARACTERISTICS OF HUMAN RIGHTS:

- Human rights are based on **respect for the dignity and worth of each person**.
- Human rights are **universal**, meaning that they are applied equally and without discrimination to all people.
- Human rights are **inalienable**, in that no one can have his or her human rights taken away; they can, however, be limited in specific situations (for example, the right to liberty can be restricted if a person is found guilty of a crime by a court of law).
- Human rights are **indivisible, interrelated and interdependent**, which is why it is insufficient to respect some human rights and not others. The violation of one right will often affect other rights. All human rights should therefore be seen as having equal importance and as being equally essential to respect for the dignity and worth of every person.⁴
- Human rights include a **responsibility to understand, respect and uphold the rights of everyone**; it is not enough to ensure that one's own rights are upheld—it is incumbent on all to make sure everyone else's rights are upheld as well.

The Right to Education Is Supported by Seven Fundamental Freedoms

**FREEDOM FROM
INJUSTICE AND
VIOLATION OF THE
RULE OF LAW**

**FREEDOM TO
DEVELOP AND
REALIZE ONE'S
HUMAN
POTENTIAL**

**FREEDOM
FROM
WANT**

**FREEDOM OF THOUGHT
AND SPEECH AND TO
PARTICIPATE IN
DECISION-MAKING
AND ASSOCIATION**

**FREEDOM FROM
DISCRIMINATION BY
GENDER, RACE, ETHNICITY,
NATIONAL ORIGINS
AND RELIGION**

**FREEDOM FOR
DECENT WORK
WITHOUT
EXPLOITATION**

**FREEDOM
FROM
FEAR**

Why Is My Right to Education IMPORTANT?

AN INDIVIDUAL'S RIGHT TO EDUCATION IS IMPORTANT BECAUSE:

- The right to education is an “**enabling right**”—such rights provide an individual more control over the course of his or her life and, in particular, control over the state’s actions on the individual.
 - The **enjoyment of many other rights**—civil and political rights, such as freedom of information, expression, the right to vote and to be elected—depend on a minimum level of education.
 - A number of **economic, social and cultural rights**—the right to choose work, to receive equal pay for work—can be exercised in a meaningful way only with a certain level of education.
- Education can **promote understanding, tolerance, respect and friendship** among communities and countries.

Link between Girls’ Education and Poverty Eradication



Education is a right; it is also vital to ensuring a better quality of life for all people. But if girls are left behind, those goals can never be achieved.

In country after country, educating girls yields spectacular social benefits for the current generation and those to come.

An educated girl tends to marry later and have fewer children. The children she does have will be more likely to survive; they will be better nourished and better educated. She will be more productive at home and better paid in the workplace. She will be better able to protect herself against HIV/AIDS and to assume a more active role in social, economic and political decision-making throughout her life.

From <http://www.unicef.org/girlseducation/index.php>

- **In times of emergencies**, education is a necessity that can be both **life-sustaining and life-saving**, providing:
 - physical protection;
 - psychological and social well-being; and
 - cognitive development.

It sustains life by offering structure, stability and hope during a time of crisis, particularly for children and youth, and provides essential building blocks for future economic stability. It also helps to heal bad experiences by building skills and supporting conflict resolution and peace-building. Education in emergencies saves lives by directly protecting against exploitation and harm and by disseminating key survival messages, such as landmine safety or HIV/AIDS prevention.⁵



Ensuring the Right to Education: WHO'S WHO?

IN VARIOUS SITUATIONS AND AT DIFFERENT TIMES, many actors in a country play a part in ensuring that everyone—including refugees and IDPs, girls and boys—has access to quality basic education. The following are groups and organizations involved in education in emergencies, with indications of some of the roles or functions they might play.

These first three are general:

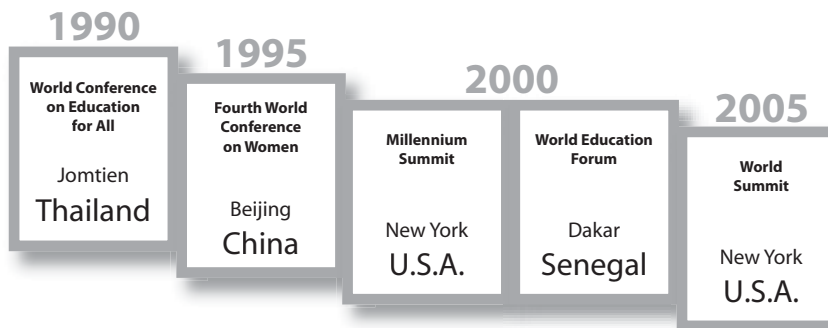
- **Affected communities:** Everyone has the responsibility, individually and as part of a community, to promote and to strive for the protection and realization of all human rights, including the right to education.
- **Governments:** Governments have an obligation to respect, to protect and to fulfill the right to education for all their citizens and people residing within their borders.
- **Nongovernmental organizations (NGOs):** International, regional and local nonprofit organizations that are not affiliated with a governmental body or UN institution often play important roles in setting up and running education programs. Some of the larger international NGOs that have programs for refugees and IDPs include:
 - CARE International: www.care.org
 - International Rescue Committee: www.theIRC.org
 - Norwegian Refugee Council: www.nrc.no/engindex.htm
 - Save the Children Alliance: www.savethechildren.net

Specific organizations, networks and agencies include:

- **Inter-Agency Network for Education in Emergencies (INEE):** Global, open network of NGOs, UN agencies, donors, practitioners, researchers and individuals from affected populations working together to promote access and completion of quality education for all persons affected by emergencies, crises or chronic instability. www.ineesite.org
- **Global Campaign for Education (GCE):** International movement of civil society organizations in more than 150 countries that promotes education as a basic human right and mobilizes public pressure on governments and the international community to fulfill their promises to provide free, compulsory public basic education for all people. www.campaignforeducation.org

- **United Nations Children’s Fund (UNICEF):** UN agency mandated to protect and assist children, including war-affected children in refugee and IDP camps. www.unicef.org
- **Office of the United Nations High Commissioner for Refugees (UNHCR):** UN agency mandated to protect and assist refugees, which includes ensuring access to basic education. www.unhcr.org
- **United Nations Educational, Scientific and Cultural Organization (UNESCO):** UN agency instrumental in initiating educational reforms and promoting full implementation of the right to education through standard-setting instruments, documents, reports, meetings, workshops, working groups, coordination and collaboration. www.unesco.org
- **United Nations Office for the Coordination of Humanitarian Affairs (OCHA):** UN agency responsible for coordination of UN system-wide humanitarian response, policy development and humanitarian advocacy. OCHA is also responsible for improving the UN response to the needs of IDPs. <http://ochaonline.un.org/>
- **United Nations Development Programme (UNDP):** UN agency mandated to focus on poverty reduction, including support for education as part of development and specifically support for the Millennium Development Goals and Education for All efforts. www.undp.org
- **Office of the United Nations High Commissioner for Human Rights (OHCHR):** UN agency that works to guarantee that the human rights of all are fully respected and enjoyed, including establishing treaty-monitoring bodies to ensure the right to education worldwide. www.unhchr.ch
- **World Food Programme (WFP):** The food aid agency of the UN, whose work includes partnering with NGOs to provide food for school meals and food-for-work for activities such as teaching, construction of schools, participation in adult education, etc. www.wfp.org
- **International Labour Organization (ILO):** UN specialized agency that seeks the promotion of social justice and internationally recognized human and labor rights, including support for vocational education. www.ilo.org
- **World Health Organization (WHO):** UN specialized agency for health, including resources and support for health education. www.who.org

World Conferences that Address the Right to Education **TIMELINE**



Note: Details of commitments made at each conference can be found in Annex One

Human Rights Instruments

The right to education has a solid basis in international and regional human rights, humanitarian and refugee law. The following is a list of the primary international and regional human rights instruments that assert the right to education, including education for refugees and internally displaced people. Each of these has a different number of countries that have signed on to it, and each requires a separate reporting process to ensure that obligations are being met.

The legal status of these instruments varies: declarations, principles and guidelines are not legally binding, but they have an undeniable moral force and provide practical guidance to states (countries) in their conduct; covenants, statutes, protocols and conventions are legally binding for those states that ratify or accede to them.⁶ Information on the status of ratification of selected instruments is available at: <http://www.ohchr.org/english/countries/ratification/index.htm>

If you can access this document on the web in PDF format, click on a name below to go to the corresponding text. If not, please see page 29 for Internet URLs.

The right to education: international instruments

- *Universal Declaration of Human Rights (1948)*
- *Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949) & Protocols*
- *Convention Relating to the Status of Refugees (1951) and Protocol*
- *UNESCO Convention against Discrimination in Education (1960)*
- *International Covenant on Economic, Social and Cultural Rights (1966)*

continued

Human Rights Instruments (continued)

- *International Covenant on Civil and Political Rights (1966)*
- *International Convention on the Elimination of All Forms of Racial Discrimination (1965)*
- *Convention Concerning Minimum Age for Admission to Employment (1973)*
- *Convention on the Elimination of All Forms of Discrimination against Women (1979)*
- *Convention on the Rights of the Child (1989)*
- *Convention on Indigenous and Tribal Peoples (1989)*
- *Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)*
- *Guiding Principles on Internal Displacement (1998)*
- *Rome Statute of the International Criminal Court (1998)*
- *Worst Forms of Child Labor Convention (1999)*

The right to education: regional instruments

- *American Declaration of the Rights and Duties of Man (1948)*
- *European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)*
- *Protocol of San Salvador to the American Convention on Human Rights (1988)*
- *African Charter on the Rights and Welfare of the Child (1990)*
- *(Revised) European Social Charter (1996)*

Signing vs. Ratifying a Convention



If a state (country) has signed a convention or treaty, it has declared that it agrees with the principles included in the convention or treaty and that it will not do anything to undermine it. If a state (country) has ratified a convention or treaty, it has also agreed to be legally bound by that convention. From then on it is known as "a state party to that convention."⁷



What Are My Rights TO EDUCATION?

THE RIGHT TO EDUCATION IS THE RIGHT OF EVERY SINGLE PERSON, regardless of the circumstances in which she or he is in, including during times of displacement. Education programs can easily overlook the special needs of vulnerable groups, such as girls, refugees, IDPs, orphans, children infected by HIV/AIDS, demobilized child soldiers, children with disabilities and children from ethnic and linguistic minorities. In some emergencies, special measures may be needed to ensure that all children have access to quality education.⁸

While the precise and appropriate form of education will depend upon the conditions in a particular country, education in all its forms and at all levels should include the following interrelated and essential features as identified by the Committee on the International Covenant on Economic, Social and Cultural Rights:

- **AVAILABILITY**

Free and compulsory education for all

- **ACCESSIBILITY**

Elimination of discrimination in education for all

- **ACCEPTABILITY**

Quality education for all

- **ADAPTABILITY**

Education that is flexible and responds to the best interests of each child



AVAILABILITY

EVERY CHILD SHOULD COMPLETE A PRIMARY EDUCATION and have opportunities for further education. Every government must guarantee that this is possible by ensuring that schools are available. In an emergency, this right is not suspended and education opportunities should continue, even if regular schools are closed.

School functioning depends on numerous factors, including the situation within which they operate; for example, all institutions and programs are likely to require buildings or other protection from harsh weather, separate sanitation facilities for both girls and boys, safe drinking water, trained teachers receiving appropriate salaries, teaching materials and so on. *(See Annex Two, item i for language on this issue from international, human rights, humanitarian and refugee law and principles.)*

Case Example



Children from Liberia and Sierra Leone who fled their homes during civil wars across the border to Guinea were able to go to primary schools run by NGOs in camps for the displaced.

PHYSICAL

Education has to be within safe walking distance of students or available by public transportation. Schools should be available either at some reasonably convenient location (e.g., a refugee camp school) or through modern technology (e.g., access to “distance learning” programs). *(See Annex Two, item ii.)* Schools must not be seen as targets, and any attack on a school that is not being used for military purposes is considered a war crime. *(See Annex Two, item iii.)*

ECONOMIC

Free and compulsory primary education

Primary education must be compulsory and available free to everyone. Countries that have ratified the Convention on the Rights of the Child (every country except the U.S. and Somalia) are required to take action that encourages children's regular attendance at school and reduces the number of children who drop out. (See *Annex Two, item iv.*)

Access to secondary, vocational and higher education

Countries that have ratified the Convention on the Rights of the Child must take active steps to introduce free secondary and higher education, including technical and vocational training and university. (See *Annex Two, item v.*) International law recognizes that not all countries can immediately pay for higher education for everyone, but this recognition does not mean that these rights can be ignored. Governments have an ongoing responsibility to move as quickly as possible, sometimes with the help of international assistance, to the full realization of this right to secondary and higher education.



ACCESSIBILITY

NON-DISCRIMINATION

Educational opportunities must be available to all individuals regardless of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (See *Annex Two, item vi.*)

One of the first steps to ending discrimination and exclusion is to bring issues of disparity out into the open. “Keeping a problem invisible only leads to inaction.”⁹ In order to ensure that all children enjoy the same quality of, or level of access to, education, data must be collected that is sorted—at the very least—by a child’s sex, age and grade level.

Case Example



When the Taliban authorities in Afghanistan banned public schooling for girls, community activists opened schools for girls in private homes with support from outside funders.

Specifically in regard to women and girls

Governments are required to take all necessary steps to end discrimination against women and girls so that they can enjoy equal rights with men and boys in the area of education. The quality of education must be the same for boys and girls; this is the case in all forms of education—pre-school, primary and secondary school, technical and vocational training and professional and higher education. Women and girls must have access to the same curricula, examinations and quality of teaching staff, schools and equipment.

Women and girls must also have the same opportunities to receive scholarships and study grants and to participate in sports and physical education. Harmful stereotypes of the roles of men and women in all forms of education must be eliminated, in particular through the revision of textbooks and the adaptation of teaching methods. There should be the same opportunities for women and men to access programs of continuing education, including adult literacy programs and accelerated learning programs for youth who have dropped out of school early. *(See Annex Two, item vii.)*

Specifically in regard to children in armed conflict

Countries that are engaged in a conflict are obligated to ensure that children under 15, who are orphaned or separated from their families, are provided with appropriate education. If there is a political group or fighting force that has taken control of another country, they must make sure that education is still available. *(See Annex Two, item viii.)*

Specifically in regard to refugees

Countries that have ratified the Convention Relating to the Status of Refugees have a responsibility to provide refugees with the same opportunities as their national citizens with respect to primary education. Beyond primary school, host countries are obligated to treat refugees as other non-nationals, ensuring that they have the same access to post-primary education, recognizing their school certificates and providing opportunities to receive scholarships. Host countries also have a responsibility to develop policies for supporting the social integration of refugee students. *(See Annex Two, item ix.)*

Specifically in regard to IDPs

Internally displaced persons who have left their home but remain within their country are entitled to receive free and compulsory primary education. Education should respect their cultural identity, language and religion. Special efforts should be made to ensure the full and equal participation of internally displaced women and girls in education programs. Education and training facilities are required to be

made available to all internally displaced people, in particular youth and women, whether or not living in camps, as soon as conditions permit.* (See Annex Two, item x.)

Specifically in regard to other vulnerable children and youth

Other vulnerable children and youth, such as children living with HIV/AIDS, children with disabilities and demobilized child soldiers, are also guaranteed the rights to education enshrined in the Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child.

***Note:** *The language in the UN Guiding Principles on Internal Displacement, “as soon as conditions permit,” recognizes that education is a progressive right and requires some flexibility depending on a country’s particular situation and resources available. While taking into account the economic realities of a country, access to quality basic education for all IDPs is still a right and governments have the primary responsibility of ensuring that every child has access to education—regardless of where the child lives.*

ACCEPTABILITY

IT IS NOT ENOUGH TO ENSURE THAT EVERYONE HAS ACCESS TO EDUCATION; education must also be of good quality. The form and content of education, including curricula and teaching methods, have to meet a minimum standard that is acceptable to both parents and children. Education must relate to learners in terms of the environment they are living in and be culturally appropriate. Quality also extends to teachers who have a right to be appropriately compensated and trained. School discipline must be administered in the best interest of the child without causing physical or psychological harm. Corporal punishment should be prohibited. Community groups, such as Parent-Teacher Associations, should be formed, and resources for students and teaching staff should be continuously improved. (See Annex Two, item xi.)

Case Example



Afghan refugees who fled to Pakistan in the 1980s studied in their own language (mainly Pashto), while following a curriculum based on their religious beliefs rather than the Marxist curriculum that was in use in Afghanistan at that time.

Inter-Agency Network for Education in Emergencies (INEE):

Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction

Led by a group of UN agencies and NGOs, the global INEE Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction were launched in December 2004 after extensive consultations with more than 2,250 individuals from around the world. The INEE Minimum Standards provide a universal framework for improving the development of appropriate and quality education programs through all stages of an emergency. They are designed to help education providers improve teacher training as well as design and implement education programs. The standards give guidance and flexibility in responding to needs at the most important level—the community. The standards focus on both building local capacity and facilitating more effective coordination between local and international partners, education authorities and host communities. The standards also establish minimum guidelines that create positive learning environments by linking education programs to shelter, health, water supply, sanitation, nutrition, security and psychosocial aid. To download a copy of the standards and learn how they are being used around the world, visit: www.ineesite.org

ADAPTABILITY

What children learn must be determined by both their current situation and their future needs. Education systems should be flexible and take into account the best interest of the child. Education should sensitize children to their current surroundings, as well as prepare them for a responsible life in a peaceful society.

Education should be directed to the full development of every individual and to the strengthening of respect for human rights and fundamental freedoms. It should promote understanding, tolerance, equality between men and women and friendship among all countries, ethnic, national or religious groups. Education should contribute to building and maintaining peace. *(See Annex Two, item xii.)*

Young people can be confined to refugee or IDP camps for many years with little to do. The opportunity should be taken to prepare the next generation to seek ways to rebuild a peaceful society rather than continue conflict. Critical life skills should be taught, such as landmine awareness, HIV/AIDS prevention and peace education.¹⁰

The goal for refugees is that they will be able to return home—in dignity—once the situation is safe. Therefore, it is ideal to develop education programs that allow students to enter or re-enter their home country school system. This might require that refugee schools are in the home country language and use home country textbooks, curriculum and examination/certification methods.

Case Example



Internally displaced children in Darfur, Sudan, are attending early childhood development classes run by NGOs and the UN, where they are learning basic health and hygiene skills, such as washing their hands, and are receiving an introduction to literacy and numeracy.

How Is the Right to Education MONITORED?

AFTER SEVERAL DECADES OF STANDARD SETTING, the main human rights challenge is their realization for all. Human rights treaty bodies, which are committees of independent experts, monitor and report on countries' compliance and implementation of international human rights conventions. When a country ratifies one of these treaties, it has a legal obligation to implement the rights recognized in that treaty. But signing up is only the first step, because recognition of rights on paper is not sufficient to guarantee that they will be enjoyed in practice. So the country is obligated to submit regular reports to the monitoring committees. Civil society, including NGOs, can contribute to the reporting and monitoring process in a number of ways.

The following are examples of human rights treaty bodies that monitor and report on education:

The **Human Rights Committee** (HRC) monitors implementation of the International Covenant on Civil and Political Rights 1966 and its optional protocols.

www.ohchr.org/english/bodies/hrc/

The **Committee on Economic, Social and Cultural Rights** (CESCR) monitors implementation of the International Covenant on Economic, Social and Cultural Rights 1966.

www.ohchr.org/english/bodies/cescr/

The **Committee on the Elimination of Discrimination against Women** (CEDAW) monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women 1979.

www.un.org/womenwatch/daw/cedaw/committee.htm

The **Committee on the Rights of the Child** (CRC) monitors implementation of the Convention on the Rights of the Child 1989 and its optional protocols.

www.ohchr.org/english/bodies/crc/index.htm

Additional UN monitoring and reporting mechanisms include:

Human Rights Council (formed March 15, 2006, to replace the Commission on Human Rights): A new 47-member body designed to be a subsidiary body of the General Assembly, with equitable geographical representation and voting rights associated with membership. Members are elected by the majority of the members of the General Assembly.

www.ohchr.org/english/bodies/hrcouncil/

Representative to the Secretary-General on Human Rights of IDPs:

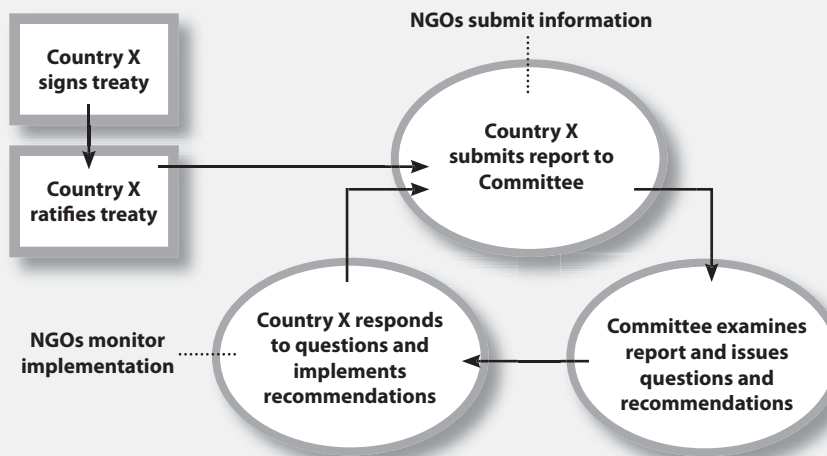
Individual appointed by the Commission on Human Rights to address human rights issues of IDPs, including advocating with governments and other actors concerning the rights of IDPs and strengthening the international response to internal displacement. The Representative conducts country visits and issues reports on findings and recommendations.

www.unhcr.ch/html/menu2/7/b/interndisp/

Special Rapporteur on the Right to Education: Individual appointed by the Commission on Human Rights with the mandate to report worldwide on the status of the progressive realization of the right to education, as well as the difficulties encountered in the implementation of this right. The Rapporteur conducts country visits and reports on findings and recommendations.

www.ohchr.org/english/issues/education/rapporteur/

How Human Rights Treaty Bodies Work



The process works in a similar fashion for all committees, though each committee has its own guidelines for submission. Countries are responsible for making their reports publicly available. To that end, NGOs have an opportunity to obtain country reports and submit complementary information, such as written reports or oral statements, to the relevant committees at various times during the reporting process. * In some cases, governments may seek active participation from the NGO community in preparing their reports. NGOs may also participate in monitoring how countries implement committee recommendations after reports have been examined.

The Convention on the Rights of the Child (CRC) expressly gives NGOs a role in monitoring and implementation. The CRC states that the Committee may invite specialized agencies, UNICEF and other groups, including NGOs, to submit complementary information either individually or as part of a coalition.¹¹ Moreover, the CRC has historically emphasized that in preparing reports, countries are encouraged to consult with (among other groups) the NGO community. In that vein, the Committee regularly asks countries about their cooperation with NGOs when reports are examined.

** For more detailed information on how to participate in the monitoring and reporting process, click on the committee links above (if you have access to this document on the Internet as a PDF).*



Actions to Take to Ensure the Right to EDUCATION FOR ALL

Usage Note

Each action will need to be evaluated in regard to the particular situation; some of the following actions may not be appropriate or safe depending on the context. Some of the activities should be undertaken in partnership with local communities; other activities will be more appropriate for organizations to do.

First and most importantly, organizations and individuals should work with local communities so that they know their rights to education!

As an organization or individual working to promote the right to education, you can do the following:

Link with other organizations/networks working on education

- Share information and experiences.
- Work together in coalition to advance common issues.
- Join the Inter-agency Network for Education in Emergencies (INEE) (www.ineesite.org).¹² Members receive INEE emails that announce new materials, training opportunities, good practices and action to take. There is no cost to join.

Encourage and support community education coordinating committees, parent-teacher associations (PTAs), etc., in displaced persons' camps

- Invite members of camp education coordinating committees and PTAs to participate in capacity building workshops and trainings.
- Share materials, such as the INEE Minimum Standards for Education in Emergencies, with education committees.

Translate the INEE Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction (MSEE) into local languages

- Make sure the MSEE is in the local community's language. If you plan to translate the MSEE, please inform the Inter-Agency Network for Education in Emergencies (INEE) Focal Point on Minimum Standards (allison.anderson@theirc.org) and the INEE Network Coordinator (coordinator@ineesite.org) of the translation. This will allow for the information to be shared more widely and also for INEE to provide the necessary support where required.

Organize activities and awareness-raising events

- Apply for and receive necessary permits from officials to hold events safely, legally and peacefully.
- Time activities around a specific event (e.g., World Refugee Day, June 20).
- Make signs, t-shirts, paper hats and other visuals with a simple message to decision makers.

Work with communities to develop an advocacy campaign

Some examples of action that NGOs, international nongovernmental organizations (INGOs) and UN agencies can take in partnership with local communities include:

- **Write news articles for local publications.** Contact information for newspapers is available at: www.theworldpress.com/
- **Create a petition on a specific issue and collect signatures.** At the top of the petition, organizations/individuals should briefly state the situation and call on the government/decision maker to take specific action. Deliver the petition to officials.
- **Meet with government officials, UN agencies and other international, regional and national decision makers** to discuss issues of concern, share good practices and recommend action to take.
- **Write letters to decision makers** that briefly explain the situation/violation of human rights—give concrete examples (but you don't have to use real names), state how the violation is against international human rights, humanitarian or refugee law and recommend actions that the decision maker should take to address and improve the situation. Don't forget to explain who your group is and state your legitimacy.

Example Letter to Decision Makers

Dear Minister XX:

On behalf of the *We Want Education for All Coalition*, we are writing today to call your attention to the consistent violations of the right to education in Zamborra. The *We Want Education for All Coalition* has operated education programs in Zamborra over the past three years serving nearly 20,000 children in 10 districts. During this period, we have observed the denial of education services to children who cannot pay school fees, gender and ethnic discrimination by teachers, and a deteriorating security situation that has impeded the regular and safe operation of schools. Only 28 percent of school-age children are currently enrolled; and for many of those who are, the curriculum and teaching methodologies are lacking in quality and contextual relevance. Today, Zamborrian children's right to a free, accessible, appropriate and quality education, as defined by the Convention on the Rights of the Child, is far from a reality. As an advocate for the fulfillment of this right, we ask that you consider this situation carefully as the government prepares its upcoming report to the Committee on the Rights of the Child.

Sincerely,

We Want Education for All Coalition

Act on government reports submitted to international treaty-monitoring bodies (e.g., CRC, CESC, CEDAW, etc.)

- Work with local communities to create a coalition around education in advance of their country's report—there is strength in numbers!
- Help the community to understand the reporting schedule of their country. A timeline for countries to submit is available at: www.ohchr.org/english/law
- Work with communities to launch campaigns to advocate for their country to fulfill the commitments in their report and the committee bodies' recommendations.
- Reports are available at: www.ohchr.org/english/bodies/

Work with local communities to write "alternative" reports when their country is submitting to international treaty monitoring bodies (e.g., CRC, CESC, CEDAW, etc.)

- These reports are submitted to official committees as civil society's views of how their government is doing.
- Follow the guidelines for submitting a report for the relevant committee. Guidelines are available on each committee website listed on page 19.
- Get a copy of government reports so that it can be referenced in alternative reports.
- Make sure alternative reports are also provided to the government.
- Submit reports as part of a coalition!
- Examples of alternative reports can be accessed at: <http://iwraw.igc.org/shadow.htm>
- If funds are available, organizations and/or local community members can request to present to the committee in New York or Geneva.

Encourage UN Special Rapporteurs/Special Representatives to visit a particular country

- Write a letter of invitation and state specific issues that require investigation.
- Contact information for Rapporteurs/Representatives is available at: www.ohchr.org/english/issues/

Putting the Right to Education INTO PRACTICE

- **In Afghanistan**, where girls were excluded from the official education system, UNICEF supported home schools for girls and boys, beginning in 1999. By the end of 2001, home schools were teaching 58,000 children.¹³
- **In Pakistan**, the Busti Program (which is a collaboration between a Karachi-based NGO and UNICEF) aims to provide basic education to children, who as a result can be admitted to formal schools. The age groups are 5 to 10 years, and about three-quarters of the pupils are girls.¹⁴
- **In Colombia and Mexico**, two coalitions of NGOs—the Network for Child Rights and the Coalition against the Use of Children and Young People in Armed Conflict—have created alternative reporting and monitoring mechanisms on the fulfillment of child rights and submitted them to the Committee on the Rights of the Child.¹⁵
- **In Mauritania**, the government has adopted legislation to prohibit early marriages, made basic education compulsory and raised the minimum age for child labor to 16.¹⁶
- **In Chechnya**, the International Rescue Committee runs a Culture and Training Center staffed by local community members, which offers Chechen cultural education and serves as a space for enhancing the capacity of teachers to teach aspects of local culture, remedial education and nonformal education techniques.¹⁷
- **In Sri Lanka**, the Ministry of Education adapted national standards in order to direct more education resources to IDPs. The Ministry permitted teacher applicants scoring just below normal qualifying scores to take positions, provided they work with IDP populations. Additionally, the Ministry relaxed administrative requirements for enrollment that often impeded IDPs, who had no official papers, from attending school.¹⁸
- **In northern Uganda**, Friends of Orphans, a grassroots NGO, runs education and vocational training programs for IDP populations. It is founded, governed and managed mostly by former child soldiers and former abductees.¹⁹
- **Save the Children UK** developed a tool kit, in collaboration with its country programs, to guide field staff in setting up and managing education programs in emergencies. One example of the projects on which the tool kit is based is the development of Community Education Committees that help mobilize local resources and community ownership of schools.²⁰
- **In Malawi**, the government has cut the cost of schooling for parents by eliminating school fees and abolishing compulsory uniforms.²¹

For further information, or to share feedback and good practices from your community, please contact Jenny Perlman Robinson at: jennyr@womenscommission.org



List of RESOURCES

The Right to Education: International Instruments

Universal Declaration of Human Rights (1948)

<http://www.un.org/rights/50/decla.htm>

Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949)

<http://www.unhchr.ch/html/menu3/b/92.htm>

Convention Relating to the Status of Refugees (1951)

http://www.unhchr.ch/html/menu3/b/o_c_ref.htm

UNESCO Convention against Discrimination in Education (1960)

http://www.unhchr.ch/html/menu3/b/d_c_educ.htm

International Covenant on Economic, Social and Cultural Rights (1966)

<http://www.ohchr.org/english/law/cescr.htm>

International Covenant on Civil and Political Rights (1966)

http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

International Convention on the Elimination of All Forms of Racial Discrimination (1965)

http://www.unhchr.ch/html/menu3/b/d_icerd.htm

Convention Concerning Minimum Age for Admission to Employment (1973)

<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C138>

Convention on the Elimination of All Forms of Discrimination against Women (1979)

<http://www.unhchr.ch/html/menu3/b/e1cedaw.htm>

Convention on the Rights of the Child (1989)

<http://www.ohchr.org/english/law/crc.htm>

Convention Concerning Indigenous and Tribal Peoples (1989)

<http://www.unhchr.ch/html/menu3/b/62.htm>

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

(1990) http://www.unhchr.ch/html/menu3/b/m_mwctoc.htm

Rome Statute of the International Criminal Court (1998)

<http://www.un.org/law/icc/statute/romefra.htm>

Guiding Principles on Internal Displacement (1998)

<http://www.unhchr.ch/html/menu2/7/b/principles.htm>

The Right to Education: Regional Instruments

American Declaration of the Rights and Duties of Man (1948)
http://www.hrcr.org/docs/OAS_Declaration/Text/oasrights2.html

European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)
<http://conventions.coe.int/treaty/en/Treaties/Html/005.htm>

Protocol of San Salvador to the American Convention on Human Rights (1988)
<http://www1.umn.edu/humanrts/oasinstr/zoas10pe.htm>

African Charter on the Rights and Welfare of the Child (1990)
http://www.ilo.org/public/english/employment/skills/recomm/instr/afri_3.htm

European Social Charter, Revised (1996)
<http://conventions.coe.int/treaty/en/treaties/html/163.htm>

International Nongovernmental Organizations

ActionAid: www.actionaid.org

AVSI: www.avsi.org

CARE: www.care.org

Catholic Relief Services: www.crs.org

Christian Children's Fund: www.christianchildrensfund.org

Enfants Réfugiés du Monde: www.enfantsrefugiesdumonde.org

Inter-Agency Network for Education in Emergencies: www.ineesite.org

International Institute for Educational Planning: www.unesco.org/iiep

International Rescue Committee: www.theIRC.org

International Save the Children Alliance: www.savethechildren.net

Jesuit Refugee Service: www.jesref.org

Norwegian Refugee Council: www.nrc.no/engindex.htm

Refugee Education Trust: www.r-e-t.com

Search for Common Ground: www.sfcg.org

Windle Trust International: www.windle.org.uk

World Vision International: www.wvi.org

Annex ONE

TIMELINE OF WORLD CONFERENCES THAT ADDRESS THE RIGHT TO EDUCATION

1990

World Conference on Education for All (EFA) in Jomtien, Thailand: 155 countries committed to good, quality education for all children by the year 2000. They also pledged to eradicate discrimination and improve quality of education.

1995

Fourth World Conference on Women in Beijing, China: 189 countries adopted the Beijing Declaration and Platform for Action as well as a commitment to implement the Platform for Action, which includes education as one of the 12 critical areas of concern. It requires states to take immediate and concerted action to:

- ensure equal access to education;
- eradicate illiteracy among women;
- improve women's access to vocational training, science and technology and continuing education;
- develop non-discriminatory education and training;
- allocate sufficient resources for and monitor the implementation of educational reforms;
- promote lifelong education and training for girls and women.

2000

World Education Forum in Dakar, Senegal: 164 countries developed and agreed to the Dakar Framework for Action to achieve basic education for all by 2015.

They committed to the following six goals:

- (1) expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children;
- (2) ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete free and compulsory primary education of good quality;
- (3) ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life skills programs;

- (4) achieving a 50 percent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults;
- (5) eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality;
- (6) improving all aspects of the quality of education so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills.

Millennium Summit in New York, U.S.: 189 countries committed to ensure that by 2015 girls and boys everywhere will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education. They agreed to two goals relating to education:

- *Goal 1:* Achieve universal primary education—ensure all boys and girls complete a full course of primary schooling.
- *Goal 2:* Promote gender equality and empower women—eliminate gender disparity in primary and secondary education preferably by 2005, and at all levels by 2015.

2005

World Summit in New York, U.S.: 154 countries agreed to take action on a range of global challenges related to development, human rights and peace and security. They committed to ensure that children in armed conflict receive timely and effective humanitarian assistance, including education.

Annex TWO

EDUCATION – A RIGHT ENSHRINED IN INTERNATIONAL HUMAN RIGHTS, HUMANITARIAN AND REFUGEE LAW

i

General Comment 13 of the Committee under the ICESCR

[http://www.unhchr.ch/tbs/doc.nsf/\(symbol\)/E.C.12.1999.10.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(symbol)/E.C.12.1999.10.En?OpenDocument)

Paragraph 6

(a) Availability—functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including the developmental context within which they operate; for example, all institutions and programmes are likely to require buildings or other protection from the elements, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and so on; while some will also require facilities such as a library, computer facilities and information technology.

ii

General Comment 13 of the Committee under the ICESCR

[http://www.unhchr.ch/tbs/doc.nsf/\(symbol\)/E.C.12.1999.10.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(symbol)/E.C.12.1999.10.En?OpenDocument)

Paragraph 6

Physical accessibility—education has to be within safe physical reach, either by attendance at some reasonably convenient geographic location (e.g., a neighbourhood school) or via modern technology (e.g., access to a “distance learning” programme).

iii

Rome Statute of the International Criminal Court

http://www.un.org/law/icc/statute/99_corr/cstatute.htm

Article 8

2. For the purpose of this Statute, “war crimes” means:

b. Other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law, namely, any of the following acts:

- (i) Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;
- (ii) Intentionally directing attacks against civilian objects, that is, objects which are not military objectives;

- (iii) Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict;
- (iv) Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated;
- (v) Attacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objectives.

iv

Universal Declaration of Human Rights (1948)

<http://www.un.org/rights/50/decla.htm>

Article 26

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

International Covenant on Economic, Social and Cultural Rights (1966)

<http://www.ohchr.org/english/law/cescr.htm>

Article 13

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

- (a) Primary education shall be compulsory and available free to all.

Convention on the Rights of the Child (1989)

<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all.

V

Convention on the Rights of the Child (1989)

<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children.

International Covenant on Economic, Social and Cultural Rights (1966)

<http://www.ohchr.org/english/law/cescr.htm>

Article 13

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

- (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;
- (c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education.

vi

Universal Declaration of Human Rights (1948)

<http://www.un.org/rights/50/decla.htm>

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

UNESCO Convention against Discrimination in Education (1960)

http://www.unhchr.ch/html/menu3/b/d_c_educ.htm

Article 3

In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake:

- (a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education;
- (b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;
- (c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries;
- (d) Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions or preference based solely on the ground that pupils belong to a particular group;
- (e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals.

International Covenant on Civil and Political Rights (1966)

http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

Article 2

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Guiding Principles on Internal Displacement (1998)

<http://www.unhchr.ch/html/menu2/7/b/principles.htm>

Principle 23

1. Every human being has the right to education.

Convention on the Rights of the Child (1989)

<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

vii

Convention on the Elimination of All Forms of Discrimination against Women (1979)

<http://www.unhchr.ch/html/menu3/b/e1cedaw.htm>

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

- (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
- (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
- (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;
- (d) The same opportunities to benefit from scholarships and other study grants;
- (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
- (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
- (g) The same opportunities to participate actively in sports and physical education;
- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

viii

Convention on the Rights of the Child (1989)

<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts, which are relevant to the child.

Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949)

<http://www.unhchr.ch/html/menu3/b/92.htm>

Article 24

The Parties to the conflict shall take the necessary measures to ensure that children under fifteen, who are orphaned or are separated from their families as a result of the war, are not left to their own resources, and that their maintenance, the exercise of their religion and their education are facilitated in all circumstances. Their education shall, as far as possible, be entrusted to persons of a similar cultural tradition.

ix

Convention Relating to the Status of Refugees (1951)

http://www.unhchr.ch/html/menu3/b/o_c_ref.htm

Article 22. Public education

1. The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education.
2. The Contracting States shall accord to refugees treatment as favourable as possible, and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.

Convention on the Rights of the Child (1989)

<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Article 22

States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

X

Guiding Principles on Internal Displacement (1998)

<http://www.unhchr.ch/html/menu2/7/b/principles.htm>

Principle 23

2. To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level. Education should respect their cultural identity, language and religion.
3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.
4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

XI

General Comment 13 of the Committee under the ICESCR

[http://www.unhchr.ch/tbs/doc.nsf/\(symbol\)/E.C.12.1999.10.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(symbol)/E.C.12.1999.10.En?OpenDocument)

Paragraph 6

(c) Acceptability—the form and substance of education, including curricula and teaching methods, have to be acceptable (e.g., relevant, culturally appropriate and of good quality) to students and, in appropriate cases, parents; this is subject to the educational objectives required by article 13 (1) and such minimum educational standards as may be approved by the State [see art. 13 (3) and (4)].

Universal Declaration of Human Rights (1948)

<http://www.un.org/rights/50/decla.htm>

Article 26

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

International Covenant on Economic, Social and Cultural Rights (1966)

<http://www.ohchr.org/english/law/cescr.htm>

Article 13

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:
 - (e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

General Comment 13 of the Committee under the ICESCR

[http://www.unhchr.ch/tbs/doc.nsf/\(symbol\)/E.C.12.1999.10.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(symbol)/E.C.12.1999.10.En?OpenDocument)

Paragraph 6

(d) Adaptability—education has to be flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.

Convention on the Rights of the Child (1989)

<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Article 29

1. States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Universal Declaration of Human Rights (1948)

<http://www.un.org/rights/50/decla.htm>

Article 26

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

International Covenant on Economic, Social and Cultural Rights (1966)

<http://www.ohchr.org/english/law/cescr.htm>

Article 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.



END NOTES

- ¹ Office of the High Commissioner for Human Rights. *ABC: Teaching Human Rights*; 2003. http://www.hrea.org/erc/Library/display_doc.php?url=http%3A%2F%2Fwww.ohchr.org%2Fenglish%2Fabout%2Fpublications%2Fdocs%2Fabc_text.pdf&external=N
- ² Ibid.
- ³ United Nations. Intermediate School Kit on the United Nations. 1995.
- ⁴ Office of the High Commissioner for Human Rights. *ABC: Teaching Human Rights*; 2003.
- ⁵ Inter-agency Network for Education in Emergencies. Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction. 2004.
- ⁶ <http://www.ohchr.org/english/law/index.htm>
- ⁷ <http://www.amnesty.org.uk/torture/cat.shtml>
- ⁸ General Comment 13 of the Committee under the ICESCR. Katarina Tomasveki. *Manual on Rights-Based Education*. UNESCO. 2004.
- ⁹ Katarina Tomasveki. *Manual on Rights-Based Education*. UNESCO. 2004.
- ¹⁰ Margaret Sinclair. *Learning for a Future: Refugee Education in Developing Countries*. UNHCR. 2001.
- ¹¹ <http://www.ohchr.org/english/bodies/crc/docs/Guide-NGO-E.pdf>
- ¹² The Inter-agency Network for Education in Emergencies (INEE) is an open network of UN agencies, NGOs, donors, practitioners, researchers and individuals from affected populations working together to ensure the right to education in emergencies and post-crisis reconstruction. INEE was founded in 2000 with the aim of promoting access and completion of education of quality for all persons affected by emergencies, crises or chronic instability. INEE supports agencies, organizations, communities and individuals in their ongoing work by collating and disseminating information, learning materials, guidelines and, in some cases, providing training opportunities.
- ¹³ *Understanding Human Rights: Manual on Human Rights Education*. Human Security Network; 2003.
- ¹⁴ Ibid.
- ¹⁵ www.derechosinfancia.org.mx; www.coalico.org
- ¹⁶ *Understanding Human Rights: Manual on Human Rights Education*. Human Security Network; 2003.
- ¹⁷ Katherine S. Layton. *IRC Culture and Training Center: Chechen IDPs Embrace Their Culture*. International Rescue Committee; 2001. http://www.theirc.org/news/irc_culture_and_training_center_chechen_idps_embrace_their_culture.html
- ¹⁸ James Kunder and Bo Viktor Nylund. *Mission to Sri Lanka with a View to Develop Best Practices in Response to Internal Displacement*. UNICEF. 1998. <http://www.icva.ch/cgi-bin/browse.pl?doc=doc00000774>
- ¹⁹ <http://www.endchildsoldiering.org/6100.htm>
- ²⁰ Susan Nicolai. *Education in Emergencies: A tool kit for starting and managing education in emergencies*. Save the Children; 2003. <http://www.ineesite.org/core/EducationEmertoolkit.pdf>
- ²¹ *Understanding Human Rights: Manual on Human Rights Education*. Human Security Network; 2003.



A series of horizontal lines for writing, arranged in a column. The lines are evenly spaced and extend across the width of the page.



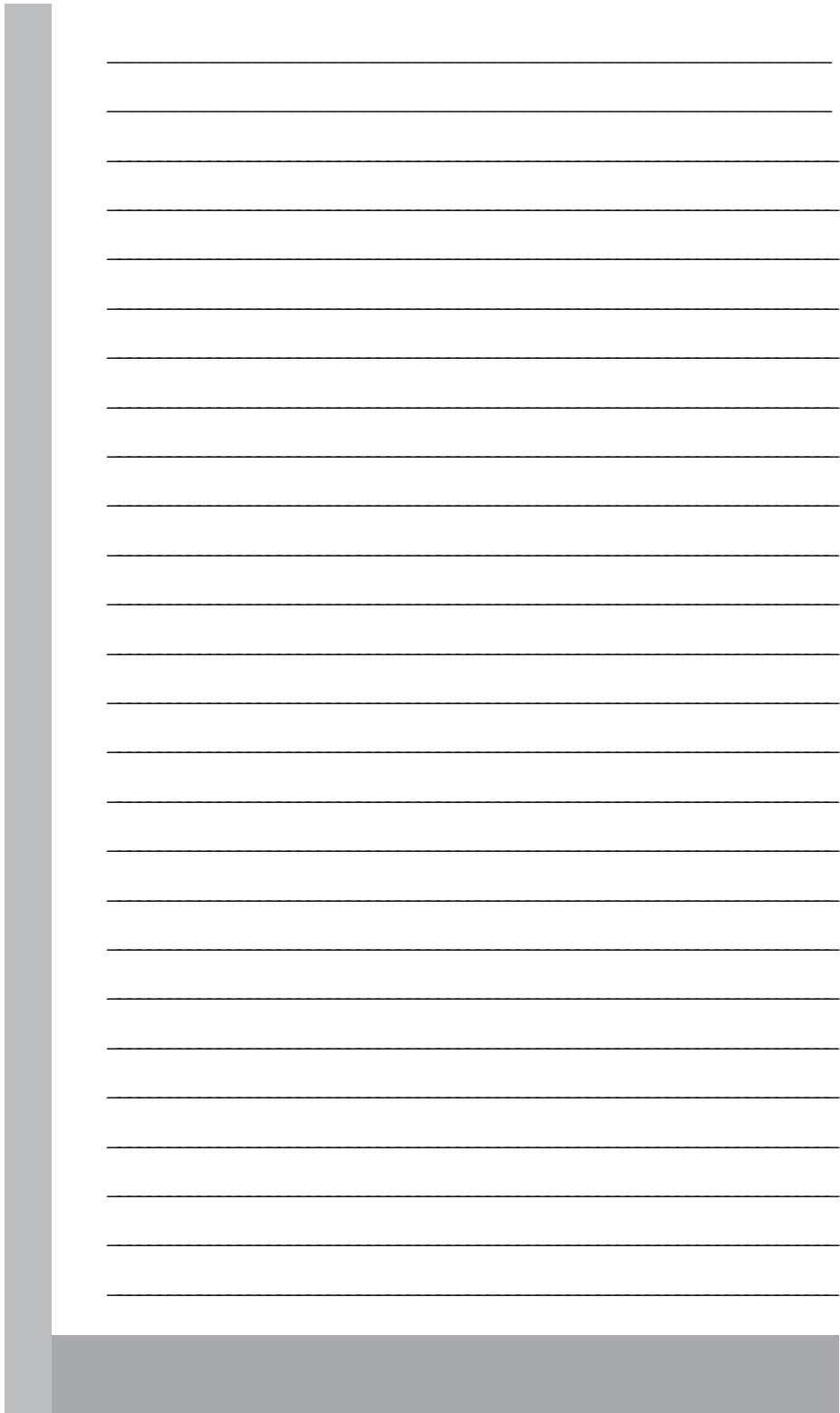
This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across most of the page width. On the right side, there is a vertical grey bar that serves as a margin. At the bottom of the page, there is a horizontal grey bar that also serves as a margin. The overall layout is that of a standard notebook page.

This image shows a vertical writing template. On the left side, there is a thick grey vertical bar that serves as a margin. To the right of this bar, there are 25 horizontal lines spaced evenly down the page, providing a guide for text alignment. At the bottom of the page, there is a thick grey horizontal bar that spans across the width of the writing area, likely intended for a footer or page number.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across most of the page width. On the right side, there is a vertical grey bar that serves as a margin. At the bottom of the page, there is a horizontal grey bar that also serves as a margin. The overall layout is that of a standard notebook page.

This is a vertical rectangular form template. It features a thick gray border on the left and bottom edges. The central area is filled with horizontal ruling lines, providing a space for text or data entry.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across most of the page width. On the right side, there is a vertical grey bar that serves as a margin. At the bottom of the page, there is a horizontal grey bar that serves as a footer margin. The overall layout is clean and professional, suitable for writing or printing.



A series of 26 horizontal lines for writing, positioned to the right of a vertical gray bar. A horizontal gray bar is located at the bottom right of the page.

This image shows a blank sheet of white paper with horizontal ruling lines. On the right side, there is a vertical grey margin line. At the bottom, there is a horizontal grey margin line. The lines are evenly spaced and extend across the width of the page.



A series of horizontal lines for writing, consisting of 20 evenly spaced lines.

