



Interventions auprès des Organisations Internationales

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28ème session (2 mars/27 mars 2015)

Post 2015: A holistic approach to education indicators

I speak on behalf of 13 NGOs, members of the NGO Platform on the right to education and three other institutions.

We welcome the report of the High Commissioner for Human Rights, and fully support his views and contribution at all levels to mainstream human rights into the UN system for a **transformative post-2015 development agenda, promoting strong accountability architecture and human rights indicators.**

OIDEL and the co-signing NGOs think that a human rights based approach is indeed essential, notably for the Post 2015 education indicators developed by the Advisory Group of UNESCO. **Education cannot just be seen as a tool for sustainable development but as a right.**

Concerning this approach, we propose concrete suggestions:

1. **The inclusion of structural indicators**, for example the Constitutional guarantees for Universal Primary Education.
2. **The inclusion of indicators taken from the document of the Office of the High Commissioner**, for example the date and entry into force and coverage of domestic law on the freedom of individuals and groups to establish and direct educational institutions.

Concerning primary and secondary education, as stated by the Special Rapporteur in his last report to the Council, a holistic approach of the right to education is broader than the narrow approach of performance evaluation of only mathematic, literacy and language skills. **It includes all obligations relating to the right to education under international law so that the real content of quality education is taken into account.**

An indicator could be built on article 14 of the International Covenant on Economic, Social and Cultural Rights. This article notes that each State at the time of becoming a party undertakes, within two years, to adopt a detailed plan of action for the progressive implementation of a compulsory primary education system, free of charge. For the Platform, it is a good way to analyse the commitment of States regarding the right to education, especially those who have not been able to secure it in their territory.

We are happy that the necessity of collecting disaggregated data (separated by gender) in the post 2015 targets on education is reflected. However, we would

like to stress the need to secure the routes to school and the schools themselves, improve infrastructure and recruit well-qualified female teachers, so that girls benefit.

Concerning skills, Mr Singh underlines in his last report that they are an integral part of basic education and a cornerstone for developing countries to raise the aspirations of youth. Furthermore, it is also essential that **skills development should not only be focused on employment and entrepreneurship but should also take into consideration the humanistic vision of education.**

Finally, concerning the content of human rights education, we would suggest indicators built by HRE 2020, a new Global Coalition, to analyse whether and how HRE is implemented, for example in curriculum , teachers training or evaluation program.



The World Programme for Human Rights Education From the second phase to the third phase

I speak on behalf of 16 organisations.

This year, we enter the Third Phase of the World Programme for Human Rights Education (2015-2019)¹.

¹A/HRC/27/28 (4 August 2014), "Plan of Action for the third phase (2015-2019) of the World Programme for Human Rights Education".

It aims at promoting social inclusion of marginalised groups; fostering interreligious and intercultural dialogue; and combating stereotypes and violence, with a particular emphasis on the role of journalists and other media professionals.

We urge all Member States to keep in mind that “media professionals and journalists” need to be enabled, not disabled, to fully exercise their right to freedom of expression for the promotion of human rights education with their public responsibilities, and that human rights education requires the involvement of all relevant actors for realising all human rights of all persons, women and men, young and older people.

As for the evaluation of the second phase, the OHCHR recently requested all Member States to provide their national report. We urge all Member States to contribute their national feedback and information on achievements and shortcomings of the second phase to effectively evaluate and continue its implementation.

The World Programme, together with the UN Declaration on Human Rights Education and Training², and the web resource “the Right to Human Rights Education”³, launched by the OHCHR last year, provide sufficient guidance for the implementation of human rights education in all countries. In this regard, the Council should consider a follow up resolution on the UN Declaration on Human Rights Education and Training, in order to reaffirm the political commitment enshrined in the Declaration.

Mr. President, With appreciation to the Platform for Human Rights Education and Training⁴, civil society actors including the NGO Working Group on Human Rights Education and Learning at the UN and an international coalition of NGOs, HRE 2020⁵, will continue to mainstream human rights education in the work of the Council.

29ème session (15 juin/3 juillet 2015)

Post 2015: A holistic approach to education indicators Interactive Dialogue with the Special Rapporteur on the right to education, Mr. Kishore Singh, on his annual report

We welcome the report of the Special Rapporteur which highlights repercussions of rampant privatization on principles of social justice and equity and the need to

²Adopted by the General Assembly on 19 December 2011.

³www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/Listofcontents.aspx

⁴Costa Rica, Italy, Morocco, Philippines, Senegal, Slovenia and Switzerland

⁵The coalition was created in December 2013. Website: www.hre2020.org

developing effective regulatory frameworks to uproot commercialization of education and safeguarding it as a public good.

We want to emphasize the relevance of the distinction made by the Special Rapporteur regarding the providers of “for-profit education” that are distinct from other non-state actors, such as religious institutions, non-governmental organizations, community-based groups, foundations and trusts. The Special Rapporteur commands the work of these providers and active engagement in upholding the right to education.

The Special Rapporteur also mentions in page 16 of his report that the “provision of alternative schools for linguistic, cultural or religious reasons in line with article 13 of the ICESCR has a recognized place in education systems and is important in maintaining diversity and protecting minorities within countries”.

M. Singh’s report also stresses that public policies can foster communities and NGOs to construct or establish schools for basic education, these playing a meaningful role for the realization of the right to education. There are many examples in Europe of good relationships between civil society and the State like in Spain, Belgium, Denmark or the Netherlands that are telling in this regard.

We want to insist on the fact that privatization comes from a failure from the State, not only for economic reasons. Instead of considering education as a fundamental human right of the person, some States tend to consider education as an instrument for building a state nation. That is what the UNDP Human Development Report 2004 denounced when it talked about the educational system understood as “Construction of a nationalized system of compulsory education promoting standardized curricula and teaching the dominant group’s language, literature and history”.

For our organizations, the best education model would be the one of Article 5 of the Universal Declaration on Cultural Diversity: *All persons should be entitled to quality education and training that fully respects their cultural identity.*

International solidarity: a powerful tool for addressing key global challenges

We agree with Ms. Dandan in saying that international solidarity will be a powerful tool for addressing key global challenges to human rights.

Indeed, in the context of the sustainable development goals and the climate agreement to be forged in 2015, international solidarity would ensure a fair and

just relationship between State and non-State actors engaged in the pursuit of common goals or in overcoming a common challenge.

Many recent events in the world such as, inter alia, the devastating Ebola' epidemic and the phenomenon of forced migration in such a proportion can be interpreted as the result of a lack of preventive solidarity.

Time has come to move from the principle of international solidarity towards the recognition of the right of individuals and peoples to international solidarity. This is for the very survival of all humanity and for facing the challenges posed by our globalised and interconnected world such as, inter alia, climate change, increased inequities between and within countries and the threat posed to the concept of sovereignty and political power of States by the supremacy of finance and economics.

In the *Evangelii Gaudium*, Pope Francis affirms that “solidarity presupposes the creation of a new mindset which thinks in terms of community and gives priority of the life of all over the appropriation of goods by a few.”

In its proper sense and implementation, solidarity is an obligation of all persons and of all nations to cooperate with one another in our globalized world and to work collectively towards “eliminating obstacles to development”.

In this regard, the co-signing NGOs look forward to the outcome of the regional consultations on the proposed draft declaration on the right of individuals and peoples to international solidarity, which the Independent Experts will carry on in the following months and to the final text of the declaration.

30ème session (14 septembre/2 octobre 2015)

Evaluation of the Second Phase of the World Programme for Human Rights Education

I speak on behalf of 16 organizations⁶.

The Working Group on Human Rights Education and Learning (HREL) welcomes the report of the Office of the High Commissioner for Human Rights on the Evaluation of the implementation of the second phase of the World Programme

⁶ This statement reflects the views of NGOs expressed in the discussions of the NGO Working Group on Human Rights Education and Learning of the Conference of NGOs in Consultative Relationship with the UN (CONGO).

for Human Rights education - A/HRC/30/24 - and its positive impact on national initiatives and congratulate States which have undertaken action plans since the beginning of the Programme in 2005.



We would like to stress the important role of national coordination and international cooperation in the implementation of Human Rights Education, whether among governments, with national human rights institutions, between institutions within each State, academia or NGOs. The NGO WG would like to reiterate the relevance of the report of the Office of the High Commissioner for Human Rights on the Plan of Action for the third phase (2015-2019) of the World Programme for Human Rights education (A/HRC/27/28) which provides detailed guidance on these strategies.

Our group values long-lasting progress and quality improvement in Human Rights Education. For more effective outcomes and sustainability, States have the responsibility to further develop their initiatives and to institutionalize and legally frame the implementation of Human Rights Education.

The UN Declaration on Human Rights Education and Training (A/RES/66/137) adopted by the General Assembly in 2011 is another important tool to provide guidance for the implementation of Human Rights Education in all countries. With appreciation to the Platform on Human Rights Education and Training⁷, the NGO Working Group would welcome a **substantial resolution** which gives it back the place it should have in the work of the Council and that would reaffirm the political commitment enshrined in the Declaration.

⁷ Costa Rica, Italy, Morocco, Philippines, Senegal, Slovenia and Switzerland.

This call to implementation is especially relevant considering that in a few days the UN General Assembly will adopt an ambitious new sustainable development agenda. The NGO WG on HREL would like to underline that Human Rights Education is key to the realisation of the Sustainable Development Goals. The 2030 Agenda represents a new opportunity for further implementing Human Rights Education, as mentioned in goal 4.7 on education. However, we encourage States to take into account the inclusion of Human Rights Education in the implementation of **all** the Sustainable Development Goals.

The Intergovernmental Working Group on Right to Development: what for?

We are pleased with the decision of the Working Group to proceed with the second reading of the draft criteria and corresponding operational sub-criteria for the implementation of the Right to Development even if, we would have preferred to read all the criteria first and then their corresponding operational sub-criteria. We reiterate the need of improving the effectiveness and the efficiency of the Working Group.

We regret the deadlock that characterized again the resumed 16th session. After adoption by consensus of the conclusions and recommendations two Member States expressed their reservations not recognizing the right to development in its wholeness. This is a matter of great concern to us and we would like to encourage States to join their effort to find consensus and move forward in the same direction.

Due to the high polarization, we noticed the attempt in the negotiating process to depart from the Declaration on the Right to Development as a constitutive document of the Working Group. We reiterate that the Declaration on the Right to Development as per mandate of the Working Group, should remain the principal reference for the implementation of the Right to Development, and all the other past and future resolutions and documents are complementary but do not substitute it.

In fact, the Declaration on the Right to Development provides an integrated, holistic and cohesive normative framework for achieving just and equitable development for individuals and all people and addresses both the national and international dimensions of development.

Given the importance and urgency of the implementation of the right to development to all people and countries in the world, the Working Group should focus on what is the common good for all humanity, and speed up the process of refining the criteria and operational sub-criteria. In this regard, our NGOs call

for an extension of the time allocated to the Working Group in the hope that such an intergovernmental body may still fulfil its mandate.

Finally, we welcome Ambassador Zamir Akram as new Chairperson-Rapporteur of the Working Group on the Right to Development wishing him well in his new and not easy endeavour.

Déclarations écrites

29^{ème} session (15 juin/3 juillet 2015)

Written Statement about the Report of the Special Rapporteur on the right to education, Kishore Singh, entitled *Regulating private providers in education and safeguarding education as a public good.*

We welcome the report of the Special Rapporteur which highlights repercussions on principles of social justice and equity of rampant privatization, principally in the developing countries. Indeed, education as a sector is increasingly opened up to profit –making and trade, making it an attractive business. It is obvious that such a quasi-market phenomenon is contrary to international law, and that it undermines the right to education, both as entitlement and as empowerment.

We want to emphasize the pertinence of the distinction made by the Special Rapporteur regarding the providers of “for-profit education” that are distinct from other non-state actors, such as religious institutions, non-governmental organizations, community-based groups, foundations and trusts. The Special Rapporteur commands the work of these providers and active engagement in upholding the right to education.

We also want to highlight the recall made by Mr. Singh of the role of the State in particular article 13 (3 and 4) of the International Covenant on Economic, Social and Cultural Rights which is not unfettered. This Article stipulates the “Liberty of parents and guardians to ensure religious and moral education of their children in conformity with their own convictions” and “the liberty of individuals and bodies to establish and direct educational institutions”. Such freedom of education is subject to “minimum educational standards” and the State is primarily responsible in case of privatization.

“Only the State can pull together all the components into a coherent but flexible education system”. In fact, instead of leading to extreme disparities of educational opportunity for some groups in society, as is the danger when non-state providers are transforming education into an attractive business, privatization should “give full effect to the right to education by, promoting equality of opportunity in education in accordance with their human rights obligations”.

The Special Rapporteur also mentions in page 16 of his report that the “provision of alternative schools for linguistic, cultural or religious reasons in line with article 13 of the ICESCR has a recognized place in education systems and is important in maintaining diversity and protecting minorities within countries”.

Regarding discrimination, we would like to recall the UNESCO Convention against Discrimination in Education and cite its Article 2:

When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of Article 1 of this Convention:

(c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

We welcome **section VII** of M. Singh’s report as it stresses that public policies can foster communities and NGOs to construct or establish schools for basic education, these playing a meaningful and complementary role for the realization of the right to education. The Spanish example of “conciertos economicos” is very telling in this regard. There are many examples in Europe of good relationships between civil society and the State, in countries like Belgium, Denmark or The Netherlands. Such good practices merit attention, especially since they could also be transferable to other education systems.

Free basic education and quality education is the core obligation of States with regard to the right to education and we welcome the view of the Special Rapporteur, which is to recommend that the concept of education as a public good be enshrined in national legal system. The need for State policy in this sphere, based on a humanistic nature of education, giving primacy to common

human rights value, is also a significant assertion from the part of the Special Rapporteur.

We thank the Special Rapporteur for stating strongly the public accountability of privatized schools and that availability of remedies and recourse from their decisions should be clearly provided for by law. Justiciability of the right to education goes as far as it is no longer respected as a common good.

We want to insist on the fact that privatization comes from a failure from the State, not only for economic reasons. Instead of considering education as a fundamental human right of the person, some States tend to consider education as an instrument for building a state nation. That is what the UNDP Human Development Report 2004 denounced when it talked about the educational system understood as “Construction of a nationalized system of compulsory education promoting standardized curricula and teaching the dominant group’s language, literature and history”.

For our organizations, the best education model would be the one of Article 5 of the Universal Declaration on Cultural Diversity: *All persons should be entitled to quality education and training that fully respects their cultural identity.*

15^{ème} Comité Consultatif du Conseil des Droits de l'Homme (10 au 14 Août 2015)

Déclaration orale

The activities of vulture funds and impact on human rights

We would like to welcome the report submitted by Mr. Ziegler and fully support its views and contributions to the issue of vulture funds and their impact on human rights.

OIDEL as an NGO advocating for Economic, Social and Cultural Rights and particularly for Right to Education is truly concerned about the damaging practices of vulture funds and their devastating effects. This is why we would like to emphasize the voice of all children who are denied to the right of education due to these destructive practices.

OIDEL is worried not only about the effects of these practices, but also on the methods of the Vulture Funds. As it has been said in the report and recalled for the Nobel Prize Winner in economics Joseph Stiglitz, the disputes that enable

these scandalous profits are generally resolved not on the basis of rules that ensure fair resolution, but by bargaining among unequals.⁸ Let us not be confused. Many times this debate sounds as if we are trying to determine which is better; Free Market or Planned Economy. However, this is not what we are discussing about here. What we are trying to establish is how to stop the bullying practices of certain institutions towards weak and unstable countries. We would like here again to encourage the Advisory Committee on finding a solution in order to put an end to this malicious practice.

OIDEL would like to make one suggestion in order that we all can understand better the modus operandi of the vulture funds and better mitigate its consequences. Most of the countries victims of the vulture funds actions are in the lowest positions of the Corruption Perception Index developed by Transparency International. The only exception is Greece, which is, nevertheless, the lowest ranking EU country in the Index.⁹ The report only mentioned the role of corruption of public officials in Zambia, concerning the signature of this country in an agreement that waives sovereign immunity from litigation with Donegal International. The positions of these countries in the CPI and the Zambia precedents make us think that corruption might play a vital role in order to enable the practices of Vulture Funds. Therefore, we would like to ask the Advisory Committee to take into consideration the role of corruption.

With the objective of raising awareness and to be more conscious of the impacts of these vulture funds we would like to make another suggestion to the Advisory Committee. We believe it would be useful that in your next report you enumerate a list of human rights violations caused by the actions of vulture funds. This list will not only to be useful to observe the devastating outcomes of these funds, but also to observe the problematic effects of the financialization of the economy and the mistakes of flawed development.

Beyond the concrete problem of the vulture funds, their existence and the impact of their actions is a symptom of deficiencies in the international economic order. We believe the way to improve the actual system can come through the establishment of a genuine international rule of law. We consider that the most feasible way to establish a genuine international rule of law is by empowering and strengthening the international human right mechanisms and the international organizations whose mission is the protection of human rights. On the particular topic of the vulture funds, OIDEL would like to call to mind that there have been proposals by the Human Rights Council through their Resolution 27/30 in the establishment of new multilateral legal network for sovereign debt restructuring processes.

⁸ Stiglitz, J. (16 June 2015) Sovereign debt needs international supervision. The Guardian. <http://www.theguardian.com/business/2015/jun/16/sovereign-debt-needs-international-supervision>

⁹ Transparency International (2014) The 2014 Corruption Perceptions Index. <http://www.transparency.org/cpi2014>

14^{ème} GROUPE DE TRAVAIL SUR LE DROIT AU DÉVELOPPEMENT (1 au 4 Septembre 2015)

Déclarations orales

The Role of the Intergovernmental Open-Ended Working Group on the Right to Development in the Context of the Post-2015 Development Agenda

“The defining challenge of our time is to close the gap between our determination to ensure a life of dignity for all on the one hand, and the reality of persisting poverty and deepening inequality on the other”, as Mr. Ban Ki Moon strongly stated in his Synthesis Report on the Post-2015 Agenda¹⁰.

Article 2 of the United Nations Declaration on the Right to Development considers the human person as the “central subject of development”. Therefore, our Organizations, which are present at grass-root level and work with people living in poverty, can confidently affirm that a renewed global partnership for sustainable development cannot be effective without putting the human being at its center and taking into account the well-being of the person, and of all people, in different life situations: economic, social, political, cultural, ecological and spiritual.

Consequently, the Post-2015 Agenda should be adopted bearing in mind the principle of Integral Human Development, a concept that views human development as a unique sum total that cannot be reduced or divided one or other of its different components. True progress does not and cannot happen if only one aspect of the human person is being addressed to this end.

In addition, International Solidarity is and must be the basis of all coherent action needed to address global challenges that constitute root causes of increasing prevalence of both inequality and injustice. For this reason, in the Post-2015 Agenda, reference should be made to “a firm and persevering determination to commit [ourselves] to the common good, to the good of all and each individual”¹¹.

Thus we call upon the members of the Open-Ended Intergovernmental Working Group on the Right to Development to assure that the spirit of proposed

¹⁰The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet – Synthesis Report of the Secretary General on the Post-2015 Agenda, New York, December 2014, paragraph 67.

¹¹Saint John Paul II, *Sollicitudo Rei Socialis*, paragraph 38.

Sustainable Development Goal 17 will be included in the final Post-2015 Agenda, and that the renewed global partnership for sustainable development will be inspired by the Right to Development as well as the concepts of Integral Human Development and International Solidarity.

Through this action, the international community will recognize that “the human person is the central subject of the development process”¹², and this Intergovernmental Working Group will position itself as the UN forum aimed at implementing a true person- and people-centered development through the monitoring and implementation of the Declaration on the Right to Development.

Joint oral Statement under Item 4(a)

We wish to congratulate you for the election as Chairperson Rapporteur of the Open Ended Intergovernmental Working Group on the Right to Development. We do hope that with your leadership, the Working group may progress towards the full realization of its mandate.

We would like also to pay tribute to Ms. Tamara Kunanayakam, the former chairperson, for her excellent leadership from which the working group benefited greatly in the past years.

We are very pleased for the resuming of the 16th session of the Working Group, considering the impasse in which the Working Group went through last April.

During this session, we look forward to the finalization of the framework for improving the effectiveness and efficiency of the Working Group.

As we approach the 30th anniversary of the United Nations Declaration on the Right to Development, it is very important that the Working Group resumes a focus on all the aspects of its original mandate, including the presentation of special advice to OHCHR with regard to the implementation of the right to Development, further analysis of the obstacles to the full enjoyment of this right, and development of an annual focus on specific commitments in the Declaration.

For this reason, we were pleased to find that all these aspects are reflected in the agenda of the current session. We are pleased with the decision of the Working group to proceed with the second reading of the criteria and operational sub-criteria for the implementation of the right to development, and we call the Member States to pay due attention to all the suggestions done during the previous sessions, including those proposed by NGOs.

Our NGOs are ready to give their contribution to this new section of the working

¹² United Nations Declaration on the Right to Development, preamble.

group hoping that the polarization and politicization that has characterized the previous sessions of the Working Group will be replaced by a joint effort of all States to develop, from the contents of the Declaration on Right to Development, meaningful criteria and sub-criteria that can be useful in implementation of this fundamental right. People at grassroots level, especially those in situations of extreme poverty and vulnerability, cannot wait any longer.

The process of establishing the Post 2015 agenda for Sustainable Development Goals is in its final stages and, surely, a set of indicators will accompany each goal and the related targets. Consequently, we would invite the Member States to suspend the discussion on the divisive issue related to selection of indicators in order to being inspired by those selected for the Post-2015 Agenda, in particular for Goal 17.

Prise de position de la Plateforme des ONG pour le Droit à l'Éducation sur les Indicateurs UNESCO d'éducation post-2015 (30. 01.2015)

Déclaration écrite

A holistic approach of education

Concerning the Post-2015 Education Indicators proposed by the TAG (Technical Advisory Group) of UNESCO we, the NGO Platform on the Right to Education, would like to make the following remarks.



General Comments: Concerning the indicators used for the Post-2015 Education Indicators, we think a Human Rights based approach is essential, as development cannot be disconnected from human rights. In other terms, Education cannot just be seen as a tool for Sustainable Development, but as a right. The fact that education is a right has some consequences such as their protection by the rule of law, as the preamble of the Universal Declaration states, allowing citizens to claim it in case of unfulfillment. The importance of a Human Rights - based approach is widely recognized as the most pertinent way to monitor implementation of education as a fundamental component of development. We would have been glad to see reflected the work done so far by OHCHR on Indicators on Human Rights¹³ and the “The Right to Education: Law and Policy Review Guidelines”¹⁴ recently published by UNESCO. The only mention of legislation is within the indicator 26 concerning the real existence of nine years of free and compulsory basic education.

We would like to make two concrete suggestions concerning this approach:

Firstly, we propose the inclusion of structural indicators as in page 26 of the UNESCO document “The Right to Education: Law and Policy Review Guidelines” cited above. One example is the Constitutional Guarantees for Universal Primary Education.

Secondly, we propose the inclusion of three indicators taken from the OHCHR document, which particularly makes reference to civil society’s role:

- *Date of entry into force and coverage of domestic law on the freedom of the individuals and groups (including minorities) to establish and direct educational institutions*
- *Number of registered and/or active NGOs (per 100000 persons) involved in the promotion and protection of the right to education.*
- *Number of institutions of ethnic, linguistic minority and religious population groups recognized or given public support¹⁵.*

5.1 – Early Childhood: We think that without any indicator of measurement it is impossible to assess implementation. If some indicators cannot be included we would then suggest removing this part in order to focus more intensely on primary and secondary education.

5.2 – Primary and Secondary Education: We are concerned that the proposed indicators may minimize the essential content of quality education to only Mathematics and Reading. As stated by the Special Rapporteur of the Right to

¹³ OHCHR (2012) Indicators on Human Rights New York – Geneva http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf

¹⁴ The Right to Education: Law and Policy Review Guidelines (<http://unesdoc.unesco.org/images/0022/002284/228491e.pdf>)

¹⁵OHCHR, p.105

Education, Mr. Singh, a holistic approach of the right to education is broader than the narrow approach of performance evaluation of only mathematical, literacy and language skills and it broadens the assessment of the educational attainments of students to include all obligations relating to the right to education under international human rights law. We consider that the content of the article 29.1 of the Convention of the Rights of the Child and the content of article 13.1 of the International Covenant on Economic, Social and Cultural Rights should be included in Quality Education assessment.

The indicators 10, 11, 12 and 13 concern the results in different countries on reading and mathematics. However there is a reasonable doubt that these indicators are pertinent and comparable. In fact, it is not possible to use a comparison between the performance of countries with different languages tested.

We would like to highlight some issues concerning the comparability between countries:

- EGRA seems to compare easily the States tested in the same language, however there are some difficulties on doing this comparison due to the different uses of language (vocabulary and dialects that can differ).
- SACMEQ, TIMSS, PIRLS, PISA and LLECE consider the international comparison as their main objective. However, there is a difference between the international and the regional surveys; while the first ones (TIMSS, PIRLS, PISA) show ranking of countries from the first pages, the second ones (SACMEQ, LLECE) have a less direct optic and are more focused on other factors.
- Finally, TIMSS, PIRLS and PISA do not permit to compare among situations where the language of learning is not the same one as the one used in the current activities.

The indicators concerning Primary and secondary education analyze the real application of the Education for All Steering Committee Target 2; which is *"By 2030, all girls and boys complete free and compulsory quality basic education of at least 9 years"*. An indicator on the subject could be build from Article 14 of the International Covenant on Economic, Social and Cultural Rights. This article – signed by virtually all States- warns that each State *"at the time of becoming a Party that has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all"*. The adoption of this plan of action in order to establish a compulsory primary education system free of charge is a good way to analyze the commitment of the States regarding the right to education under the terms of the EFA SC Target 2. Thus, we would like to see in the Post-2015 Education Indicators some concerning the implementation and existence of such plans in the different States Parties.

We would like to remark that beyond the inputs and outputs, it seems important to also have success indicators on the seven points of quality education as defined by the Learning Metrics Task Force.

5.3 - Skills: Concerning skills on the Post-2015 Indicators we do not think that they are limited to Technical and Vocational Education and Higher Education but are also relevant to early childhood, primary and secondary education. Actually, the Special Rapporteur of the Right to Education, Mr. Singh, in his report entitled "Assessment of the educational attainment of students and the implementation of the right to education" (A/HRC/26/27) emphasizes this idea. Mr. Singh underlines the importance of skills development as an integral part of basic education and as a cornerstone particularly for developing countries to raise the aspirations of youth. Some Indicators on skills should then be included for primary and secondary education.

Furthermore indicators of Technical and Vocational Education and Higher Education should not only be focused on skills for employment, decent work and entrepreneurship. They also should take into consideration the humanistic vision of education. As stated by the Special Rapporteur in the report A/67/310: "technical and vocational education and training is an integral part of the right to basic education". In fact, TVET cannot be constrained to only higher education. Thereby, we would like to see indicators of Technical and Vocational Education and Higher Education in the Post-2015 Education Indicators concerning issues such as access, quality and the attainment rate.

5.4 – Equity: We are happy that the necessity of collecting disaggregated data (separated by gender) in the post 2015 targets on education is reflected in these indicators.

5.6 – Global Citizenship and Sustainability: Regarding the content of Human Rights Education, or so called in this document Global citizenship and sustainability, indicators should be included to better reflect the commitments of the States. HRE 2020¹⁶ for example developed an Indicators Framework to analyse whether and how HRE is implemented in different domains such as: Legislation and policy, Curriculum, Teaching and learning materials, Learner assessment and evaluation program and Teachers training. We feel that Global Citizenship is a fundamental element of Human Rights Education and we would encourage implementation of both the UN Declaration of Human Rights Education and Training as well as the World Programme for Human Rights Education.

5.7 – School Environment: The need to secure the routes to school and the schools themselves, improve infrastructure and recruit well-qualified female teachers is also of importance in that while governments are facilitating adapted

¹⁶http://www.hre2020.org/sites/default/files/HRET%20Indicators_long%20form%20Dec%202014.pdf

infrastructure development and national educational planning, girls benefit. Because of that we would like to see some indicators concerning these issues.

Suggestions pour le « **Cadre d'action éducation 2030** »

Déclaration écrite

With the aim to improve the content of the Draft “*Framework for Action 2030: Towards inclusive and equitable quality education and lifelong learning for all*”, OIDEL would like to suggest a few proposals. For ease the reading we have done our proposals following the table of contents of the Draft.

II. GOAL, TARGETS AND INDICATORS:

Overarching goal:

“Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all”

ACCESSABILITY: Concerning Access OIDEL is largely agree with what is said in this part of the document. However, we would like to enlarge the content by reminding the importance of technologies to enable access. The NGO Platform for the Right to Education, which is chaired by OIDEL, wrote a document called “Post-2015: development guided by the principle of human dignity”. On the domain of accessibility the document mention that the effective use of new technologies, and the guarantee of access to all groups and communities should be a high priority. We would like to recall the importance of technologies for accessibility and we would like to see it mentioned in the draft.

QUALITY EDUCATION: The document reminds that an integral part of the right to education is ensuring that education needs to be good quality. We are happy to see the mention of quality education, as it is part of Right to Education; nevertheless, we would like to see a definition of Quality of education more extended that the one that appears in the document. The article 26 of the Universal Declaration states that “*Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.*” and the article 13 of the International Covenant on Economic, Social and Cultural Rights is more clarifying by saying “*education shall be directed to the full development of the human personality and the sense of its dignity (...) education shall enable all persons to participate*

effectively in a free society (...) ". Considering the International Human Rights Instruments we think the document should include a broad definition of Quality Education that goes beyond literacy and numeracy skills. As the special rapporteur on the Right to Education has said "*Achieving knowledge and skills in mathematical and scientific literacy and languages should not be treated as being an exclusive reference to the quality of education. Universally recognized human rights values and democratic principles should be embedded in every education system. The acquisition of knowledge about human rights values should be at the forefront of any discourse on quality education.*"

Strategic approaches for Education 2030:

Focusing on quality and learning: In line with what we said about a broader definition of Quality of Education we would like to complete the view on the teachers that appears in the document. Firstly, we would like to add that the role of the teacher should evolve from that of "dispenser" of knowledge and information to that of "facilitator" of learning.¹⁷ The Framework for Action 2030 should give greater priority to the roles of educators and of teacher training in ensuring quality, so that they can become true educators, capable of not only teaching, but also living by these values. Moreover, the roles of families and the communities also should be strengthened in order to improve quality education.

Target 4.3 and 4.4: These two targets are related with Technical, Vocational Education and Training (TVET). We are agree with what is said in the document, however we would like to recall that TVET as stated by the Special Rapporteur in the report A/67/310: "*technical and vocational education and training is an integral part of the right to basic education*". As a human right we think that TVET should combine the development of specific skills with a humanistic vision of education. Indeed, beyond facilitating the transition from school to working life, TVET should also contribute to the full development of the personality.

III. IMPLEMENTATION MODALITIES

Governance, accountability and partnerships:

Relevant Civil society organizations (CSOs):

Among all the engagements and involvements of civil society in the domain of right to education we consider that the list is incomplete. We would like to see a reference in line with what is said in the article 12 of the Incheon Declaration. The article 12 states "*We reaffirm that the fundamental responsibility for successfully implementing this agenda lies with governments. We are*

¹⁷ Cf. UN System Task Team, Thematic Think Piece on Education and Skills for Inclusive and Sustainable Development Beyond 2015. UNESCO, 2012, p. 10.

determined to establish legal and policy frameworks that promote accountability and transparency as well as participatory governance and coordinated partnerships at all levels and across sectors, and to uphold the right to participation of all stakeholders.” On this regard we would like to observe also the role of civil society as provider of right to education.

The last resolution on the Right to Education (A/HRC/29/L.14/Rev.1) urges the states to strength the engagement with civil society to contribute to education as a public good. On this regard, as it has been said for the Special Rapport in his last report (“Privatization and the right to education” A/69/402) the partnerships between civil society and state play a key role in order to ensure education as a public good. We think it would be really interesting the mention of this reality in the text.

TABLE 1. Proposed thematic indicator framework.

Target 4.1:

In order to assess the realization of this target we would like to propose the building of an indicator. The indicator would be based on the Article 14 of the International Covenant on Economic, Social and Cultural Rights. This article – signed by virtually all States- warns that each State “*at the time of becoming a Party that has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all*”. We consider that the adoption of this plan of action in order to establish a compulsory primary education system free of charge is a good way to analyze the commitment of the States regarding the right to education.

In line with what we have said we would like to see the inclusion of indicators that comprises Quality of Education from a more holistic point of view.

Target 4.3 and 4.4: As we said previously we also would like an indicator that considers a more humanistic approach of TVET.

Target 4.5: We would like to propose the inclusion of an indicator. The indicator we would like to include is the “*Number of institutions of ethnic, linguistic minority and religious population groups recognized or given public support*”¹⁸ from the Indicators on Human Rights New York – Geneva of the OHCHR. We consider it is essential in order to ensure that minorities can receive education on its language and culturally sensitive that they can have their own schools. On

¹⁸ OHCHR (2012) Indicators on Human Rights New York – Geneva
http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf

this regard, we think that this indicator shows the commitment of the state with a respectful education for indigenous people.

38ème Conférence Générale UNESCO – Commission Éducation

Déclarations orales

The role of civil society in the Framework for Action Education 2030:

I'm talking on behalf OIDEL, as coordinator of the NGO Platform for the Right to Education at the United Nations in Geneva, which has been active throughout the entire negotiating process.

We congratulate UNESCO for his leading role in the realization of the right to education.



We appreciate the multiple mentions of civil society in the Framework for Action Education 2030. We want to highlight point 87 concerning the implementation and adaptation of Education 2030 at regional and sub-regional levels. This point recalls the importance of existing partnerships, frameworks and effective mechanisms, as well

as new ones forged to ensure strong regional collaboration, for the implementation of the education agenda.

Partnerships between civil society and governmental authorities have played a key role in ensuring the right to education. The Special Rapporteur on the Right to Education in its last report “Protecting the right to education against commercialization” noted that the existence of partnerships between the state and civil society organizations might be a good way to pursue the progressive realization of the right to education and to finish with the phenomena of privatization. In this regard he pointed good practices such as the “*conciertos económicos*” in Spain.

From a human rights perspective OIDEL welcomes that the Plan of Action recognizes the key role of civil society, encouraging the establishment of partnerships within governmental recognition is important because it considers

the right to education in all its dimensions; and in line with the General Comment n° 13, it does not limit the content of this right to social dimension, but to the freedom dimension. Although we are really satisfied with the document we would like to see a more explicit mention of the need of the state to strengthen the engagement with civil society to contribute to education as a public good, as it was said in the last resolution on the Right to Education.

Finally, we would like to mention that OI DEL has been conducting an extensive research on the freedom dimension of education, as it is understood in the main Human Rights Instruments, especially the article 13.3 and 13.4 of the International Covenant on Economic, Social and Cultural Rights. The research is a worldwide index on the participation of civil society in providing education and it would be published in our website at the end of the month.