

Panel Discussion
Education in the 2030 Agenda – Leaving no one behind:
Children with disabilities, girls, forcibly displaced children and minorities

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Presentation
by
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Today, whole of the international community is engaged in discussions on the implementation of the 2030 Sustainable Development Agenda. In such discussions, we must recall the resolve of the Heads of the State/Government while proclaiming the Agenda at the United Nations Summit in September 2015 that the Agenda is to be implemented “in a manner that is consistent with the rights and obligations of states under international law.” Often, this does not receive enough emphasis. The Agenda manifests collective political commitment. But it clearly requires its implementation to be linked to the legal obligations of States under international human rights conventions. This is especially pertinent as regards the Goal 4 of 2030 Sustainable Development Agenda on Education – SDG4. International human rights conventions lay down a normative framework for the right to education. The SDG 4 to - “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” - must be considered bearing in mind the right to education as an internationally recognized right. This is further elaborated in the Incheon Declaration, adopted at the World Education Forum (May 2015) which underlines the importance of education as a fundamental human right, as a main driver of development and as public good. The Declaration expresses the commitment by the Ministers of Education from all over the world to ensure the provision of 12 years of free, publicly funded, equitable quality primary and secondary education to all free of costs.

Ensuring equality of opportunity in education is a fundamental principle underlying such a framework. However, achieving equality of opportunity in education both *in law and in fact* is a huge challenge in face of growing inequalities around the world, caused by unbridled neo-liberal economy. This results in increasing disparities and inequities in education and is detrimental to education systems and to the right to education. In keeping with the SDG4, radical measures are required for expanding opportunities for good quality public education, indispensable for creating inclusive education system. Driven by equity-based policies and guided by a human-rights based approach keeping equity quality of education in forefront, this can go a long way in making education system an equalizing force.

Everyone without exception is entitled to the right to education according to the Universal Declaration of Human Rights. Yet access to education is still not universal on account of

widespread disparities and marginalization in education of which girls, children with disabilities, forcibly displaced persons, indigenous or nomadic populations, minorities etc. remain victims.

International normative framework for the right to education very clearly establishes that the right to education is an inalienable right of every human person – whether national or aliens. All children are entitled to education according to the Convention on the Rights of the Child. Girls are entitled to education on equal footing with boys. Their inalienable right to education does not need to be justified in terms of advantages it brings to them and to their family. Going beyond temporary measures, States are required to ensure equality of opportunity in education for girls and women and make them ‘agents of change’ in keeping with *Convention on the Elimination of All Forms of Discrimination against Women (1979)*. Positive measures in favour of girls and women are necessary as a central part of a strategy to achieve substantive or *de facto* equality between women and men.

The right to education of the persons with disabilities is established by the Convention on the Rights of Persons with Disabilities. The Convention stipulates that States shall ensure that “persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others” Children suffering from disability must be integrating fully in mainstream of education with specific infrastructural facilities.

“Each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the State concerned” according to the International Convention on the Rights of All Migrant Workers and Members of Their Families.

Educational rights of minorities are laid down in UNESCO’s Convention against Discrimination in Education and in a number of other international instruments. Similarly, the right to education of indigenous peoples has its basis in international human rights law.

Rural and remote populations, nomads and all those who are socially and economically marginalized are entitled to education. The right to education is also indispensable instrument for lifting children of almost two billion people living in extreme poverty today, especially as the eradication of poverty is first and foremost goal of the 2030 Sustainable Development Agenda.

Today, it is critically important to give special consideration to the impediments in the realization of the right to education of the most vulnerable and marginalized children and young people, pursuant to the SDG4 in view of global commitment to the 2030 Sustainable Development Agenda for ‘leaving no one behind’. In universalizing the right to education with no discrimination or exclusion, the children in insecurity and armed conflict deserve special consideration, not only on account of the magnitude of their educational deprivation but also because this category is cross-cutting and includes all other marginalized groups. Moreover, it has a direct bearing on the United Nations mission for international peace and security, as recognized in the Security Council Resolution 2427 adopted in July 2019 pursuant to debate on children and armed conflict. The Resolution reiterates deep concern at the closure of schools in situations of armed conflict, underlines the need for targeted assistance

to the poor and marginalized who are particularly affected with a view to preventing violence against children and for enabling them to have access to education, and calls for long-term and sustainable reintegration and rehabilitation opportunities for children affected by armed conflict. Beyond imminent action, national and international initiatives to promote and protect education in insecurity and conflict situations through international law, in particular human rights law, should be so framed that they pave the way for long lasting results for all.

In this context, it is important to recall the commitments in the 2030 Sustainable Development Agenda to mobilize the means required to implement it, based on a spirit of strengthened global solidarity and focused “in particular on the needs of the poorest and most vulnerable and with the participation of all countries, all stakeholders and all people.” The international principle of solidarity underlying the Agenda is important as regards international cooperation and development assistance for overcoming obstacles encountered by developing countries in the implementation of the Agenda in particular SDG4. Providing education and ensuring that education is protected during periods of insecurity and conflict remains the obligation of the State. In case of situations of conflicts, State must assume its responsibility and when it is not capable to do so, it must be assisted by the international community.

Post-conflict peace-building measures as well as preventive action is critically importance for addressing the widespread impact of immediate as well as the long-term consequences of armed conflict on children and their impact on durable peace, security and development. In my Report to the UN General Assembly (A/66/269) which I presented in 2011 in my capacity as the UN Special Rapporteur on the Right to Education, I offered a number of recommendations which are pertinent today in coping with challenges faced in protecting the right to education during periods of insecurity and armed conflict. States remain responsible to ensure that their entire population, including those in situations of armed conflict or insecurity, internally displaced people, refugees or non-nationals is enabled to have access education.

National structures for implementation are being put in place in some countries in the course of implementation of the 2030 Sustainable Agenda. In this, special consideration to should be given to SDG4 as education concerns all dimensions of sustainable development. The indicators for the implementation of the SDG4 must capture all the marginalized social categories and vulnerable groups which are victims of educational deprivations, along with the benchmarks for progressively advancing towards education system, which is inclusive and equitable. Based on indicators and benchmark to be reached within an agreed time frame, governments should be required to annually report on progress as well as shortcomings in the implementation of SDG4, with strategies to overcome these and to create inclusive and equitable system of education.

Thank you.