

Step 1: Plan & Focus

This step will guide you through all the things you need to consider in planning your monitoring project, including how to decide which topic(s) to focus on and whether to seek additional help.

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1.1 The need for a clear focus

A clear and well-thought out focus is crucial to ensure that you will be able to carry out your research with adequate rigour and incisiveness, as well as to increase the effectiveness of your advocacy¹ efforts.

This preliminary step will help you determine which aspect(s) of the right to education you should monitor.² The nature of your work may automatically shape the scope of your monitoring work. For example, if your organisation's mission is to serve the local community and to work with local schools, then your geographic scope may already be determined.

It is also likely that your initial motivation to monitor the right to education comes from the fact that you have already identified a specific problem in education that you want to address. If this is the case this step may still be useful in helping you to critically assess your chosen thematic focus and to determine whether it requires further refining.

Nevertheless, if you consider that the thematic focus of your monitoring project is both well thought through and sufficiently narrow, you may skip this section of the *Guide* and move directly to Step 2.³

1.2 Criteria for deciding your focus

Various criteria should be taken into account when determining the thematic focus of your monitoring⁴ work, including:

Your organisation's remit

Your organisation's remit may determine the type of monitoring project you undertake. For instance, your organisation may have a pre-determined geographic scope or area of focus, such as promoting women's rights or the rights of persons with disabilities. In these instances it makes sense to focus your monitoring project on the obstacles that these specific groups face in fully enjoying their right to education.

Issues from the field

You may become aware of education issues from your work in the field or through media reports. For instance, if your organisation brings cases to court and you notice that there is a recurrent problem in the education system, you may decide to carry out a monitoring project to better understand the issue.

The gravity and / or scope of the problem

If you are considering more than one potential thematic focus, you may want to prioritise those problems that affect more people (eg this project that found that over half of children who finish fifth grade cannot do basic subtraction)⁵ and / or that are grave in terms of the violation (eg cases of segregation where children from ethnic minority groups are placed into ‘special schools’ with lower quality education).⁶

Your target audience

A key consideration in the focus and scope of your monitoring project is your target audience(s), who you are trying to influence with your monitoring report. Sometimes, the target audience may be the duty-bearer⁷ responsible for realising the right to education (eg the Ministry of Education). Other times, the primary target audience of your monitoring exercise may be an institution or mechanism that could influence the duty-bearers. For instance, you may write a monitoring report for a key meeting of the Education Parliamentary Committee, with the expectation that this Committee will have the leverage to influence the government’s policy, or you may write a shadow report⁸ for a UN treaty body⁹ (see Step 6.2)¹⁰ when a State appears before that mechanism. In this case, the thematic focus of that mechanism will likely inform the thematic focus of your monitoring exercise.¹¹

The allotted time for the monitoring exercise

If your monitoring project is meant to be submitted in an event or meeting with a fixed date (eg a UN conference or the inauguration of a new government) you may need to narrow the

parameters of the monitoring project, in order to ensure you will have sufficient time to carry it out.

Skills of those carrying out the monitoring exercise

The aims of the monitoring project should be achievable by the people conducting the research. It is vitally important that you honestly assess the capacities of those involved and that you are able to enlist the expertise and skills of others if needed. For instance, it might be difficult to focus your monitoring on the financing of the education system, if you are not able to enlist – either in your own organisation or amongst other partners – people with some experience and skills on budget analysis. See Step 1.4¹² for further information on collaborating with others.

Advocacy opportunities

The leverage your organisation has to influence policy changes on a specific issue related to the right to education will often be the key criterion in determining whether you should focus your monitoring work on that issue. This is because, as we saw in *Why monitor the right to education?*,¹³ one of the key goals of monitoring the right to education is to influence policy-makers to fully commit to the progressive realisation¹⁴ of that right. In some cases, you may choose to focus on a specific issue because there is a unique window of opportunity to influence the government on that issue. Other times, you may decide not to focus on an issue because, after analysing the political environment in the country, you reach the conclusion that the political obstacles are insurmountable.¹⁵ If your organisation works at the regional or global level, you may decide to focus your monitoring efforts on a State that is up for review by a UN treaty body or other human rights mechanism.

For further information on advocacy strategies, see Step 6.2.¹⁶

1.3 Categories of education

Typically monitoring projects on the right to education focus on one or more of the following categories: level of education, geographic focus, a specific marginalised group, a

specific type of education, or a specific context. The table below presents some of the categories you may wish to focus on:

Level or type of education	<ul style="list-style-type: none"> Pre-primary Primary Secondary Technical and vocational Higher Adult / Fundamental education
Geographic focus	<ul style="list-style-type: none"> School Local community District (school, local authority or county) Provincial (sub-national or federal) National Regional International
Marginalised group	<ul style="list-style-type: none"> Girls or women¹⁷ Ethnic, religious or linguistic minorities¹⁸ Indigenous peoples¹⁹ Refugees, asylum-seekers, migrants, immigrants, or internally displaced persons²⁰ Persons with disabilities²¹ (including physical, mental, intellectual and sensory impairments) People living in extreme poverty (socio-economic status) Birth status Lesbian, gay, bisexual, transgender or intersex persons (LGBTI) Street children Homeless persons Persons in detention²² Child labourers

	<p>Child soldiers</p> <p>Persons with HIV / AIDS</p> <p>Other marginalised or vulnerable groups (depending on your local context)</p>
Contexts	<p>Conflict²³ (including periods of social unrest or post-conflict recovery)</p> <p>Natural disasters</p> <p>Health crises</p> <p>Economic crises</p>

You can further narrow down your thematic focus by concentrating on a category within a category. For instance, you may focus on unequal access to a specific level of education of a specific marginalised group.²⁴

Another strategy is to focus on multiple forms of discrimination,²⁵ for instance girls from an ethnic minority, living in poverty.

Lastly, as you undertake your monitoring project, you may find that you narrow down your focus because the outcome data you gather²⁶ exposes where the most serious deprivations and inequalities occur.²⁷

1.4 Assess your capacities and identify partners

Monitoring²⁸ the right to education is often a complex endeavour, requiring a variety of skills and expertise. Therefore, you may wish to consider collaborating with others. In addition to providing financial or technical assistance, they can increase the credibility of your work, and help to harmonise the advocacy²⁹ message across the particular region or area that you work in.

To assess whether you and / or your organisation should collaborate with other people or organisations, you should consider the following:

Identify resources needed

Make a list of the various types of resources you will need to carry out the monitoring project. Resources may include specific expertise or skills and access to data and stakeholders³⁰ you want to interview. You should also take into account that the resources that are needed may change as the project evolves.

Resources needed to carry out monitoring projects on the right to education may include:

- Skills in quantitative and qualitative research.
- Field research and documentation skills.
- Knowledge of human rights standards and how to apply them.
- Familiarity with education policies³¹ and processes.
- Experience in writing for advocacy purposes.
- Access to policy-makers or civil servants who can provide data.
- Access to stakeholders in the field (school principals, teachers' unions, etc).

Check your own resources

Assess whether you have all the necessary resources identified in the step above to carry out the monitoring project and the financial resources to cover areas that you are missing. Your organisation might be strong in some aspects of the monitoring process but fall short in others. For instance, you may have skills on quantitative and qualitative education research but not have sufficient knowledge of human rights standards to be able to apply them in concrete situations. You may have both of these resources but lack contacts in the area where you are planning to carry out fieldwork and therefore need a local partner who can facilitate access to schools, teachers, children, etc.

Collaborate with others

If after the previous steps you realise that you do not have all of the resources needed to effectively carry out your monitoring project, you should consider collaborating with other organisations and individuals.³² Depending on the gap in your resources, you may decide to work, for instance, with community organisations, research institutes or human rights advocacy groups.

Endnotes: Step 1: Plan & Focus

¹ **Advocacy** is the process of influencing those who make policy decisions, write laws and regulations, and distribute resources that affect people's well-being. Advocacy delivers deliberate messages intended to influence the thoughts, perspectives and actions of people in authority.

Campaigning is one strategy for advocacy, building public pressure around an issue through strategies like mass action, public forums and media campaigns.

Lobbying is another strategy for advocacy, building pressure around an issue within the education system through strategies such as policy analysis and dialogue, negotiation and forming collaborative partnerships.

Source: Commonwealth Education Fund (2009) *A Budget Guide for Civil Society Organisations Working in Education*: p.24:

www.right-to-education.org/resource/budget-guide-civil-society-organisations-working-education

² **Human rights monitoring** is the process of collection and verification of information on human rights problems. For more details on monitoring the right to education, see Right to Education Project's page on *Monitoring*: <http://www.right-to-education.org/page/monitor>

³ See Step 2 of the *Monitoring Guide*, available to download here:

<http://www.right-to-education.org/monitoring/guide/step-2-identify-deprivations-inequalities-education>

⁴ *Idem 2*

⁵ This is apparently the case in India, where of children surveyed in grade 5 only slightly more than half could do subtraction. Source: Birdsall, N cited in Pritchett, L (2013) *The Rebirth of Education: Schooling Ain't Learning [Online]* CGD Books:

http://books.google.com.ar/books/about/The_Rebirth_of_Education.html?id=PQ72AAAAQBAJ&redir_esc=y

⁶ For example, see Amnesty International (2012) *Czech Republic: Five More Years of injustice: Segregated Education for Roma in Czech Republic*: <http://www.amnesty.org/en/library/info/EUR71/006/2012/en> and Černušáková, B (2015) *Must Try Harder – Ethnic Discrimination of Romani Children in Czech Schools*: <http://www.right-to-education.org/resource/must-try-harder-ethnic-discrimination-romani-children-czech-schools>

⁷ **Duty-bearers** are those actors who have a particular obligation or responsibility to respect, promote and realise human rights and to abstain from human rights violations. The term is most commonly used to refer to State actors, but non-State actors can also be considered duty-bearers. An obvious example is private armed forces or rebel groups, which under international law have a negative obligation to refrain from human rights violations. Depending on the context, individuals (eg parents), local organisations, private companies, aid donors and international institutions can also be duty-bearers.

Source: UNICEF *Gender Equality - UN Coherence and You – Glossary*:

<http://www.unicef.org/gender/training/content/resources/Glossary.pdf> : p.1.

⁸ **Shadow reports** are a method for non-government organisations (NGOs) to supplement and / or present alternative information to reports governments are required to submit under human rights treaties. Unlike governments' reports, which often highlight the progress of the State in meeting its human rights obligations whilst downplaying violations, shadow reports often provide treaty body committees with crucial information about problems in implementation and areas of government non-compliance.

NGOs around the world use shadow reports to lobby various United Nations' bodies, including treaty-monitoring bodies, thematic groups, charter-based bodies, and the High Commissioner for Human Rights.

Source: The Advocates for Human Rights page on *Shadow Reporting*:

<http://www.theadvocatesforhumanrights.org/mechanisms>

⁹ **UN treaty bodies** are committees of independent experts created under a particular UN treaty. They are mandated to monitor how States that have ratified the treaty in question comply with their obligations to implement the human rights guaranteed by the treaty. They periodically examine State reports and issue concluding observations on States' compliance to the treaty, as well as make recommendations.

Most treaty bodies can receive individual complaints or communications in cases of human rights violations, if the State in question has recognised the competence of the treaty body to do so.

Treaty bodies also adopt General Comments, which provide authoritative interpretations of the provisions of the treaty the treaty body oversees.

For further information, see Right to Education Project's page on *International Human Rights Mechanisms*:

<http://www.right-to-education.org/page/international-human-rights-mechanisms>

¹⁰ See Step 6.2 of the *Monitoring Guide*, available to download here:

<http://www.right-to-education.org/monitoring/guide/step-6-report-writing-advocacy>

¹¹ For instance, a shadow report submitted to the UN Committee on the Elimination of All Forms of Racial Discrimination will necessarily focus on some aspect of the right to education related to indigenous peoples and / or ethnic minorities, whilst a shadow report submitted to the UN Committee on the Elimination of All Forms of Discrimination against Women will focus on girls' and women's right to education.

For a full list of UN treaty bodies and other oversight mechanisms, see Right to Education Project's pages on:

- *International Human Rights Mechanisms*:
<http://www.right-to-education.org/page/international-human-rights-mechanisms>
- *Regional Human Rights Mechanisms*:
<http://www.right-to-education.org/page/regional-human-rights-mechanisms>

¹² See Step 1.4 of the *Monitoring Guide*, available to download here:

<http://www.right-to-education.org/monitoring/guide/14-assess-your-capacities-and-identify-partners>

¹³ See 'Why monitor the right to education?' in the Introduction to the *Monitoring Guide*, available to download here: <http://www.right-to-education.org/monitoring/guide>

¹⁴ Article 2 (1) of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1966) recognises that economic, social and cultural rights are not always immediately realisable. The full and immediate realisation of the right to education can be hampered by a lack of resources and can only be achieved over a period of time, particularly for countries with fewer resources.

The ICESCR therefore imposes the obligation to **progressively realise** certain aspects of the right to education (including free secondary, higher, and fundamental education). However, not all aspects of the right to education are subject to progressive realisation, for example, States must prohibit discrimination in and to education and ensure that primary education is free and compulsory for all.

For further information, see Right to Education Project's page *Understanding Education as a Human Right*:

<http://www.right-to-education.org/page/understanding-education-right#sthash.Uat6sLqc.dpuf>

For further information on progressive realisation, see Committee on Economic, Social and Cultural Rights (2003) *General Comment 3: The Nature of States Parties' Obligations (Art.2, Para.1)*:

<http://www.refworld.org/docid/4538838e10.html>

¹⁵ For instance, you may have identified that a major source of inequality in access and quality of education amongst various regions of your country is the unfair formula by which the national government distributes resources for education amongst regional districts. However, you may still decide not to focus your monitoring project on the problems of the decentralisation of the educational system if you reach the conclusion that given the political forces in your country and what is required to change the normative framework for a change on this subject, it may not be possible to make any significant progress at this stage on this issue.

¹⁶ *Idem 10*

¹⁷ For further information on the right to education of women and girls, see:
<http://www.right-to-education.org/issue-page/marginalised-groups/girls-women>

¹⁸ For further information on the right to education of minorities, see:
<http://www.right-to-education.org/issue-page/marginalised-groups/minorities-and-indigenous-peoples>

¹⁹ For further information on the right to education of indigenous peoples, see:
<http://www.right-to-education.org/issue-page/marginalised-groups/minorities-and-indigenous-peoples>

²⁰ For further information on the right to education of migrants, refugees and internally displaced persons, see:
<http://www.right-to-education.org/issue-page/marginalised-groups/migrants-refugees-and-internally-displaced-persons>

²¹ For further information on the right to education of persons with disabilities, see:
<http://www.right-to-education.org/issue-page/persons-disabilities>

²² For further information on the right to education of persons in detention, see:
<http://www.right-to-education.org/issue-page/marginalised-groups/persons-detention>

²³ For further information on education in emergencies, see:
<http://www.right-to-education.org/issue-page/education-emergencies>

²⁴ For an example, see the following report: Amnesty International (2006) *The exclusion of Romani children from primary education in Bosnia and Herzegovina, Croatia and Slovenia*:
<http://www.amnesty.org/en/library/info/EUR05/002/2006/en%20%5d>

²⁵ A person is subject to **multiple forms of inequality** if she or he is deprived or has unequal enjoyment of a human right on the basis of multiple grounds. Inequality and multiple inequality do not always amount to a violation as sometimes it is unavoidable. However, when the deprivation or inequality of enjoyment is avoidable, this is a violation of the right to non-discrimination and is known as multiple discrimination.

Multiple discrimination occurs when a person is discriminated against on one ground in a certain situation and a different ground in another context. For example, an indigenous girl may face discrimination on the basis of her sex in one context and in another situation she may be subject to racial discrimination.

Compound discrimination is discrimination on two or more grounds occurring at the same time. For example, an indigenous girl may suffer discrimination on the basis of her sex and race simultaneously. As a result she suffers an exacerbated and distinct form of discrimination.

Intersectional discrimination refers to a situation where several grounds operate and interact with each other at the same time in such a way that they are inseparable.

All three terms are often used interchangeably.

²⁶ See Step 2 of the *Monitoring Guide*, available to download here:
<http://www.right-to-education.org/monitoring/guide/22-gather-outcome-data>

²⁷ For instance, you may have initially decided to focus your monitoring work on the obstacles that girls face in accessing the right to education. However, after you have analysed data disaggregated by gender you find that the obstacles in access to education and / or poor learning achievements is particularly problematic amongst indigenous girls. In such a case, you may decide from that stage onwards, to focus on the discrimination in education faced by indigenous girls.

²⁸ *Idem 2*

²⁹ *Idem 1*

³⁰ **Stakeholders** are all those who can affect your desired change, as well as those who are affected by it.

³¹ **Education policies** are the set of actions, laws, regulatory measures, and funding priorities on education adopted by a government.

Strictly speaking laws and policies are distinct: laws are a system of rules that regulate behaviour, and are usually enforceable in courts; whilst policies are informal and set out a government's major objectives, defining the government's priorities and strategies to achieve its goals.

Education policies and laws are the primary means by which the right to education is implemented at the national and sub-national level.

³² If you decide to team up with others for your monitoring project, you should clarify from the outset the responsibilities of each partner and the manner in which you will resolve conflicts that may arise amongst the various partners.

A 'network agreement' may be helpful for this purpose:

A network agreement for policy monitoring

Building a network of organisations to further your monitoring objectives can be a challenging task. It means creating and maintaining relationships of trust between multiple players who often have diverse needs, capacities and interests. It also calls for strong management skills to coordinate activities, facilitate joint ownership and decision making, manage conflict and foster ongoing alignment among stakeholders.

Aim: To create a clear and detailed agreement for cooperation of your network.

Context: This is a useful tool to consider when you want to boost your potential to work together effectively as a network. An agreement can be developed collaboratively with the various stakeholders contributing to and commenting on the contents. It can then be formalised and signed by all members as an indication of their commitment to it.

Key points that should be clarified in a network agreement include:

1. **Network objectives:** the concrete objectives your network agrees to work towards achieving.
2. **Guiding principles:** the basic principle all members agree to uphold and advance.
3. **Decision-making:** how decisions will be made and the different levels and methods of decision-making.
4. **Coordination:** who will coordinate the network and what decisions lie within and beyond their mandate.
5. **Roles:** precise roles for each member of the network.
6. **Delegation:** procedures to ensure clear and fair delegation of tasks.
7. **Authority:** who has the authority to do what.
8. **Accountability:** who is accountable to whom.
9. **Reporting:** who reports to whom and procedures to ensure reporting happens as and when it should.
10. **Financial matters:** who is responsible for financial management and accountability and the rules that apply to dealing with funds.

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11. **Conflict:** how to deal with conflict among members.
 12. **Conduct:** a code of conduct for practices and forms of behaviour for meetings and other interaction between members.
 13. **Recourse:** what action will be taken if the agreement is breached.
 14. **Review:** how and when you will review your cooperation and adjust the agreement if necessary.

Source: CAFOD, Christian Aid and Trocaire (2007) *Monitoring Government Policies: A toolkit for civil rights organisations in Africa*: p.35: http://commdev.org/files/1818_file_monitoringgovernmentpolicies.pdf