



## Right to Education

Right to Education Initiative welcomes the Tashkent Declaration's call for an enhanced legal framework and increased public expenditure for ECCE

The Right to Education Initiative (RTE) welcomes the '[Tashkent Declaration and Commitments to Action for Transforming Early Childhood Care and Education](#)' adopted at the second World Conference on Early Childhood Care and Education (WCECCE) in Tashkent, Uzbekistan on 16 November 2022. This political commitment, made 12 years after the adoption of [Moscow Framework for Action and Cooperation](#) at the first WCECCE Conference in 2010, establishes a pathway to address the existing gaps and emerging challenges in the realisation of the right to early childhood care and education (ECCE), particularly through the call to enshrine ECCE rights in a legal international instrument.

Organised by UNESCO and hosted by the Republic of Uzbekistan, the conference had among its objectives to 'reaffirm the right of every young child to quality early childhood care and education (ECCE) from birth to 8 years of age'. This set the tone for the human rights dimension of ECCE to be highlighted both throughout the conference and in the text of the final Declaration, which itself reflects an important milestone in the advancement of ECCE rights for all.

Alongside the recognition of the human rights dimension of ECCE, the Tashkent Declaration stresses the importance of developing the legal framework both at national and international level. Recognising '*ECCE as a key to achieving the right to education for all and to enable the fulfilment of other social rights*', it calls upon Member States to '*enhance policy and legal framework to ensure that the right to education includes ECCE.*' Further, it reinforces that '*the availability, accessibility, adaptability and acceptability of ECCE services must be reflected in policies and legal frameworks. This includes the right to at least one year of free and compulsory pre-primary quality education for all children*'.

In collaboration with other organisations, RTE has been [advocating](#) for strengthening the legal framework around ECCE, including through the explicit recognition of at least one year of free pre-primary education. Consequently, we are extremely pleased to see the fruit of these advocacy efforts reflected in the Tashkent Declaration. Given that [research](#) shows that where states have adopted free and compulsory pre-primary education in their national laws there is increased government expenditure on ECCE and higher enrolment rate in pre-primary education, it is demonstrable that a legal recognition leads to concrete changes for the benefit of children's right to education.

In addition to calling on states to take action to strengthen legal and policy frameworks, the Declaration extends its call to the international community and non-governmental stakeholders to '*examine the feasibility, suitability and necessity of enshrining the right to ECCE in an international normative instrument*'. RTE will build upon its ongoing collaboration with UNESCO, the UN Special Rapporteur on the Right to Education, academics and civil society organisations to transform this commitment into concrete steps in the coming months.

We recognise that the realisation of ECCE rights, including the right to at least one year of free pre-primary education, will only be possible with adequate funding and thus we welcome the call to states to '*increase financing for ECE to a level sufficient to achieve SDG Target 4.2, in particular, working towards the allocation of at least 10 per cent of education expenditures to pre-primary education, and prioritize and reorient public expenditures for ECCE to focus on the poorest and most disadvantaged.*'

At a global level, ECCE is mainly provided on a fee-charging basis by private actors. Consequently, we also welcome the reference in the Declaration to the [Abidjan Principles on the human rights obligations of States to provide public education and to regulate private involvement in education](#), listed as a 'pioneering international and regional initiatives and statements' applying to ECCE. Adopted in 2019, the Abidjan Principles are a definitive reference text on the right to education and are increasingly used in a range of national contexts and across disciplines to clarify states' obligations and provide guidance for their implementation in the context of the growing involvement of private actors in education. In this regard, the Declaration also emphasises on the importance of regulating ECCE personnel in the non-state sector, highlighting that *'the sector is poorly regulated concerning the quality of the services and the qualifications, contractual and working conditions of personnel'* and stresses that *'legal frameworks should be built to ensure the Official Development Aid is used to support the implementation of public policies and strengthen State responsibility for ECCE'*.

Our ECCE Programme Manager, Rajakumari Michaelsamy, commented: *'We have ample proof of the fundamental role ECCE plays in enabling children to develop their full potential in school and life. This is why the recognition and implementation of the right to pre-primary education is of paramount importance, both in terms of guaranteeing young children's rights and the ensuring the realisation of the right to education. This implementation will not be possible without adequate levels of financing, and we wish to recall that states have the obligation to allocate the maximum available resources to the realisation of the right to education and must prioritise the funding and provision of free, quality, public pre-primary education as reflected in the Abidjan Principles.'*

Pointing out the inadequate progress made so far, the Declaration acknowledges the existing gaps and challenges including inequalities and disparities in ECCE; neglect of ECCE in many national and international policy agendas on education; threats faced by young children and families during conflicts, emergencies and crises; and the limitation of public provisions to provide comprehensive guiding principles and strategies for transformational ECCE.

RTE highlights and celebrates the synergy between our advocacy and objectives around ECCE rights, and the calls and targets of the Tashkent Declaration. In addition to linkages between our work on the Abidjan Principles and around advocacy for one-year free pre-primary education for all, the declaration calls upon civil society to support national ECCE systems to ensure reliable reporting and monitoring of this Declaration through developing capacities, tools and guidelines. One of RTE's core streams of work is capacity building and monitoring, and we look forward to the launch of our monitoring guide on ECCE in 2023 as a tool to support the measurement of the implementation of this Declaration. Finally, we note the points of convergence between the Declaration and our work in collaboration with UNESCO, including the joint parallel event co-organised on Building and strengthening legal framework on ECCE rights during the conference, and the publication of a thematic report published ahead of the conference entitled ['Building and strengthening the legal framework on ECCE rights: Achievements, challenges and actions for change'](#),

RTE welcomes the Tashkent Declaration as a step forward for ECCE rights, and for the right to education as a whole. We look forward to continuing our collaboration with various actors to advance the realisation of ECCE rights, including through the implementation of the Tashkent Declaration.