

## The Right to Education Initiative Strategic Plan for 2020-2022



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### SYNOPSIS

The Right to Education Initiative (RTE) is a unique international human rights organisation that connects different fields (education, human rights, development), different stakeholders (CSOs, international organisations, academics, states), and different language communities (English, French, Spanish and Arabic) in a common cause. Founded by the first UN Special Rapporteur on the Right to Education, RTE is now an independent organisation with dedicated staff, a highly committed board and a global network of engaged advisers. We are an authoritative, accessible and independent source of information on the right to education with a definitive website, a comprehensive monitoring tool and a wide range of resources for communicating about the right to education. We also work on cutting edge issues where action is needed to clarify or extend the understanding and application of the right to education. In the coming three years this leads us to prioritise work on the right to public education and private actors' involvement in education, early childhood education, education for migrants and the implications of technology for the right to education.

## NOTE ON THE IMPACT OF THE COVID-19 PANDEMIC ON RTE'S STRATEGY

July 2020

At the time of launching this 2020 - 2022 strategy, the 2020 global Covid-19 pandemic shook most education systems globally.

This unprecedented crisis allowed the Right to Education Initiative (RTE) to reflect on the heightened importance of its role in upholding protections for the right to education everywhere and defending the role of public education at UN and other international fora. It brought to the fore the importance of RTE's foundational mission to equip civil society, education activists, academics and human rights lawyers with thematic expertise, evidence-based advice and practical tools on the right to education.

At its peak, the Covid-19 pandemic forced more than 180 countries to order school and university closures, impacting over 1.5 billion young people. It is now clear that the education prospects of huge numbers of children have been seriously affected. Over 260 million children and adolescents were already out of school before Covid-19 and in many cases this number will rise, with disadvantaged children struggling to re-enroll.

This historic and unexpected crisis has created huge challenges for the education community and quickly exposed weaknesses in many education systems. Teachers, and parents and caregivers, have gone to great lengths to continue to deliver education where technology was in place, and where resources allowed it. But for many millions of children, who experience inequalities or an unequal access to education, online learning was not an option either because they lacked connectivity or lacked quiet spaces or time to study at home. The lack of physical access to kindergartens and schools has affected children from low-income households in many other ways, especially those who depend on schools for meals, and those who now lack protection from other abuses like child marriage, child labor and violence in their communities.

Like the health sector, the education sector has been seriously undermined in its ability to quickly respond to a crisis. Decades of under-investment, the effects of deep austerity measures, and ongoing privatisation of key services have weakened many public education systems. This situation will be exacerbated by the global recession that follows on from Covid-19, with finances for all public services likely to be seriously affected. As the largest item on many national budgets, education could be disproportionately affected by a fiscal squeeze and by the pressure to redirect resources to support health systems. But this could also be an opportunity for the reassessment of macro-economic policies and priorities, with a recognition that governments have an obligation to keep mobilising the maximum of available resources to deliver on human rights.

EdTech businesses have unsurprisingly surfaced –fully aware that education provides a huge market opportunity—proposing the use of digital technology as the solution to this crisis. Numerous companies quickly responded, offering products for 'free'. They also embedded themselves in global discussions

connected to the UNESCO-led Global Education Coalition for the Covid-19 response and other high-profile discussions to help cities or countries ‘build back better’. While technology companies can bring solutions and useful platforms to modernize education systems, apply innovation and close the digital divide to increase quality education, their growing involvement in education also raises numerous concerns from an ethical and human rights perspective, including as regards the protection of students privacy, the potential creation of increased inequalities or commercial interests that may conflict with the right to education. Building on the successes of our joint global work on the role of private actors in education, RTE will focus on the role of EdTech and technology companies ensuring they contribute to and do not undermine the right to education and other human rights.

As governments re-open schools, they will need to respond to learning inequalities exacerbated by the limited or unequal access to long-distance learning. They will also need to address long-standing inequalities caused by systemic barriers, discrimination in education systems, and chronic under-resourcing, which will prevent some children from returning to school or force more children to drop out. Governments will have to take specific measures in the coming months and years to reach the most marginalised communities, with responses adapted to specific local and national contexts. RTE will expand its existing work on children who are excluded from education with a focus on the most vulnerable children, including undocumented migrants.

In this strategy, RTE has also chosen to dedicate resources to advancing legal frameworks around the right to early childhood education, given its relative absence in existing international human rights law. Education in the early years has an important impact on the development of children and on their education at all other levels. It is key to helping disadvantaged children start primary education on an equal basis with their more advantaged peers. The closure of kindergartens and schools for the youngest children during the pandemic has shown how vital these spaces are, including for enabling women to participate equally in the workforce.

The impact of the Covid-19 pandemic on the right to education, and the disparities it has exacerbated, will be felt for many years to come. More than ever, supporting the right to public education at a time of crisis is imperative. We will continue to support the implementation of the Abidjan Principles on the human rights obligations of states to provide public education and to regulate private involvement in education.

The priorities that we highlight in this strategic plan for the next three years resonate with the challenges that will be faced by education systems post-Covid-19. However, RTE will also remain agile, engaging with any other emerging challenges. We recognise that no strategy can fully foresee the future, but whatever lies ahead, we will remain responsive - and we look forward to working with everyone who is committed to defending and advancing the right to education.

## WHO WE ARE

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The Right to Education Initiative (RTE) is an international human rights organisation focusing on the right to education. We promote education as a human right, striving for a world where everyone, without discrimination of any kind, can fully enjoy the right to education in all its dimensions. We do this by advocating for states to both legally commit to and implement the right to education - to make it a reality for all. In so doing we also seek to ensure that governments are held accountable for meeting their human rights obligations. We believe that human rights law can be a powerful tool for lasting change. We seek to empower all rights-holders to claim and enforce their right to education, by making law accessible and usable including through online resources. We also work at the frontiers of the right to education, breaking new ground and helping to clarify and deepen understanding and action on critical emerging issues.

RTE builds bridges between diverse fields (human rights, education and development), stakeholders, (including civil society organisations, international organisations, academics, and states) and diverse language communities (including English, French, Spanish and Arabic). We link global, national and local research and evidence based policy dialogue to campaigning and advocacy with the aim of accelerating progress towards the realization of the right to education for all through positive and concrete changes on the ground.

RTE is a small and agile organisation which combines being a definitive reference point on the right to education and being a cutting-edge actor addressing current and emerging education issues. We play a dynamic and catalytic role to influence the changes needed in law, practice, and societal attitudes, to advance the right to education.

## WHAT WE STAND FOR

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We stand for the full recognition of education as a human right, essential for the wellbeing and development of every individual, regardless of their status and circumstance over their life course. This commitment is underpinned by the principles of universality, indivisibility and interdependence. We recognise that education is key for the realisation of other rights and for building societies where respect for human rights, tolerance, inclusivity and diversity are valued.

## WHERE WE COME FROM

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The Right to Education Initiative (RTE) was established in 2000 by the first UN Special Rapporteur on the Right to Education, Katarina Tomasevski, to support her mandate. Initially, she created a simple website to share resources about the right to education, including provisions of international law and national constitutions, as well as her own expert reports. This website grew in content and influence. In 2008, ActionAid, Amnesty International and the Global Campaign for Education decided to honour and continue her work as a collaborative initiative building bridges between their respective fields of work: development, human rights and education. In 2012, Save the Children and Human Rights Watch joined them to strengthen RTE's strategic direction. Over these years, RTE was originally hosted by ActionAid, and later by the Child Rights Information Network. [In May 2017](#), the Right to Education Initiative became a charity [registered](#) in England and Wales ( charity number 1173115), and is now effectively a fully independent organisation.

## WHY WE EXIST

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### **We exist to protect and promote the right to education globally**

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We live in challenging times, with the existential threat of the climate crisis, rising inequality, the spread of toxic populism, the rise of fundamentalisms and increasing unaccountable corporate influence over governments. The post-1945 consensus that led to the emergence of the international and regional human rights standards and systems, is being challenged on multiple fronts. Simultaneously, educational development has become an increasingly contested space – with neo-liberal narratives for educational investment growing in importance, largely serving economic, commercial or individual investor's interests. This challenges the more inclusive and universal vision of education as a public or common good that is central for the transformation of individuals and societies. In this context, there is a risk that commitments to the right to education become little more than lip service in face of the new political economies of popularism and hyper nationalism. This may diminish the potential of commitments to the right to education to deliver a fairer society and provide the scaffolding for a more sustainable future. In the intensively inter-connected world of the 21<sup>st</sup> century, activists and social movements are finding many ways to challenge governments that backslide away from commitments already enshrined in national and international law and embedded in the Sustainable Development Goals (SDGs).

RTE can play a key role in supporting these struggles to ensure that states are held accountable regarding their obligations under international human rights law, particularly regarding the right to education.

RTE exists because there is a need to:

- Address violations of the right to education that continue to occur on a daily basis worldwide.
- Keep the right to education in the foreground of education and development strategies.
- Ensure that the language of human rights law is accessible to right to education advocates and that they have access to tools and materials that can accelerate better implementation of the right to education.
- Invest in rigorous human rights analysis of current or emerging issues where the parameters of the right to education are not fully agreed.
- Provide networking support for collective mobilisation around common priority issues.

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**We exist because there is continued lack of enjoyment of and violation of the right to education**

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All countries recognize the right to education through either ratification of international treaties and/or elaboration of national laws. However, comprehensive implementation and sustained realization are far from being a reality:

- In 2018, UNESCO estimates there were 258 million children, adolescent and youth out of school.<sup>i</sup>
  - The current global migrant crisis has huge impacts on the right to education of millions of children and youth.<sup>ii</sup> Refugee children are five times more likely to be out of school than other children.<sup>iii</sup> Less than a quarter of the world's refugees make it to secondary school, and just 1% progress to higher education.
  - Whilst progress has been made towards gender parity in enrolment, there are continuing inequalities in retention, completion and achievement at different levels of education<sup>iv</sup>, let alone in career opportunities after completion.
  - Other marginalised groups – such as children with disabilities, those living in extreme poverty and remote isolated regions, children deprived of liberty or Indigenous people and other linguistic/ethnic minorities, - continue to face major barriers to enjoying their right to education.<sup>v</sup>
- Although many more children are in school, many are not learning: more than 617 million – or six out of ten – children and adolescents of primary and lower secondary school age do not achieve minimum proficiency levels in reading and mathematics.
  - The quality and holistic dimension of education are frequently neglected, leading to a narrowing of the aims and content of education, and impoverishment in the environment in which it is delivered.
- Education is still not available free to many users universally, even at primary education level where there are often hidden costs<sup>vi</sup>, despite the requirement to provide this for all children under international law. Nor is it universally free at secondary level though states have a progressive obligation to implement it and this is a commitment of SDG4.<sup>vii</sup>

- Early childhood education, key to children’s development and to providing children with equal access, is rarely provided in a comprehensive manner as part of a free public education system.
- The growing phenomenon of commercialization of education, driven by financial profit, consolidates and increases inequality and discrimination and undermines the right to quality education for the poorest families.
- Financing for education is insufficient to deliver the right to education. National budgets and levels of commitment remain too little to deliver the results, and development aid can only make a temporary and partial contribution.<sup>viii</sup>

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**We exist to keep education as a human right in the foreground and to reframe education issues as human rights issues**

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Education is not a privilege; it is a fundamental human right grounded in dignity and is inherent to all human beings. It has been formally recognised under various international treaties, which creates legal obligations for states to respect, protect and fulfil this right. In recent years, several developments have undermined the human rights dimension of education. These include aggressive austerity measures and under-investment in education, the commercialisation of public goods including basic education, a decline of multilateralism<sup>ix</sup> and in some contexts, the rise of individualistic populism and politics of intolerance – reflecting wider tendencies as regards to the de-prioritization of human rights values and principles and declining aid.<sup>x</sup>

RTE exists to remind all actors in the education field that education is a right, essential to the full development of the human personality and critical to enable all persons to participate effectively in society, encompassing both legal obligations for states and entitlements for rights-holders. RTE supports advocacy at all levels – global, national and local —for the consistent application of human rights standards and language in law and policy making with respect to education.

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**We exist to make human rights language accessible to right-to-education advocates and to provide tools and materials to accelerate the implementation of this right**

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Violations of the right to education result from a range of intersecting factors that include discriminatory practices, weak legal safeguards, poor execution of policies and inadequate budget allocations and delivery of resources for education. One means of addressing these barriers lies in empowering civil society organisations and community groups to hold governments to account for their legal obligations. Human rights content and mechanisms can be complex and opaque for non-legal experts. There is an

urgent need to de-mystify and popularize the right to education for activists to understand it and use it as an effective tool for stronger advocacy.

We do this both through the provision of online ([website](#), [monitoring guide](#)) and offline resources (e.g. [Handbook on the Right to Education](#)) in an accessible format in multiple languages, combined with targeted capacity building mainly for civil society organisations, as well as other stakeholders.

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**We exist because there is a need rigorous evidence-based analysis of current education issues using human rights theory and practice to support advocacy and accountability**

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Human rights law can be an efficient tool to hold states accountable through research, monitoring, advocacy, campaigning and litigation. Some current issues for education and development, such as the commercialisation of education or the growing presence of new technologies in education, require an appropriate and careful analysis of how international human rights law applies in order to clarify relevant states' obligations and right-holders' entitlements. For example, this is the aim of the [Abidjan Principles](#), adopted in February 2019 by eminent experts, which clarifies the human rights obligations of states to provide public education and to regulate private involvement in education. The impressive list of [signatories](#) and its rapid [recognition](#) by key human rights actors, show the importance, usefulness and relevance of such tools.

RTE can provide a rigorous human rights analysis of specific aspects of the [right](#) to education in other areas (e.g. in relation to the quality of education, financing of education or early childhood education) to inform the work of civil society organizations and support their rights-based advocacy work. RTE develops cutting-edge methods and tools for measuring and assessing the realisation of the right to education. In 2016, it launched a unique and comprehensive [monitoring tool](#) used by civil society actors, education experts and human rights lawyers globally<sup>xi</sup>. RTE's approach is based on utilizing human rights indicators to measure the enjoyment of the right to education and to identify the legal and policy gaps in the implementation of the right in order to hold governments to account for their legal obligations.

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**We exist to provide networking support for mobilization around key emerging issues**

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In the current context, we witness that human rights are no longer prioritised and legal obligations can be wilfully ignored. Education is increasingly commercialized, shaped by large scale commercial investment and shareholder interests. And human rights defenders and education activists are threatened and targeted for their activities.

There is a pressing need for mobilisation and solidarity. RTE exists to facilitate and support collective mobilisation, across different fields, working with diverse actors and across different languages. RTE does this by providing accurate and up-to-date information about violations of the right to education worldwide, highlighting effective use of rights-based action in practice and sharing concrete examples of how to mobilize around the right to education. RTE also encourages right-to-education advocates to

share their experiences and connect with each other through online support, particularly through its website<sup>xii</sup>, as well as through participatory workshops.

## OUR GOAL

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Our goal is that education is both recognised and fully understood as a human right by all national and international laws and policy makers, and properly taken into account in decision-making processes so that all efforts – political, legal and financial – are made to progressively realize the right to education for all people.

## OUR STRATEGIC APPROACH

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- **Be one of the most authoritative, accessible and independent sources of information on the right to education.** This includes raising awareness of the various dimensions of the right to education, providing clear and up-to-date information on the right accessible in multiple languages, stimulating debates and highlighting emerging and/or neglected issues. This will be achieved through our website, research, online tools, social media platforms, e-bulletin, webinars and participation in relevant events.
- **Identify cutting edge issues where work is needed to clarify or extend understanding and application of the right to education** – in the next three years this will include work on privatisation and commercialisation, early childhood education, education for migrants and the implications of technology for the right to education.
- **Develop creative ways of communicating about the right to education.** In today's world, we are flooded with information on education and human rights via reports, papers, articles, tweets, blogs etc. We will use multiple media to reach a variety of audiences, and get key messages across effectively, using creative ways of communicating. We will use short videos and audio clips, photo essays and human testimonies that bring to life otherwise dry legally orientated texts and terminologies.
- **Based on evidence, advocate for and advance the right to education** by contributing to the development of new legal standards and interpretations of the law nationally and internationally in light of today's challenges and context, whilst engaging in and supporting accountability mechanisms, including strategic litigation and UN reporting, to ensure governments comply with their obligations.

- **Empower frontline actors, civil society, social movements and states to apply the right to education**, by providing tools and guidance to effectively implement, claim and advocate for it, particularly with respect to monitoring and the development of strategies for accountability.
- **Build bridges between different actors, constituencies and language groups** through creating both on-line and off-line spaces for dialogue and joint analysis.

## THE CHANGES WE WANT TO SEE

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- A better recognition of the right to education at all levels – international, national and local – with relevant references to the human rights framework in legal and policy documents.
- Changes in national laws, policies and practices ensuring the better protection and progressive full realisation of the right to education.
- Right-holders and activists using human rights law and mechanisms to strengthen their advocacy for the right to education.
- Improved enjoyment of the right to education for rights-holders particularly with respect to those in the most vulnerable/marginalised situations.

## OUR CORE RESOURCES

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### Our website

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Since its creation in 2000, the [RTE website](#) has become the organization 's backbone and a user-friendly and comprehensive central resource for diverse actors on the right to education. It focuses on helping people to understand all dimensions of the right to education, whilst also offering guidance on how to effectively mobilise and advocate for advancing this right. At its core, the website helps users to understand [education from a human rights perspective](#); it lists the diverse [international instruments](#) that guarantee the right to education; offers guidance to look at the implementation of the right to

education at [national level](#); and focuses on important right-to- education [issues](#) and shares [tools](#) that help people to take action to promote, monitor and litigate the right to education including the unique interactive [monitoring guide](#) and [indicators selection tool](#) launched in January 2016. The website includes an online library with additional resources on the right to education. In addition, the website has [news](#) stories related to the right to education and posts discussing right-to-education issues and [success stories](#) showing how civil society organizations use a human rights-based approach to advance the right to education.

Since 2009, the total number of visits per year has increased constantly from 49,338 in 2009 to 789,054 in 2018, over 15 times more in 10 years, including a significant increase in pages in other languages rather than English (between 2017 and 2018, +48% for the French, +87% for the Spanish and +32% for the Arabic). In 2019, the online library counts 756 resources and 67 blogs posts in several languages. This will continue to expand, with new resources on cutting edge issues.

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### Our online monitoring guide

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The organization has been at the forefront of work on right-to-education indicators since 2008, both through the development of indicators and their application to the development of key tools and guides. This work culminated in the release of the [Right to Education Monitoring Guide](#) and [Indicators Selection Tool](#) in 2016. The *Guide* and *Tool* are ground-breaking in that they allow users to systematically monitor education issues from a human rights perspective. Together they offer users an unrivalled understanding of the monitoring process: from designing research, collecting relevant data, interpreting that data, making strong policy recommendations, to successful advocacy. More than that, they are practical in their nature. The point of the *Guide* and *Tool* is so that users can effect change on the ground – change that brings us closer to the full enjoyment of the right to education located in different contexts. In 2019 The right to education monitoring subsite attracted 22,993 sessions and 13,833 users. It has been used to support monitoring projects relating to education under attack in Ukraine, inequalities in higher education in France, the right of pregnant girls in Kenya and for education sector analysis by IIEP Buenos Aries

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### Our social media accounts

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RTE has a social media presence across several platforms: [Facebook](#), [Twitter](#) and LinkedIn, we have a [regular page](#) and a [discussion forum](#) on the right to education.

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### Our monthly e-Bulletin

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RTE publishes every month an [e-Bulletin](#) which includes the latest news about the right to education around the world, details on RTE's activities, blog posts, and links to resources and events.

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## Our reputation / credibility

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The most intangible resource to define is our reputation. We are regularly contacted by INGOs, UN agencies, academics, human rights experts and a wide range of development actors – seeking our authoritative input on matters relating to the right to education. The credibility of our work over more than a decade makes us a crucial reference point for the sector. This is evident for example in the publication of the definitive [Right to Education Handbook](#) together with UNESCO, which was launched to celebrate the first ever International Education Day in 2019.

What they said about us:

*‘Through its website, RTE provides a quick and authentic reference for us as practitioners on the normative standards and comparative information relating to the Right to Education. Their website has ready to use and accurate information on different aspects of education that we utilise in our advocacy and litigation work.’*

Salima Namusoby, Executive Director of Initiative for Economic and Social Rights in Uganda

*‘The RTE Initiative provides an invaluable source of information and tools that can be used by advocates and policy-makers alike to pursue the fulfilment of the right to education. Its orientation to action should make it a go-to resource for all those seeking to deliver quality, inclusive, equitable and free education for all across the world.’*

Philippa Lei, Director of Programmes and Advocacy at Malala Fund

*‘The Right to Education Initiative, as a global human rights organization focusing on the right to education, is the first non-governmental Organization covering comprehensively the right to education at global level. The work carried out by the Organization, in terms of research, analysis, awareness raising and advocacy constitutes a major reference in this area, and the role this Organization plays is unique. In the field of right to education, very few NGOs have a comparable expertise. The Organization seeks to constantly reinforce the human rights capacities of right to education defenders worldwide, so as to ensure that everyone enjoys the right to education, while strengthening accountability worldwide.’*

Rolla Moumne, Programme Specialist, Right to Education Programme, UNESCO

*‘Through its activities RTE plays a pivotal role in raising awareness and promoting respect for the right to education as a key human right which unlocks the enjoyment of other rights.’*

Professor Fons Coomans,  
UNESCO Chair in Human Rights and Peace, Maastricht University

*‘The Right to Education Initiative plays an indispensable role in linking research and action regarding one of the most important challenges for the international education community’.*

Professor Simon McGrath,  
UNESCO Chair in International Education and Development, University of Nottingham

*‘RTE is the most informative and comprehensive source available on the right to education’*  
Sheldon Shaeffer, former Chief of Education at UNICEF; former Director of UNESCO Asia and Pacific

*I knew the amazing Katarina Tomasevski, the first U.N. Special Rapporteur for the Right to Education, very well. She would be extremely proud of the Right to Education Initiative which has carried on and significantly expanded her work. The RTE Initiative is the go-to global organization for all issues concerning the right to education today.*

Steven J. Klees, Professor of International Education Policy, University of Maryland

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## Our board

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The executive board is RTE's governing body. It is presently composed of eight trustees representing a diverse range of actors from the human rights, development and education fields:

- David Archer, Head of Civic Participation, Tax Justice and Public Services at ActionAid
- Iain Byrne, Head of Refugee and Migrant Rights and Deputy Programme Director (ag.) in the Global Issues Programme (GIP) at Amnesty International
- Dina Hashem, Associate Director for Global Partnerships at Habitat for Humanity International
- Ayan Hassan, Programme Finance Manager at War Child UK
- Elin Martinez, Senior Researcher in the Children's Rights Division of Human Rights Watch
- Bharti Patel, Child Rights and Social Justice Advocate
- Nikki Skipper, Head of Fundraising at The Queen's Commonwealth Trust
- Anjela Taneja, Lead Campaigner Inequality / Lead Specialist Essential Services at Oxfam India

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## Our network of advisers

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RTE also benefits from high-level expertise from a network of advisers based all over the world. Our advisers work on a number of disciplines including human rights, education and development. Serving in an individual capacity, advisers provide specialist advice or feedback on specific areas of RTE's work and act as champions of our work at different moments:

[Klaus D. Beiter](#), Associate Professor of Law, North-West University (Potchefstroom); Associated Research Fellow, Max Planck Institute for Innovation and Competition, Munich; Ambassador, Observatory Magna Charta Universitatum, Bologna

[Fons Coomans](#), Professor at Maastricht University; UNESCO Chair in Human Rights and Peace

[Geoff Gilbert](#), Professor of International Human Rights & Humanitarian Law, University of Essex

[Haldis Holst](#), Deputy General Secretary of Education International

[Peter Hyll-Larsen](#), Education Rights in Emergencies Consultant

[Yoshie Kaga](#), Programme Specialist at UNESCO Dakar, specialised in Early Childhood Care and Education

[Steven Klees](#), Professor of International Education Policy at University of Maryland

[Jayna Kothari](#), Executive Director of the Centre for Law & Policy Research in India

[Keith Lewin](#), Professor in International Education and Development at University of Sussex

[Mercedes Mayol Lassalle](#), World President at OMEP (World Organisation for Early Childhood Education)

[Simon McGrath](#), Professor at University of Nottingham; UNESCO Chair, Political Economy of Education

[Angela Melchiorre](#), Independent Human Rights Consultant

[Mary Mendenhall](#), Professor International and Comparative Education Programs, Columbia University

[Rolla Moumne](#), Programme Specialist, Right to Education Programme, UNESCO

[Salima Namusobya](#), Director of the Initiative for Social and Economic Rights in Uganda; Working Group on Economic, Social and Cultural rights of the African Commission on Human and Peoples' Rights  
[Aoife Nolan](#), Professor of International Human Rights Law at University of Nottingham and and Co-Director of the Human Rights Law Centre; Independent expert to the Council of Europe's European Committee of Social Rights

[Ann Skelton](#), Professor of Law at the University of Pretoria; UNESCO Chair in Education Law in Africa; Director of the Centre for Child Law in South Africa; Member of the UN Committee on the Rights of the Child

[Sheldon Shaeffer](#), former Chief of Education at UNICEF; former Director of UNESCO Asia and Pacific

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### Our combined skills and expertise

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- High level of expertise on the right to education and a comprehensive understanding of the education and human rights landscapes
- Ability to produce legal analyses on a wide range of issues and collaborate and engage with various actors from both the education and human rights fields
- Ability to work on emerging, and/or neglected issues and explore new and innovative ways to respond to them
- Agility to develop and articulate policy positions on challenging issues based on evidence which some larger NGOs may not be able to do so as speedily or effectively.

### OUR AREAS OF FOCUS IN 2020-2022

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RTE is fully committed to advancing its core business as a definitive reference point on all aspects of the right to education. In the next three years we want to focus on undertaking ground-breaking work in four areas. These have been determined based on the current global context, RTE's capacities and following consultations with RTE's high-level network of advisers:

- The **right to public education and private actors' involvement** in education – building on our successful work to develop and launch the Abidjan Principles on the human rights obligations of states to provide public education and to regulate private involvement in education, we will deepen our work in this area supporting the implementation of the Abidjan Principles and advocating for the right to public education;
- **Early childhood care and education** / pre-primary education – a relatively new area for human rights experts, which we plan to place a high priority on in the coming three years
- **The right to education of migrants** – on which we have already done some work and which we will take more on substantially if resources permit

- **The right to education in a growing digital world** – where we will start some modest work and expand if resources permit.

In the initial period core staffing will be dedicated to advance work in the first two areas – whilst foundations will be laid for work on the second two with the aim of raising additional resources

Whereas previously we had a standalone priority on monitoring and accountability – which led to the production of our online monitoring guide and indicators - in the coming three years we will seek to focus on applying the monitoring tool across the above four themes, embedding responsibility for this as part of the thematic work in each area.

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## The right to public education and private actors' involvement in education

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### *Why we are focusing on this area*

The role of private actors in education is increasingly unclear and frequently contested. The last two decades have seen a significant increase in the scale and scope of 'private actors' in education particularly so-called 'low fee' schools. Several UN [reports](#), [resolutions](#) and [recommendations](#), as well as [observations](#) and a [Resolution](#) from the African Commission on Human and People's Rights, have raised major concerns about the impact of this rapid growth of private schools in terms of educational content, quality, segregation and increasing economic and social inequalities. If not monitored and regulated adequately, this movement could constitute a major challenge for the realisation of the right to education and Sustainable Development Goal (SDG) 4 - and could undermine important progress that has been achieved in previous years, for example on girls' education and access of the poorest to education.

### *What is our objective*

Since 2012, RTE has been working on this issue from a human rights perspective, including as a member of the secretariat that facilitated the development of the [Abidjan Principles](#) on the human rights obligations of States to provide public education and to regulate private involvement in education. These guiding principles were adopted in February 2019 by a group of eminent human rights experts from around the world. This landmark text unpacks and compiles the existing obligations of States under international human rights law and provides a new reference point to address the role of the State and private actors in education, constituting a major step forward in the implementation of the right to education worldwide. One year after the adoption, they have been [signed](#) by 56 experts, [recognized](#) officially by key human rights and education actors including the UN Human Rights Council, and started to be [used](#) by civil society organisations and [courts](#). Building on this achievement we will continue to play a leading role in the promotion and implementation of the Abidjan Principles, advocating with our partners for the strengthening of free quality public education and the regulation of private actors in education.

### *How we will achieve it*

- Promote the Abidjan Principles in various language and to various audiences, including civil society partners, international and regional intergovernmental organisations, Ministries of Education and other state bodies, and academics - building the capacities of all these actors to use the Principles effectively.
- Develop various materials to support the implementation of the Abidjan Principles, including in collaboration with partners a legal commentary, briefs on specific issues or for specific audiences, and tools for the monitoring of education laws and policies, including indicators (work is underway with UNESCO IIEP on this).
- Engage in strategic litigation drawing on the laws and standards contained in the Abidjan Principles (initial plans include work in India and Kenya on this).
- Inform and raise awareness about the broader issues through our website, social media networks and e-bulletin, relevant resources, updates on developments around the world, blogs and useful links.
- Be an active member of the Privatisation in Education and Human Rights Consortium, leading the promotion and implementation of the Abidjan Principles and contributing to joint advocacy.
- Be an active member of the Francophone Network against the commercialization of education, leading the development of a network of francophone researchers working on this issue and contributing to joint advocacy.

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## Early childhood care and education / pre-primary education

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### *Why we are focusing on this area*

Access to quality early childhood care and education (ECCE) can be vital in determining future education and life chances. In the early years, children develop their cognitive and learning capacity. Studies show that ECCE helps disadvantaged children not only in terms of enhancing their own well-being but also in their ability to start primary education on an equal basis as their more advantaged peers. However, presently there are huge inequalities in terms of access and quality, with often those who would benefit the most, accessing ECCE the least. In the Education 2030 Agenda and the SDGs, the international community encourages the provision of at least one year of free and compulsory quality pre-primary education and says that all children should have access to quality early childhood development, care and education. Despite these developments and the importance of ECCE and pre-primary education, aside from the Committee on the Rights of the Child's [General Comment 7 on rights in early childhood](#) there is little express mention in international law of the obligation of states to provide educational opportunities or adequate facilities for young children before they attend school. A growing number of international and regional actors are willing to advocate for free quality pre-primary education and the establishment of an international legal framework that recognizes and guarantees it.

### *What is our objective*

Play a leading role in supporting global advocacy towards the establishment of an international legal framework that recognizes free quality pre-primary education; provide legal and empirical information, advice and tools, including defining specific indicators and offering guidance for monitoring this issue.

### *How we will achieve it*

- Inform and raise awareness about this issue through our website, social media networks and e-bulletin; provide key information, including on the current legal framework applicable to ECCE, relevant resources, news, blogs and useful links.
- Provide legal resources and analysis to support advocacy, including from UN Treaty Bodies' concluding observations and court decisions (with A4ID support).
- Develop indicators and guiding questions for research to support specifically the monitoring of pre-primary education as part of our wider activities related to monitoring and accountability.
- Encourage civil society partners to monitor this issue and report about it at national, regional and international levels.
- Build and engage with a network of various actors working on this issue, including child development experts, ECCE teachers, policy makers, lawyers, academics and activists, to facilitate discussions on ECCE, agree on strategies to secure better legal recognition and strengthen advocacy for free quality pre-primary education for all.

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## **The right to education of migrants**

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### *Why we are focusing on this area*

In 2017, there were an estimated 258 million people living outside their country of origin,<sup>xiii</sup> which would be the fifth most populous country of the planet if they came together to form a country.<sup>xiv</sup> In 2018, 70.8 million people were forcibly displaced across the world, fleeing conflicts, human rights violations, persecution, natural disasters and the impacts of climate change - 29.4 million are refugees or asylum seekers.<sup>xv</sup> In 2019, there are 37.9 million child migrants, representing 14 per cent of the total migrant population and 5.9 per cent of the total population. The estimated number of young migrants (aged 15 to 24) is 30.9 million.<sup>xvi</sup> There is evidence that migrant students, particularly undocumented migrants, face a higher risk of marginalization with regard to education systems and opportunities when compared with students of the receiving country.<sup>xvii</sup> According to statistics, refugee children are five times more likely to be out school than other children. Only 50 per cent of refugee children are enrolled in primary school, and less than 25 per cent of refugee adolescents are enrolled in secondary education.<sup>xviii</sup>

Despite international legal commitments to the right to education of migrants, they face various legal, administrative and practical barriers in the effective enjoyment of their right to quality education, even when inclusive and protective laws exist.<sup>xix</sup> Such barriers include: discriminatory laws and policies ; temporary protections; documentation requirements; lack of educational structures or school closures; lack of information; geographically inaccessible schools; schools fees and other costs; the language of instruction; the lack of qualified and experienced teachers and social integration issues. Migrants whatever their status have a right to receive education, either to integrate to the new society they will live in or to contribute to their country of origin if and when they go back. Accessing quality education should facilitate their full development, enabling them to gain the necessary education and skills to pursue their chosen path in life.

### *What is our objective*

We have already laid foundations for this work, [providing a legal analysis of the human rights framework applicable to migrants and sharing some national good practices in implementation](#). We will continue to raise awareness on this major issue, developing and sharing useful resources and tools and advocating for the recognition of all migrant students, focusing on particularly vulnerable ones such as the undocumented migrants and youth who are above 16 years old—and who are thus often not entitled to compulsory education—as well as those in the process of claiming asylum.

### *How we will achieve it*

- Expand the resources on migrant education on our website providing key useful information for discussion and advocacy, including legal analysis and the sharing of good practices.
- Develop indicators and research guiding questions to support specifically the monitoring of the right to education of migrants.
- Provide technical support to interested partners related to the effective application of our monitoring framework and accountability tools in this context.
- Partner with researchers to establish evidence and raise awareness about particularly vulnerable groups (undocumented, youth).
- Engage in key international fora and advocate for the effective recognition and implementation of the right to education of all migrants.

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## **The right to education in a growing digital world**

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### *Why we are focusing on this area*

The education context is changing with the growing development of digital education and the introduction of new technologies in education, including artificial intelligence, Massive Open Online

Courses (MOOCs), learning machines, scripted learning via teacher tablets, video-monitoring of classrooms, mass extraction of students' data and digital restrictions on student's access to information. As billions are invested in EdTech<sup>xx</sup>, some of these developments can be an opportunity to expand access to quality education. But they also raise issues from an ethical and human rights perspective, including as regards the protection of students privacy<sup>xxi</sup>, the potential creation of increased inequalities<sup>xxii</sup> or commercial interests that may conflict with the right to education.<sup>xxiii</sup> In this context, it is essential these developments fulfill and not undermine the aims of education as set out in human rights law whilst also students' and teachers' rights are protected.

### *What is our objective*

Inform and stimulate debates on the use of technologies in education from a human rights perspective and provide recommendations and advice when necessary.

### *How we will achieve it*

- Inform and raise awareness about this issue from a human rights perspective through our website, social media networks and e-bulletin, providing key information, including relevant resources, news, blogs and useful links.
- Identify and engage with a wide range of actors engaged in this area, including education experts, tech companies, lawyers with expertise on digital rights, relevant academics and policy makers, to build a network to stimulate human rights-based analysis of key developments.
- Provide analysis of the applicable international legal frameworks and updates on how these should be applied and interpreted.
- Identify and share good examples of national legal and policy frameworks applicable to this issue.
- Report situations and/or lack of law and policies that undermine or violate the right to education and any other human rights in education.

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## **Monitoring and accountability (cross-cutting throughout our work)**

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### *Why we will focus on this as a key, cross-cutting activity*

The right to education remains unrealised for many millions of people. Effective monitoring is necessary to identify problems and fix them. Through monitoring we can identify why progress is not being made and what the legal and policy failures are, and examine whether financial and resource concerns contribute to the lack of implementation. Monitoring from a human rights perspective strengthens advocacy, enabling both state and non-state actors to be held accountable regarding their obligations and responsibilities under international human rights law.

### *What is our objective*

Having developed our monitoring tool the aim is now to focus on operationalizing it particularly in our specific priority thematic areas of work and in so doing refine and strengthen the tool itself. Our wider objective continues to be the strengthening of state and civil society capacity to effectively monitor the right to education in order to increase enjoyment of the right and associated guarantees. This includes the capacity to collect and interpret data, formulate advocacy efforts based on robust evidence and come up with human rights-informed solutions that fit with local, regional, and national contexts. However, specifically in this period we will seek to strengthen monitoring and accountability work in relation to the first two priority themes set out above (privatisation and ECCE), adding work on the other two priority themes (migrants and technology) if resources permit. We believe this strategy enhances coherence across all our work and maximises the potential for concrete impact. In these areas we aim to strengthen civil society's advocacy and monitoring efforts by adding a human rights-based dimension, empowering them to engage with human rights mechanisms at all levels and of all types, including judicial and quasi-judicial mechanisms.

### *How we will achieve it*

- Encourage the use and practical application of RTE's monitoring guide (through events, blogs, social media) on our priority themes - and through this promote the harmonization of wider SDG4 monitoring with our definitive set of rights-based indicators.
- Support monitoring efforts at national and local levels, developing collaborative pilot projects on our priority themes with partners - to monitor the right to education using RTE's guide and tool, including in collaboration with civil society, the media and rights holders particularly children and young people— where relevant using innovative approaches such as the use of videos and photography and social auditing.
- Continue to promote and distribute the Right to Education Handbook that we have published with UNESCO.
- Consolidate the list of right-to-education indicators in relation to our priority themes, refining the current ones and adding ones that arise from our focused thematic work
- Harmonise right-to-education monitoring efforts, particularly on our priority themes, ensuring that stakeholders are aware of initiatives occurring in their field and country with which they can connect to and engage; promoting the sharing of results, analysis and insights.

## ORGANISATIONAL IMPLICATIONS

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To implement its strategy and delivers its mission more efficiently, RTE will:

- Strengthen its governance and structure
- Increase and diversify its funding
- Adapt its way of working

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### **Strengthen RTE governance and structure**

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We are currently financially and administratively hosted by the Child Rights International Network (CRIN) but having strengthened our internal management systems and processes during 2019 we will move towards full independence at the start of this new strategy period in early 2020.

We will strengthen the RTE executive board by inviting at least two new trustees who can bring additional expertise in key areas such as fundraising and organizational development and human resources.

We will renew the list of advisers to fit the current strategy, actively seeking advisers with expertise in the planned new areas of work.

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### **Increase RTE funding**

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A fundraising strategy has been developed to accompany our strategy. This prioritises diversifying our funding base and seeking a balance between core funding for a core team and project-funding for specific initiatives / priorities. We are seeking core funding support for the delivery of the strategy as a whole and specific funding for the priority threads of work outlined in this strategy document.

Aside from pursuing traditional donors and projects, RTE will explore new ways of raising funds; for instance, through individual donations or crowdfunding.

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### **Continue to evolve as RTE, through improved ways of working**

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RTE aims to walk the talk, ensuring that it achieves its objectives in line with its core human rights values of participation, transparency, non-discrimination and equality and accountability. In this respect we value partnership, diversity, multiculturalism and inclusivity. In so doing and particularly as a small organization we also place a priority on creativity, adaptability, flexibility, dynamism, innovation and collaboration.

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## ENDNOTES

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