



# EDUCATION IS A HUMAN RIGHT

## International Frameworks and Instruments

### CONVENTION ON THE RIGHTS OF THE CHILD

- The Convention on the Rights of the Child (CRC) is an international treaty that recognises the human rights of children, defined as persons up to the age of 18 years old, in 54 articles and two Optional Protocols.
- The CRC upholds that every child – regardless of where they are born, the race or ethnic group they belong to, whether they are a boy or girl, rich or poor– must have a full opportunity to become a productive member of society and must have the right to speak up and be heard.
- The basic human rights of all children everywhere according to the CRC are:
  - the right to survival;
  - to develop to the fullest;
  - to protection from harmful influences, abuse and exploitation; and
  - to participate fully in family, cultural and social life.
- The CRC is anchored on four foundation principles of non-discrimination (article 2); best interests of the child (article 3); the child's right to life, survival and development (article 6); and respect for the views of the child (article 12),
- Adopted by the United Nations General Assembly in its resolution 44/25 of November 1989, the CRC has become the most universally accepted human rights document in history.
- Countries that have ratified the CRC are obliged to bring their legislation, policy and practice into accordance with the standards in the CRC.
- Governments are also required to submit regular reports on the status of children's rights in their country to the Committee on the Rights of the Child, to ensure fulfillment of the CRC statements.
- Malaysia ratified the CRC on 19 March 1995.

## CONVENTION ON THE RIGHTS OF THE CHILD – EDUCATION RIGHTS

- **Article 28 (Rights to Education):** All children have the right to a primary education, which should be free. Discipline in schools should respect children’s dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child’s human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect. The Convention places a high value on education. Young people should be encouraged to reach the highest level of education of which they are capable.
- **Article 29 (Goals of Education):** Children’s education should develop each child’s personality, talents and abilities to the fullest. It should encourage children to respect others, human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other people. Children have a particular responsibility to respect the rights their parents, and education should aim to develop respect for the values and culture of their parents.

## CONVENTION ON THE RIGHTS OF THE CHILD – RELEVANT ARTICLES TO EDUCATION RIGHTS

- **Article 2:** No child should be treated unfairly or be discriminated against on any basis. This is particularly relevant because, in some parts of the world, girls are much less likely to get a good education than boys.
- **Article 3:** The best interests of children must be the primary concern in making decisions that may affect them. This includes both access to schooling as well as safe school environment to ensure a child’s proper care and development.
- **Article 6:** Children have the right to survive and thrive – to develop physically, mentally, spiritually, morally, psychologically and socially to prepare for life. Education has a big part to play in this.
- **Article 13:** Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedoms and reputations of others. The freedom of expression includes the right to share information in any way they choose, including by talking, drawing or writing.
- **Article 19:** Children have the right to be protected from being hurt and mistreated, physically or mentally, this includes protection from school bullying and corporal punishment. Children should be disciplined in non-violent ways which are appropriate to the child’s level of development and take the best interests of the child into consideration. Governments should ensure that children are properly cared for and protect them from such violence and abuse including in schools.
- **Article 24:** Children have the right to good quality health care – the best health care possible – to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy. This includes education that will help children adopt good hygiene practices and adopt lifestyles that will keep them safe from health risks, including the risk of HIV infection.
- **Article 32:** The government should protect children from work that is dangerous or might harm their health or their education.

### MILLENNIUM DEVELOPMENT GOALS

- At the turn of the 21<sup>st</sup> Century, leaders of 189 countries gathered for the Millennium Summit at the United Nations headquarters in New York to address some of the greatest threats and challenges facing mankind.
- The Millennium Declaration was adopted as a result with a promise to pursue a global agenda for peace, human rights, gender equality, empowerment of women and sustainable human development.
- The Millennium Development Goals (MDGs) emerged as the principal means of implementing the Declaration. Through eight time-bound and measurable MDGs, leaders of the world, including Malaysia, pledged to address by 2015, extreme poverty and hunger; universal primary education; gender equality; child and maternal mortality; HIV; environmental sustainability; and a global partnership for development.
- The Millennium Development Goals are our blueprint for building a better world for children in the 21st Century.

### MILLENNIUM DEVELOPMENT GOALS: PRIMARY EDUCATION AND GENDER PARITY

- Evidence shows that education is critical for development and for the achievement of all other MDGs. Education raises economic productivity, reduces poverty, lowers infant and maternal mortality, and helps improve nutritional status and health, in part by teaching life skills, such as protection against HIV.
- MDG 2 is the achievement of universal primary education while MDG 3, to promote gender equality and empower women, also has a vital educational dimension, as progress towards it is measured by the elimination of gender disparity in primary and secondary education.
- MDGs 2 and 3 are inextricably linked. Universal primary education by definition cannot be achieved without gender parity. Equally, gender parity in primary education is of limited worth if the participation of both girls and boys remain at very low levels.

TARGET:	INDICATORS
<b>BY 2005 (and 2015):</b> <b>Elimination of gender disparity in primary and secondary education, preferably by 2005, and at all levels by 2015.</b>	<ul style="list-style-type: none"> <li>• Ratios of girls to boys in primary, secondary, and tertiary education</li> <li>• 10) Ratio of literate women to men <i>15–24 years old</i></li> </ul>
<b>BY 2015:</b> <b>Ensure that all boys and girls complete a full course of primary schooling.</b>	<ul style="list-style-type: none"> <li>• Net enrolment ratio in primary education</li> <li>• Proportion of pupils starting grade 1 who reach grade 5</li> <li>• Primary completion rate</li> <li>• Literacy rate of <i>15–24 year olds</i></li> </ul>

## DAKAR FRAMEWORK FOR ACTION: TOWARDS EDUCATION FOR ALL

- Education for All (EFA) is a movement introduced in 1990 at the World Conference on Education for All, held in Jomtien, Thailand. In this conference, delegates from 155 countries, as well as representatives from some 150 organisations agreed to universalise primary education and massively reduce illiteracy before the end of the decade.
- Education for All emphasises the need to provide access to education for traditionally marginalised groups, including girls and women, indigenous populations and remote rural groups, street children, migrants and nomadic populations, people with disabilities, and linguistic and cultural minorities.
- EFA also means quality learning. Going to school or attending a non-formal adult learning course should result in knowledge, skills and values that the learner can put to good use, with a sense of being able to achieve goals that were unattainable before.
- Ten years later, in April 2000, more than 1,100 participants from 164 countries gathered in Dakar, Senegal, for the World Education Forum. Ranging from teachers to prime ministers, academics to policymakers, non-governmental bodies to the heads of major international organisations, they adopted the 2000-word *Dakar Framework for Action, Education for All: Meeting Our Collective Commitments* and reaffirmed their commitment to achieving Education For All. The Dakar Framework for Action has six specific goals:
  - ➔ Expand early childhood care and education.
  - ➔ Provide free and compulsory primary education for all.
  - ➔ Promote learning and life skills for young people and adults.
  - ➔ Increase adult literacy by 50 per cent, especially for women.
  - ➔ Achieve gender parity by 2005 and gender equality by 2015.
  - ➔ Improve the quality of education
- Malaysia is one of the members of the international community committed to meeting the goals of the Dakar Framework for Action, which reaffirms the EFA targets. Malaysia has opted to pursue the achievement of the EFA goals through its existing mechanisms of policies and strategies.
- The country's last five-year development plan and the present Ninth Malaysia Plan (9MP) takes into account the Millennium Development Goals (MDGs) advocated by the United Nations, which includes the spirit of the Dakar Framework for Action. Additionally, the Ministry of Education has developed the Education Development Master Plan 2006-2010 (EDMP), concentrating on access, equity, quality and the efficiency and effectiveness of the education system in developing the human resource of the country in line with the aspirations of the National Mission.
- Malaysia's EFA Steering Committee comprises various ministries such as the Ministry of Higher Education, Ministry of Rural Development, Ministry of Human Resource and Development, Ministry of Youth and Sports, as well as other agencies like UNICEF Malaysia, UNESCO Jakarta and various NGOs.