

# Right to Education Index

## RTEI 2016 Questionnaire

June 2016

RESULTS Educational Fund (RESULTS) is a non-profit 501(c)(3) citizens' advocacy organization that has been creating the public and political will to end poverty by empowering individuals to exercise their personal and political power for change since 1981. RESULTS focuses its advocacy efforts towards achieving Education for All, expanding access to microfinance for the very poor, and addressing diseases of poverty such as tuberculosis, childhood undernutrition, and child immunizations. It works with volunteers in more than 100 communities across the United States, coordinates campaigns with international affiliates in Canada, Mexico, the UK, Japan, Australia, and South Korea and partners with national advocacy organizations in donor and developing countries.

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# List of Acronyms

ASEAN	Association of Southeast Asian Nations
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CESCR	Committee on Economic, Social, and Cultural Rights
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ESDP	Education Sector Development Plan
EFA	Education for All
EMIS	Education Management Information System
ESD	Education for Sustainable Development
ESP	Education Sector Plan
EU	European Union
GDP	Gross Domestic Product
GMR	Global Monitoring Report
HESA	Higher Education Strategy Associates
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social, and Cultural Rights
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ICRW	International Center for Research on Women
ILO	International Labor Organization
LLECE	Latin American Laboratory for Assessment of the Quality of Education
MOE	Ministry of Education
NCF	National Curriculum Framework
NIB	National Inspection Board
NGO	Non-governmental Organization
OECD	Organization for Economic Co-Operation and Development
PIRLS	Progress in International Reading Literacy Study
PISA	Programme for International Student Assessment
PPP	Purchasing Power Parity

RTEI	Right to Education Index
SACMEQ	Southern and Eastern Africa Consortium for Monitoring Educational Quality
TALIS	Teaching and Learning International Survey
TEDS-M	Teacher Education Study in Mathematics
TIMMS	Trends in International Mathematics and Science Study
TVET	Technical and Vocational Education and Training
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNICEF	United Nations International Children’s Emergency Fund
USD	United States Dollar
WHO	World Health Organization

# 1. What is RTEI?

The Right to Education Index (RTEI) is a global accountability initiative that aims to ensure that all people, no matter where they live, enjoy their right to a quality education. RTEI is a global index built out of the international right to education framework to monitor national progress towards its fulfillment. It reveals key areas in need of improvement, offers country-to-country comparisons, and tracks progress over time. Ultimately, RTEI seeks to:

- Strengthen the expertise and capacity of civil society and education advocates.
- Increase public and political support for realizing the right to education.
- Hold governments and institutions accountable for their commitments to the right to education.
- And finally, uphold the right to education for every child and adult everywhere.

RTEI partners with civil society organizations, research institutions, and governments to collect data on a wide range of indicators explicitly derived from the international right to education framework. The data is used to form the Right to Education Index, which can be used by the general public, civil society, researchers, and governments to identify areas in need of improvement, explore issues more deeply, and place efforts where they are most needed.

As with any index, RTEI has limitations in its interpretation and application. For complete information on RTEI limitations, see *RTEI Background and Methodology*.

## ***RTEI is...***

- A general measure of the right to education in a country.
- Based on an important, but non-exhaustive, list of indicators explicitly derived from the international right to education framework.
- Focused on minimum core obligations that should be immediately implemented and are not subject to resource restraints.
- A first step toward further analysis and advocacy by interested parties who are able to contextualize results using questions present in the RTEI Questionnaire and other relevant information.

## ***RTEI is not...***

- The comprehensive, definitive measure of the right to education in a country.
- An exhaustive index that covers the full complexity of the right to education.
- Able to capture important indicators on the right to education that are subject to progressive realization or restricted by available resources.
- A legal document that can be used for adjudication purposes.

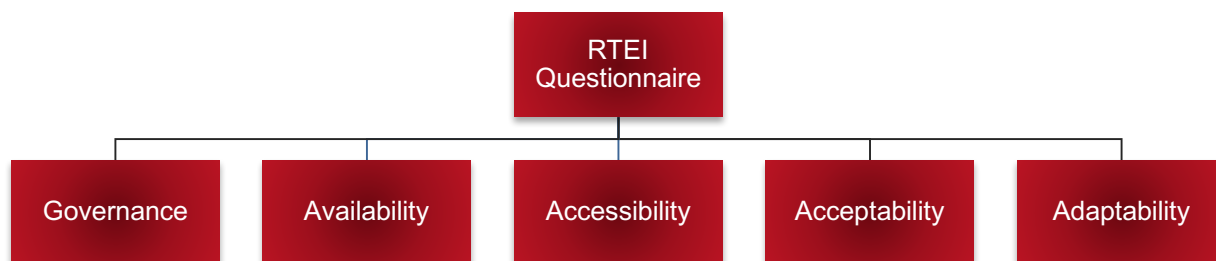
# 2. What is the RTEI Questionnaire?

The primary tool of RTEI is the RTEI Questionnaire, a comprehensive survey of close-ended questions answered with supporting documentation. Each question has an explicit basis in one or several international human rights instruments, namely legally binding international conventions of the United Nations. Questionnaires are completed by select civil society organizations, subjected to a double-blind peer review by in-country independent experts and national research organizations, and provided to national governments for further review.

## 3. How is the RTEI Questionnaire Structured?

### 3.1. Governance and the 4 As

The RTEI Questionnaire is comprised of the themes of Governance, Availability, Accessibility, Acceptability, and Adaptability — the 4A framework developed by the first UN Special Rapporteur on the Right to Education Katarina Tomasevski.<sup>1</sup>



- **Governance** speaks to the legal structure of education in a State. This includes State ratification of international declarations or treaties, education financing, and education standards and regulations.
- **Availability** speaks to the specific quantity of educational institutions available and the condition of such institutions.
- **Accessibility** speaks to whether available institutions are accessible to all students regardless of their socio-economic, familial, or demographic status.
- **Acceptability** speaks to the quality of available education. This moves beyond learning outcomes to also capture the cultural relevance and security of the educational environment as well as the aims and content of education.
- **Adaptability** speaks to the ability of education to be flexible in meeting the needs of a diverse range of students.<sup>2</sup>

<sup>1</sup> Tomasevski, K. (2001). *Human Rights obligations: Making education available, accessible, acceptable and adaptable*. Right to Education Primers No. 3 Available at <http://www.right-to-education.org/resource/primer-no-3-human-rights-obligations-making-education-available-accessible-acceptable-and>

<sup>2</sup> UNESCO (2014). *The Right to Education: Law and policy review guidelines*. Paris: UNESCO.

## 3.2. Subthemes

In addition to Governance and the 4 As, the RTEI Questionnaire contains a number of embedded subthemes. These subthemes are illustrated below and are captured in the RTEI Core Questionnaire and/or the RTEI Companion Questionnaire:

### Theme 1: Governance

*Subtheme 1: International Framework*  
*Subtheme 2: Domestic Law*  
*Subtheme 3: Plan of Action*  
*Subtheme 4: Monitoring and Reporting*  
*Subtheme 5: Financing*

### Theme 2: Availability

*Subtheme 1: Classrooms*  
*Subtheme 2: Sanitation*  
*Subtheme 3: Teachers*  
*Subtheme 4: Textbooks*

### Theme 3: Accessibility

*Subtheme 1: Free Education*  
*Subtheme 2: Discrimination*  
*Subtheme 3: Participation*

### Theme 4: Acceptability

*Subtheme 1: Aims of Education*  
*Subtheme 2: Learning Environment*  
*Subtheme 3: Learning Outcomes*

### Theme 5: Adaptability

*Subtheme 1: Children with Disabilities*  
*Subtheme 2: Children of Minorities*  
*Subtheme 3: Out of School Education*  
*Subtheme 4: Out of School Children*

## 3.3. Structural, Process, and Outcome Indicators

To assess the various levels in which the right to education manifests itself, each of the five themes in the RTEI Questionnaire includes a mix of structural, process, and outcome indicators. Indicator type is marked next to each question in the RTEI Questionnaire:

- **S** denotes a **structural indicator**. Structural indicators capture the domestic legal environment, addressing whether laws exist on the books that comply with the international right to education framework.
- **P** denotes a **process indicator**. Process indicators capture the efforts of the State, addressing whether mechanisms have been put in place to aid in the realization of the right to education.
- **O** denotes an **outcome indicator**. Outcome indicators measure the results of structural and process indicators in practice, addressing whether citizens are actually enjoying the right to education.<sup>3</sup>

### 3.4. Minimum Core and Progressively Realized Obligations

The RTEI Questionnaire contains questions pertaining to both minimum core obligations as well as progressively realized aspects of the right to education.

Minimum core obligations have been identified by the Committee on Economic, Social, and Cultural Rights in General Comment 13. Using the five obligations outlined in General Comment 13, UNESCO's law and policy review guidelines for the right to education recognizes the minimum core as the "heart of the right to education".<sup>4</sup> To improve measurability, minimum core obligations are defined in the RTEI as those that are included in General Comment 13 (listed below) that are to be immediately implemented by the State and are not subject to resource restrictions. Minimum core obligations include:

- Ensure the right to education on a **non-discriminatory basis**.
- Provide free and compulsory, quality **primary education**.
- Ensure that education **conforms to the objectives** set out in the international right to education framework.
- Adopt and implement a **national education strategy**.
- Ensure **free choice of education** without interference, subject to conformity with **minimum educational standards**.

Progressively realized aspects of the right to education are subject to the maximum available resources of a country. Questions related to progressively realizable indicators are weighted differently in Index calculation to capture their progressively realized nature and are denoted with a **W** in the Questionnaire.

### 3.5. Transversal Themes

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<sup>3</sup> de Beco, G. (2008). *Human Rights Indicators for assessing State Compliance with International Human Rights*, supra note 138, p. 44

<sup>4</sup> UNESCO (2014). *The Right to Education: Law and Policy Review Guidelines*, p. 12



While Governance and the 4 As and their respective subthemes are the predominant framework, the RTEI Questionnaire can address transversal themes arising out of RTEI results. These include:

- Girls' Education
- Children with Disabilities
- Regional Disparities
- Indigenous and Minority Populations
- Private Education
- Teachers
- Income Inequality
- Content of Education
- Monitoring and Accountability
- National Normative Framework
- Opportunity and Indirect Costs
- Alignment of Education Aims

Combined with their respective structural-process-outcome characteristics, these transversal themes allow for more in-depth analysis of RTEI results. To illustrate how RTEI results can be adapted to address in-depth issue areas, the indicators related to the Girls' Education transversal theme are illustrated below.

### **Transversal Theme: Girls' Education**

#### ***Structural Indicators***

**Q 1.4.3b.b: Is data disaggregated by sex?**

**Q 3.2.1b: Do domestic laws forbid discrimination in education by sex?**

**Q 3.2.2a: Is the expulsion of girls from school because of pregnancy or for having a baby explicitly forbidden in legislation?**

**C 5.4.1a: Do domestic laws prohibit early marriage (below the age of 18)?**

#### ***Process Indicators***

**Q 3.2.2b: In practice, are girls expelled from school because of pregnancy or for having a baby?**

**Q 3.3.1a.b/c: What is the gross enrollment rate by sex? <sup>a</sup>**

**Q 3.3.2a.b/c: What is the net enrollment rate by sex? <sup>b</sup>**

**Q 3.3.4a.b/c: What is the completion rate in public schools by sex? <sup>a</sup>**

**Q 3.3.4e.b/c: What is the completion rate in private schools by sex? <sup>a</sup>**

**C 5.4.2b: What percent of women were married before the age of 18?**

#### ***Outcome Indicators***

**Q 4.3.3a.b/c: What percent of students received a passing score on the national reading assessment/exam by sex?**

**Q 4.3.3b.b/c: What percent of students received a passing score on the national mathematics assessment/exam by sex?**

**Q 4.3.4a.b/c: What is the youth literacy rate (ages 15-24) by sex?**

**Q 4.3.4b.b/c: What is the adult literacy rate (age 15+) by sex?**

<sup>a</sup>: Gross enrollment rates and completion rates are disaggregated by sex and primary, secondary, technical/vocational, and tertiary school levels.

<sup>b</sup>: Net enrollment rates are disaggregated by sex and primary and secondary school levels.

For details on all transversal themes and further information on how they are used once the RTEI Questionnaire is complete, see the *RTEI Analytic Handbook*.

## 4. How is the RTEI Questionnaire Completed?

### 4.1. RTEI Questionnaire Completion Process

The RTEI Questionnaire is completed by civil society respondents over a two-month period. There is one primary civil society respondent per country. The Questionnaire is to be completed using primarily national government data, while some questions may be best answered by non-governmental reports or international data. The Questionnaire is to be completed using existing available data and information; it is not meant to necessitate field research. Each question of the Questionnaire is to be supported by verifiable documentation. Questionnaires completed by civil society respondents are then submitted to RESULTS Educational Fund. After confirmation of satisfactory completion, RESULTS Educational Fund will submit the completed Questionnaire separately to two national research organizations to complete a double-blind peer review. The completed Questionnaire will also be made available to national government counterparts for review and comment. Anonymity of all respondents and reviewers will be preserved throughout the process. Reconciliation of discrepancies will be led by RESULTS Educational Fund, and data from the final completed Questionnaires will be used to create the global RTEI report. For more on the RTEI Questionnaire completion process, see *RTEI Background and Methodology*.

### 4.2. Data Collection

Data from the most recent year should be included in all questions. Respondents should provide the year in which the data was collected in the comment box. General guidelines for data preferences include:

- National data is preferred over international data.
- Most recent data preferred.
- National Ministry of Education data preferred over other ministries, followed by the Ministry or Bureau of Statistics.

### 4.3. RTEI Questionnaire Format

The RTEI Questionnaire consists of two question styles. The first question style addresses the ratification of international or regional conventions or treaties (Q 1.1.1- Q 1.1.5). For these questions respondents should simply mark “yes” if their country is party to the document or “no” if it is not. Respondents may mark “yes but with reservations” if their country has filed formal reservations in regards to the convention or treaty.

The remainder of the questions are either close-ended with multiple-choice answers (a, b, c, d, e) or simple open-ended questions where respondents provide a specific rate, ratio, or percentage. Each question is accompanied by:

- Its **basis** in the right to education framework.

- An **explanation** of the question.
- **Necessary definitions** of any technical terms in the question.
- **Examples** of the type of information that could answer the question.
- Suggestions of the type of **appropriate supporting documentation** that may be provided to justify and accompany the response.
- **Potential data sources** where such information may be found. Most questions can be addressed with four sources: (1) National Constitution or Education Act, (2) National Education Plan, (3) National Education Budget, and (4) Ministry/Department of Education Data on Inputs, Outputs, and Outcomes.
- **Additional guidance for responses** to clarify what each response option means.

Following each question is:

- A place for the respondent to enter the **response**.
- A place for the respondent to provide the **supporting document and citation**, attaching or hyperlinking the source document justifying the response and citing the exact paragraph or page number where the information can be found.
- A place for civil society **researcher comment** if there is any further explanation or clarification that can be made on the interpretation of the supporting document or how the question is answered.
- A place for **peer review 1 comment** for the first national research institution review of the answers submitted by the civil society respondent.
- A place for **peer review 2 comment** for the second national research institution review of the answers submitted by the civil society respondent.
- A place for **government comment** for the national government review of the answers submitted by the civil society respondent.
- A place for **RESULTS Educational Fund comment** for any final clarification/evaluation of discrepancies in responses.

Below is a template illustrating the format of the majority of questions found in the RTEI Questionnaire:

## Section Theme

### Subtheme: Specific Subsection Title

#### Question Number: Specific Question

**Basis:**

*“Direct quotes that provide the rationale and justification for the inclusion of the question in the RTEI Questionnaire”*

— Human Rights convention or treaty from which the direct quote is cited

*See also:* Additional conventions and treaties that provide direct or indirect support, justifying the inclusion of the question.

**Guidance:**

*Explanation:*

Explains what the question seeks to address.

*Necessary Definitions:*

Helps clarify the question by providing definitions for key terms included in the question. Definitions are adapted from those provided by the United Nations when available.

*Examples:*

Provides potential examples of what positive responses to the question may look like (for example, for the question “Are reasonable accommodation measures available for children with disabilities in mainstream schools?” examples may include textbooks in Braille and schools that are handicapped accessible).

*Appropriate Supporting Documentation:*

Provides specific supporting documents required to validate the question response. These should be cited by the respondent and will be used by reviewers to ensure comparable data quality.

*Potential Data Sources:*

Includes suggested data sources that may be available for respondents.

*Additional Guidance for Responses:*

Provides information necessary to clarify response categories. Respondents should pay particular attention to this section before choosing from the response options.

Question Number	Response
<p><b>Specific Question</b></p> <p>a. Possible Answers are Provided in a Multiple Choice Format</p> <p>b. If Multiple Choice Format is not Provided please Answer Questions Directly Using the Appropriate Percentage, Age, or Text.</p>	<p>[RESPONSES SHOULD BE PROVIDED IN THIS BOX]</p> <p>[LETTERS IN THIS BOX INDICATE MULTIPLE RESPONSES ARE REQUIRED]</p>
<p><b>Supporting document/citation:</b></p>	
<p>[PLACE DIRECT QUOTES AND/OR CITATION FOR YOUR SUPPORTING DOCUMENTS HERE]</p>	
<p><b>Researcher comment:</b></p>	
<p>[PROVIDE ANY COMMENTS, CLARIFICATION, OR FEEDBACK IN REGARDS TO THE SPECIFIC QUESTION HERE]</p>	
<p><b>Peer review 1 comment:</b></p>	
<p>[ANONYMOUS PEER REVIEWER #1 WILL PROVIDE COMMENTS ON THE GIVEN RESPONSE HERE]</p>	
<p><b>Peer review 2 comment:</b></p>	
<p>[ANONYMOUS PEER REVIEWER #2 WILL PROVIDE COMMENTS ON THE GIVEN RESPONSE HERE]</p>	
<p><b>Government comment:</b></p>	
<p>[GOVERNMENT OFFICIALS WILL BE INVITED TO MAKE COMMENTS ON THE GIVEN RESPONSE HERE]</p>	
<p><b>RESULTS Educational Fund comment:</b></p>	

Should you have questions during the completion of the Questionnaire, please contact Tony Baker at [tbaker@results.org](mailto:tbaker@results.org).

# RTEI Questionnaire Overview

Below is an overview table of the questions contained in the RTEI Questionnaire:

GOVERNANCE	
INTERNATIONAL FRAMEWORK	Is the State party to the following United Nations treaties?
	Is the State party to the following UNESCO treaty?
	Is the State party to the following ILO conventions?
	Is the State party to the following Geneva conventions?
	Is the State party to the following regional treaties?
NATIONAL LAW	Do national laws protect the right to education?
	Do national laws protect the liberty of individuals to establish private schools?
	Do national laws protect the right of minorities to establish their own schools?
	Do national laws expressly recognize the liberty of parents to choose the religious and moral education of their children in conformity with their own convictions?
PLAN OF ACTION	Is there a national education plan that aims to achieve free and compulsory primary education?
	Are there targeted implementation dates for each stage of the progressive implementation of the plan?
	Does the national education plan include measures to encourage regular attendance at schools and reduce drop-out rates?
MONITORING AND REPORTING	Are there minimum educational standards applicable to all schools, including private schools?
	Is there a State body responsible for monitoring the education system?
	How often is data on primary school net enrollment rate collected nationally?
	Is data on primary school net enrollment rate made publicly available?
FINANCING	What is the current public expenditure per pupil as a percentage of GDP per capita?
	What is the government expenditure on education as reported as the percentage of GDP allocated to education?
	What percent of the national education budget comes from foreign aid sources (bilateral and multilateral)?
	What is the percentage of GDP allocated to foreign aid in relation to education? [donor countries]
	What is the percentage of the total national education budget allocated to each level of education?
	What is the percentage of the total national education budget allocated to the following components?
	What percent of the approved budget was actually executed?

## AVAILABILITY

CLASSROOMS	Is there a minimum standard in place setting the numbers of pupils per classroom?
	What is the pupil-classroom ratio?
SANITATION	Is there a minimum standard in place setting the number of pupils per toilet?
	What is the pupil-toilet ratio?
	What is the percentage of schools with toilets?
	What is the percentage of schools with potable water?
TEACHERS	What is the percentage of teachers that are appropriately trained?
	Is there a minimum standard in place setting the number of pupils per trained teacher?
	What is the pupil-trained teacher ratio?
	What is the mean teacher salary relative to the national mean salary?
TEXTBOOKS	Is there a minimum standard in place setting the number of pupils per available textbook?
	What is the pupil-textbook ratio?

## ACCESSIBILITY

FREE EDUCATION	Do domestic laws provide for free and compulsory primary education?
	Is primary education free in practice?
	What percent of household spending is spent on primary education?
	What percent of household spending is spent on secondary education?
	Are tuition fees charged for public university/higher education?
	Is basic education publicly provided for adults who have not completed primary education?
DISCRIMINATION	Do domestic laws forbid discrimination in education on the following grounds?
	Is the expulsion of girls from school because of pregnancy or for having a baby explicitly forbidden in national legislation?
	In practice, are girls expelled from school because of pregnancy or for having a baby?
	Do migrant, refugee, or internally displaced children have to present documents stating their legal status to enroll in school?

PARTICIPATION	What is the gross enrollment rate?
	What is the net enrollment rate?
	What is the completion rate?
<b>ACCEPTABILITY</b>	
AIMS OF EDUCATION	Do domestic laws or policies direct education towards the following aims?
	Does the national curriculum direct education towards the following aims?
	Does the required training for teachers include improving the skills necessary for teaching towards the full development of the following aims?
	Are there established mechanisms to ensure that textbooks used in both public and private schools are aligned with the curriculum guidelines provided by the Ministry of Education?
	Does national curriculum include the following topics?
	Do national laws include children in the decision making process of school curricula, school policies, and codes of behavior?
LEARNING ENVIRONMENT	Has the national government adopted specific measures to protect children from violence and abuse in school?
	In practice, are children in schools free from violence and abuse?
	Do domestic laws prohibit corporal punishment?
	Does corporal punishment occur in practice?
LEARNING OUTCOMES	Do national assessments or exams attempt to evaluate pupil's progress towards the following aims?
	Do national assessments or exams evaluate pupil's understanding of the following topics?
	What percent of students received a passing score on the national assessment/exam?
	What is the literacy rate?
<b>ADAPTABILITY</b>	
CHILDREN WITH DISABILITIES	Do national laws recognize the right to education for children with disabilities?
	Are reasonable accommodation measures available for children with disabilities in mainstream schools?
	What is the percentage of teachers trained to teach children with disabilities?
CHILDREN OF MINORITIES	Are there mobile schools for children of nomads?
	Do domestic laws provide for language of instruction to be in the child's mother tongue?
	What percentage of students are not taught in their mother tongue?



OUT OF SCHOOL EDUCATION	Is primary education available in retention centers/camps for refugee children?
	Do refugee children receive education integrated with the general education system (i.e., same curricula)?
	Is education available in prison?
	Do imprisoned children receive education integrated with the general education system (i.e. same curricula)?
OUT OF SCHOOL CHILDREN	Do national laws prohibit early marriage (below the age of 18)?
	What percent of women are married by the age of 18?
	Is the legal minimum age of employment 15 or above?
	Has the government adopted specific measures to combat child labor?
	What percent of children under the age of 15 work in the labor force?
	Is the legal minimum age of military recruitment 15 or above?
	Are children under the age of 15 recruited by the military in practice?

# RTEI Questionnaire

# Theme 1: Governance

## Subtheme 1.1: International Framework

**Question 1.1.1:**  
**Is the State party to the following United Nations treaties?<sup>S</sup>**

United Nations Treaties	Yes	Yes with Reservations	No
a. The International Covenant on Economic, Social, and Cultural Rights (ICESCR)			
b. The Convention on the Rights of the Child (CRC)			
c. The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)			
d. The Convention on the Rights of Persons with Disabilities (CRPD)			
e. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)			
f. The Convention relating to the Status of Refugees			
g. The International Covenant on Civil and Political Rights (ICCPR)			
h. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)			

**Question 1.1.2:**  
**Is the State party to the following UNESCO treaty?<sup>S</sup>**

UNESCO Treaty	Yes	Yes with Reservations	No
a. The UNESCO Convention against Discrimination in Education			

**Question 1.1.3:**  
**Is the State party to the following ILO conventions?<sup>S</sup>**

ILO Conventions	Yes	Yes with Reservations	No
a. The ILO Minimum Age Convention  b. The ILO Worst Forms of Child Labour Convention  c. The ILO Indigenous and Tribal Peoples Convention			

**Question 1.1.4:**  
**Is the State party to the following Geneva conventions?<sup>S</sup>**

Geneva Conventions	Yes	Yes with Reservations	No
a. The Geneva Convention III relative to the Treatment of Prisoners of War  b. The Geneva Convention IV relative to the Protection of Civilian Persons in Time of War  c. Protocol I to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts  d. Protocol II to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts			

**Question 1.1.5:**  
**Is the State party to the following regional treaties?<sup>S</sup>**

Regional Treaties	Yes	Yes with Reservations	No	Not Applicable (if your country is not in that region)

<ul style="list-style-type: none"> <li>a. In Africa: The African Charter on Human and Peoples' Rights</li> <li>b. In Africa: The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa</li> <li>c. In Africa: The African Charter on the Rights and Welfare of the Child</li> <li>d. In Africa: African Youth Charter</li> <li>e. In Africa: African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa</li> <li>f. In the Americas: The Charter of the Organization of American States</li> <li>g. In the Americas: The Additional Protocol to the American Convention on Human Rights, Protocol of San Salvador</li> <li>h. In the Americas: The Inter-American Democratic Charter</li> <li>i. In Arab states: The Arab Charter on Human Rights</li> <li>j. In Europe: Protocol 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms</li> <li>k. In Europe: The Revised European Social Charter</li> <li>l. In Europe: The European Charter for Regional or Minority Languages</li> <li>m. In Europe: The Framework Convention for the Protection of National Minorities</li> <li>n. In Europe: The European Convention on the Legal Status of Migrant Workers</li> <li>o. In Europe: The Convention on the Recognition of Qualifications concerning Higher Education in the European Region</li> <li>p. In Europe: The European Union Charter of Fundamental Rights</li> </ul>				
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## Subtheme 1.2: National Law

### Question 1.2.1: Do national laws protect the right to education?<sup>S</sup>

**Basis:**

*"Everyone has the right to education"*

— Universal Declaration of Human Rights, Article 26, Paragraph 1

See also: ICESCR 13.1, CRC 28.1

**Guidance:**

*Explanation:*

This question seeks to answer whether the right to education is explicitly included in the national laws of a country.

*Necessary Definitions:*

"Education" includes all systematic and deliberate activities designed to meet the learning needs of a country.

*Examples:*

See "Basis" above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education, Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A law that is justiciable is one that can be adjudicated by a court in which the national government is held legally liable for upholding the law. A law that is included but does not meet these requirements should be marked in the "Yes, but it is not Justiciable" column and respondents should add comments explaining their selection in the "Researcher comment"

Question 1.2.1	Yes, and it is Justiciable	Yes, but it is not Justiciable (please comment)	No	Not Applicable (please comment)
<p><b>Do national laws protect the right to:</b></p> <ul style="list-style-type: none"> <li>a. Primary education</li> <li>b. Secondary education</li> <li>c. Technical and vocational training</li> <li>d. Higher education/university</li> </ul>				
<b>Supporting document/citation:</b>				
<b>Researcher comment:</b>				
<b>Peer review 1 comment:</b>				
<b>Peer review 2 comment:</b>				

<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Question 1.2.2: Do national laws protect the liberty of individuals to establish private schools?<sup>S</sup>

### Basis:

*"No part of this article shall be construed as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to...such minimum standards as may be laid down by the State"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 4

See also: EU Charter of Fundamental Rights 14.3, Protocol of San Salvador 13.4, CRC General Comment 5.A

### Guidance:

#### Explanation:

This question seeks to answer whether the rights of individuals and institutions to establish their own educational institutions (schools) is explicitly included in the national laws of a country.

#### Necessary Definitions:

"Private school" is defined as any privately managed educational institution. This may include for-profit, non-profit, religious, and NGO run schools.

#### Examples:

See "Basis" above.



*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A “yes” response indicates that the appropriate language is present in the law. A “yes” response does not suggest the law is comprehensive or effective.

<b>Question 1.2.2</b>	<b>Response</b>
<b>Do national laws protect the liberty of individuals to establish private schools?</b>  a. Yes  b. No.  c. Not applicable/other (please comment).	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

### **Question 1.2.3:**

## **Do national laws protect the right of minorities to establish their own schools?<sup>S</sup>**

#### **Basis:**

*"Persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments"*

— Framework for the Protection of National Minorities, Article 13, Paragraph 1

*See also:*

#### **Guidance:**

*Explanation:*

This question seeks to answer whether the right of minorities to establish their own educational institutions (schools) is explicitly included in the national laws of a country.

*Necessary Definitions:*

“Minorities” refer to a group numerically inferior to the rest of the population of a State or in a non-dominant position, whose members — being nationals of the State — possess ethnic, religious or linguistic characteristics differing from those of the rest of the majority population or the dominant group.

Examples:

See “Basis” above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A “yes” response indicates that the appropriate language is present in the law. A “yes” response does not suggest the law is comprehensive or effective.

<b>Question 1.2.3</b>	<b>Response</b>
<b>Do national laws protect the right of minorities to establish their own schools?</b>  a. Yes  b. No.  c. Not applicable/other (please comment).	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	

<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

### **Question 1.2.4:**

**Do national laws expressly recognize the liberty of parents to choose the religious and moral education of their children in conformity with their own convictions?<sup>S</sup>**

**Basis:**

*"Respect for the liberty of parents, and when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions."*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 3

See also: ICCPR 18.4, Protocol 1 of the European Convention on Human Rights 2, EU Charter of Fundamental Rights 14.3, African Charter on the rights and Welfare of the Child 11.4

**Guidance:**

*Explanation:*

This question seeks to answer whether the right of parents to choose the religious and moral education of their children is explicitly included in the national laws of a country. This may include both parental choice within a public school – such as providing children with the freedom to pray independently in schools – as well as the ability of parents to choose a religious school for their children.

*Necessary Definitions:*

“Religious and moral education” include schools that act as a tool to transmit knowledge and values pertaining to religious trends, in an inclusive way, so that individuals realize their being part of the same community and learn to create their own identity in harmony with identities different from their own.

*Examples:*

See “Basis” above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A “yes” response indicates that the appropriate language is present in the law. A “yes” response does not suggest the law is comprehensive or effective.

<b>Question 1.2.4</b>	<b>Response</b>
<p><b>Do national laws expressly recognize the liberty of parents to choose the religious and moral education of their children in conformity with their own convictions?</b></p> <p>a. Yes</p> <p>b. No.</p> <p>c. Not applicable/other (please comment).</p>	

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Subtheme 1.3: Plan of Action

### Question 1.3.1:

**Is there a national education plan that aims to achieve free and compulsory primary education?<sup>S</sup>**

#### Basis:

*"Each State Party...which...has not been able to secure...its jurisdiction compulsory education, free of charge, undertakes within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years"*

— International Covenant on Economic, Social and Cultural Rights, Article 14

#### Guidance:

##### *Explanation:*

This question seeks to answer whether, in countries that have not secured free compulsory primary education, there is a national plan that progressively lays out how the country is moving towards free primary education. This should include specific targets to ensure that the implementation occurs in a reasonable number of years.

##### *Necessary Definitions:*

"National education plan" is defined as a formal plan of education proposed and adopted by the government of a country.

##### *Examples:*

"Free primary education was introduced with the adoption of the new Education and Training Policy in 1994 as a major strategy towards achieving the EFA goals. This has led to rapid increase in the net enrolment rate, which currently stands at 83% of primary school aged children. ESDP IV will be a historic landmark in making free primary education compulsory in order to give a major boost to education and to reach the remaining 17%, the most vulnerable children who are still out of school." (Ethiopia ESDP IV, p. 12)

##### *Appropriate Supporting Documentation:*

Acceptable supporting documents may include an education sector plan or plan of action.

##### *Potential Data Sources:*

Official government website, Ministry of Education, [Portal for Education Plans and Policies for UNESCO Members](#), [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#)

##### *Additional Guidance for Responses:*

In decentralized systems without a national education plan a "yes" response indicates that all regional plans include the appropriate language.

Question 1.3.1	Response
<p><b>Is there a national education plan that aims to achieve free and compulsory primary education?</b></p> <p>a. Yes</p> <p>b. No.</p> <p>c. Not applicable/other (please comment).</p>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	



<b>RESULTS Educational Fund comment:</b>

### **Question 1.3.2:**

**Are there targeted implementation dates for each stage of the progressive implementation of the plan?<sup>S</sup>**

**Basis:**

As in 1.3.1a above.

**Guidance:**

*Explanation:*

This question seeks to answer whether, in countries that have not secured free compulsory primary education, specific targets are included in the national plan for education to ensure that the implementation of free compulsory education occurs in a reasonable number of years.

*Necessary Definitions:*

“National education plan” is defined as a formal plan of education proposed and adopted by the government of a country.

“Compulsory education” is the education legally required in a country. This often includes education to a certain age, level, or grade. Internationally this generally includes primary and lower secondary education.

*Examples:*

Although Belize sets out a target of 100% net enrollment rate for primary education by 2016, they do not provide incremental steps. Specifically, although their Education Sector Strategy 2011-2016 is designed to identify a 2011 Baseline and Milestones in 2012 and 2014 to gauge process in reaching their 2016 goal these cells are clearly missing (see Belize Education Sector Strategy 2011-2016, p. 87).

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include an education sector plan or plan of action.

*Potential Data Sources:*

Official government website, Ministry of Education, [Portal for Education Plans and Policies for UNESCO Members](#), [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

In decentralized systems without a national education plan a “yes” response indicates that all regional plans include the appropriate language. A “yes” response only indicates that the appropriate language is present. A “yes” response does not indicate that the suggested dates are feasible or that the plan is adequately financed.

<b>Question 1.3.2</b>	<b>Response</b>
<p><b>Are there targeted implementation dates for each stage of the progressive implementation of the plan?</b></p> <p>a. Yes</p> <p>b. No.</p> <p>c. Not applicable/other (please comment).</p>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	

<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 1.3.3:**  
**Does the national education plan include measures to encourage regular attendance at schools and reduce drop-out rates?** <sup>SW</sup>

**Basis:**

*"State Parties...shall, in particular: (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates"*

— Convention on the Rights of the Child, Article 28, Paragraph 1, Section e

*See also:* CEDAW 10 (f), Revised European Social Charter 17.2, Protocol of the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 12.2(c), African Charter on the Rights and Welfare of the Child 11.3(d)

**Guidance:**

*Explanation:*

This question seeks to answer whether there is a national plan that includes measures to encourage attendance and provide support to completion. Potential measures may include truancy laws, regular monitoring of attendance, or support for students at risk of dropping out.

*Necessary Definitions:*

"National Education Plan" is defined as a formal plan of education proposed and adopted by the government of a country.

"Regular Attendance" means daily attendance at school.

"Drop-out" refers to a student that started but did not complete a school cycle and is no longer enrolled in the school system. This is sometimes referred to as a "school-leaver".

*Examples:*

“Within this set of strategies, several will focus on the imperative to decrease early drop-out: awareness-raising sessions will be organized for teachers and principals, a special module will be included in pre-service training, school improvement plans will be guided towards addressing this issue and the improvement of school facilities will help keeping children in school. The school feeding program, which covers schools in six regions, will be expanded. It is envisaged to organize awareness-raising events with communities to ensure full registration of all children in primary school and to intervene swiftly when a child is absent for several days.” (Ethiopia ESDP IV, p. 22)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include an education sector plan or plan of action.

*Potential Data Sources:*

Official government website, Ministry of Education, [Portal for Education Plans and Policies for UNESCO Members](#), [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

In decentralized systems without a national education plan a “yes” response indicates that all regional plans include the appropriate language. A “yes” response does not suggest that the plan is comprehensive or effective.

<b>Question 1.3.3</b>	<b>Response</b>
<p><b>Does the national education plan include measures to encourage regular attendance at schools and reduce drop-out rates?</b></p> <p>a. Yes</p> <p>b. No.</p> <p>c. Not applicable/other (please comment).</p>	
<b>Supporting document/citation:</b>	

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## **Subtheme 1.4: Monitoring and Reporting**

### **Question 1.4.1:**

**Are there minimum educational standards applicable to all schools, including private schools?<sup>S</sup>**

**Basis:**

*"States Parties are obligated to establish 'minimum educational standards' to which all educational institutions established in accordance with article 13"*

— Committee on Economic, Social and Cultural Right, General Comment 13, Paragraph 54

See also: CRC 29.2, CRC General Comment 5.A, CEDAW 10(b), ICESCR 13.3, CRC 29.2, UNESCO Convention Against Discrimination in Education 4(b)

**Guidance:***Explanation:*

This question seeks to answer a country has established minimal educational standards which are applied equally to all schools, both public and private.

*Necessary Definitions:*

“Education standards” are defined as the formally approved standards that outline the basic content, structural, and performance requirements of schools.

*Examples:*

In Singapore, there standards defining a school are basically absent. From the application for a private school we can see that issues of infrastructure, training, and activities are absent from the definition of a school: “A ‘school’ is defined in the statute relating to education and registration of schools as an organisation for the provision of education for 10 or more persons; or a place where 10 or more persons are being or are habitually taught, whether in one or more classes.” (<http://www.moe.gov.sg/education/private-education/files/school-registration-notes.doc>)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include national education acts, national education policies, education sector plans, or government circulars.

*Potential Data Sources:*

Official government website, Ministry of Education, [Portal for Education Plans and Policies for UNESCO Members](#), Teacher Union Website, [UNESCO Database on the Right to Education](#), [Global Partnership for Education – Library](#)

*Additional Guidance for Responses:*

A “yes” response indicates that minimum educational standards are present at the national level and apply to all schools. A “yes” response does not suggest that standards are comprehensive or implemented in all schools.

Question 1.4.1	Response
<p><b>Are there minimum educational standards applicable to all schools, including private schools?</b></p> <p>a. Yes</p> <p>b. No.</p> <p>c. Not applicable/other (please comment).</p>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	

<b>RESULTS Educational Fund comment:</b>

## **Question 1.4.2:** **Is there a State body responsible for monitoring the education system?**<sup>S</sup>

### **Basis:**

*"States Parties are obligated to establish 'minimum educational standards' to which all educational institutions established in accordance with article 13 and are required to conform. They must also maintain a transparent and effective system to monitor such standards"*

— Committee on Economic, Social and Cultural Rights, General Comment 13, Paragraph 54

See also: European Charter for Regional or Minority Languages 8(h.i), CRC General Comment 5.A

### **Guidance:**

#### *Explanation:*

This question seeks to answer whether a country has established a system that clearly and transparently monitors how schools conform to the national education standards.

#### *Necessary Definitions:*

“State body” refers to a government board, committee, or commission or an appointed board, committee, or commission that exercises the authority of the government.

“Monitoring” is defined as the tracking and verifying of pre-selected, well-defined inputs, outputs and results on a systematic basis.

#### *Examples:*

“A National Inspection Board (NIB) will be established, independent of the Ministry of Education, to set, enforce and monitor a wide range of academic, infrastructure and education standards for public and private schools, with routine inspection of schools” (Ghana ESP 2010-2010, Vol. 1, p. 15)

#### *Appropriate Supporting Documentation:*

Acceptable supporting documents may include national education acts, education sector plans, the national constitution, or government reports.



*Potential Data Sources:*

Official government website, Ministry of Education, [Portal for Education Plans and Policies for UNESCO Members](#), [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#), [Global Partnership for Education – Library](#)

*Additional Guidance for Responses:*

A “yes” response indicates that there a state body (as defined above) has been designated as the party responsible for monitoring the education system. A “yes” response does not suggest that monitoring is completed in practice or that it is comprehensive or effective.

<b>Question 1.4.2</b>	<b>Response</b>
<b>Is there a State body responsible for monitoring the education system?</b>  a. Yes  b. No.  c. Not applicable/other (please comment).	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 1.4.3:  
How often is data on primary school net enrollment collected nationally? <sup>P</sup>**

**Basis:**

*"Regular data collection systems should be established and/or maintained within health care and social services, education, judicial and law enforcement sectors on protection related issues." (CRC General Comment 18.7.1.38(a))*

— Committee on the Rights of the Child, General Comment 18, Paragraph 7, Section 1.38(a)

**Guidance:**

*Explanation:*

This question seeks to answer if a system is in place that regularly collects, at a national level, information on the education system, including student demographics and achievement, with the data made available to the public.

*Necessary Definitions:*

"Publicly available" includes the direct distribution of information to the public, and/or indirect distribution to the public through the media or posting on a website.

*Examples:*

From the Digest of Education Statistics

([http://nces.ed.gov/programs/digest/d14/tables/dt14\\_103.20.asp](http://nces.ed.gov/programs/digest/d14/tables/dt14_103.20.asp)) we can see that primary school net enrollment rate is made available publicly every year.

Year	Total, 3 to 34 years old	3 and 4 years old	5 and 6 years old	7 to 13 years old
1	2	3	4	5
1990	50.2 (0.23)	44.4 (0.99)	96.5 (0.37)	99.6 (0.06)
1991	50.7 (0.23)	40.5 (0.96)	95.4 (0.41)	99.6 (0.06)
1992	51.4 (0.23)	39.7 (0.95)	95.5 (0.41)	99.4 (0.08)
1993	51.8 (0.23)	40.4 (0.93)	95.4 (0.41)	99.5 (0.07)
1994	53.3 (0.23)	47.3 (0.94)	96.7 (0.34)	99.4 (0.08)
1995	53.7 (0.21)	48.7 (0.87)	96.0 (0.34)	98.9 (0.09)
1996	54.1 (0.22)	48.3 (0.91)	94.0 (0.43)	97.7 (0.14)
1997	55.6 (0.22)	52.6 (0.92)	96.5 (0.33)	99.1 (0.09)
1998	55.8 (0.22)	52.1 (0.92)	95.6 (0.37)	98.9 (0.10)
1999	56.0 (0.22)	54.2 (0.93)	96.0 (0.36)	98.7 (0.10)
2000	55.9 (0.22)	52.1 (0.93)	95.6 (0.38)	98.2 (0.12)
2001	56.4 (0.20)	52.4 (0.88)	95.3 (0.37)	98.3 (0.11)
2002	56.2 (0.20)	56.3 (0.89)	95.5 (0.37)	98.3 (0.11)
2003	56.2 (0.20)	55.1 (0.85)	94.5 (0.40)	98.3 (0.11)
2004	56.2 (0.20)	54.0 (0.85)	95.4 (0.37)	98.4 (0.11)
2005	56.5 (0.20)	53.6 (0.86)	95.4 (0.37)	98.6 (0.10)
2006	56.0 (0.20)	55.7 (0.86)	94.6 (0.39)	98.3 (0.11)
2007	56.1 (0.20)	54.5 (0.86)	94.7 (0.39)	98.4 (0.11)
2008	56.2 (0.20)	52.8 (0.85)	93.8 (0.42)	98.7 (0.10)
2009	56.5 (0.20)	52.4 (0.85)	94.1 (0.40)	98.2 (0.12)
2010\2\	56.6 (0.17)	53.2 (0.89)	94.5 (0.46)	98.0 (0.16)
2011\2\	56.8 (0.19)	52.4 (0.90)	95.1 (0.43)	98.3 (0.14)
2012\2\	56.6 (0.22)	53.5 (1.11)	93.2 (0.49)	98.0 (0.17)
2013\2\	55.8 (0.18)	54.9 (1.00)	93.8 (0.45)	98.1 (0.16)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government databases, government reports or publications, or non-governmental research reports.

*Potential Data Sources:*

Official government website, Ministry of Education, National Bureau of Statistics, [Portal for Education Plans and Policies for UNESCO Members](#), Teacher Union Website, [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

Supporting documentation should be in the form of a database of spreadsheet illustrating that data on education has been collected and the frequency of collection. Ideally the documentation should cover at least a 10 year period to adequately address the question.

Question 1.4.3	Response
<p><b>How often is data on primary school net enrollment rate collected nationally?</b></p> <ul style="list-style-type: none"> <li>a. Annually</li> <li>b. Every other year</li> <li>c. Once every 3 to 5 years</li> <li>d. There is no regular collection pattern</li> <li>e. Data is not collected</li> </ul>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	

<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 1.4.4:**  
**Is the data on primary school net enrollment rate publicly available?:<sup>S</sup>**

**Basis:**

*"Regular data collection systems should be established and/or maintained within health care and social services, education, judicial and law enforcement sectors on protection related issues." (CRC General Comment 18.7.1.38(a))*

— Committee on the Rights of the Child, General Comment 18, Paragraph 7, Section 1.38(a)

**Guidance:**

*Explanation:*

This question seeks to answer if a system is in place that regularly collects, at a national level, information on the education system, including student demographics and achievement, with the data made available to the public.

*Necessary Definitions:*

"Publicly available" includes the direct distribution of information to the public, and/or indirect distribution to the public through the media or posting on a website.

*Examples:*

From the Digest of Education Statistics ([http://nces.ed.gov/programs/digest/d14/tables/dt14\\_103.20.asp](http://nces.ed.gov/programs/digest/d14/tables/dt14_103.20.asp)) we can see that primary school net enrollment rate is made available publicly every year.

Year	Total, 3 to 34 years old	3 and 4 years old	5 and 6 years old	7 to 13 years old
1	2	3	4	5
1990	50.2 (0.23)	44.4 (0.99)	96.5 (0.37)	99.6 (0.06)
1991	50.7 (0.23)	40.5 (0.96)	95.4 (0.41)	99.6 (0.06)
1992	51.4 (0.23)	39.7 (0.95)	95.5 (0.41)	99.4 (0.08)
1993	51.8 (0.23)	40.4 (0.93)	95.4 (0.41)	99.5 (0.07)
1994	53.3 (0.23)	47.3 \1\ (0.94)	96.7 (0.34)	99.4 (0.08)
1995	53.7 (0.21)	48.7 \1\ (0.87)	96.0 (0.34)	98.9 (0.09)
1996	54.1 (0.22)	48.3 \1\ (0.91)	94.0 (0.43)	97.7 (0.14)
1997	55.6 (0.22)	52.6 \1\ (0.92)	96.5 (0.33)	99.1 (0.09)
1998	55.8 (0.22)	52.1 \1\ (0.92)	95.6 (0.37)	98.9 (0.10)
1999	56.0 (0.22)	54.2 \1\ (0.93)	96.0 (0.36)	98.7 (0.10)
2000	55.9 (0.22)	52.1 \1\ (0.93)	95.6 (0.38)	98.2 (0.12)
2001	56.4 (0.20)	52.4 \1\ (0.88)	95.3 (0.37)	98.3 (0.11)
2002	56.2 (0.20)	56.3 \1\ (0.89)	95.5 (0.37)	98.3 (0.11)
2003	56.2 (0.20)	55.1 \1\ (0.85)	94.5 (0.40)	98.3 (0.11)
2004	56.2 (0.20)	54.0 \1\ (0.85)	95.4 (0.37)	98.4 (0.11)
2005	56.5 (0.20)	53.6 \1\ (0.86)	95.4 (0.37)	98.6 (0.10)
2006	56.0 (0.20)	55.7 \1\ (0.86)	94.6 (0.39)	98.3 (0.11)
2007	56.1 (0.20)	54.5 \1\ (0.86)	94.7 (0.39)	98.4 (0.11)
2008	56.2 (0.20)	52.8 \1\ (0.85)	93.8 (0.42)	98.7 (0.10)
2009	56.5 (0.20)	52.4 \1\ (0.85)	94.1 (0.40)	98.2 (0.12)
2010\2\	56.6 (0.17)	53.2 \1\ (0.89)	94.5 (0.46)	98.0 (0.16)
2011\2\	56.8 (0.19)	52.4 \1\ (0.90)	95.1 (0.43)	98.3 (0.14)
2012\2\	56.6 (0.22)	53.5 \1\ (1.11)	93.2 (0.49)	98.0 (0.17)
2013\2\	55.8 (0.18)	54.9 \1\ (1.00)	93.8 (0.45)	98.1 (0.16)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government databases, government reports or publications, or non-governmental research reports.

*Potential Data Sources:*

Official government website, Ministry of Education, National Bureau of Statistics, [Portal for Education Plans and Policies for UNESCO Members](#), Teacher Union Website, [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

Supporting documentation should be in the form of a database of spreadsheet illustrating that data on education has been collected and the frequency of collection. Ideally the documentation should cover at least a 10 year period to adequately address the question.

Question 1.4.4	Response
<p><b>Is the data on primary school net enrollment rate publicly available?</b></p> <p>a. Yes</p> <p>b. No.</p> <p>c. Not applicable/other (please comment).</p>	

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Subtheme 1.5: Financing

### Question 1.5.1:

**What is the current public expenditure per pupil as a percentage of GDP per capita?<sup>S W</sup>**

**Basis:**

*"With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."*

— Convention on the Rights of the Child, Article 4

See also: CESCR General Comment 3.10

**Guidance:**

*Explanation:*

This question seeks to answer whether a country is using their available resources by providing a relative measure of how much each country spends on education per student. Comparing per pupil spending to GDP per capita provides for a better comparison by incorporating a measure of overall population. Data on per pupil spending and GDP per capita should be provided for the most recent year.

*Necessary Definitions:*

“Current” in this instance speaks to the most recent Fiscal expenditure data.

“Public Expenditure per Pupil” includes the amount the government spends on education institutions, administration, and subsidies for private entities per school age individual.

“GDP” is the country’s Gross Domestic Product.

*Examples:*

13.8% in Argentina, 2012 (UNESCO Institute of Statistics)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include the national budget, statement of accounts, financial statements, audit reports, data from a reputable regional or multi-national organization such as the UN or the World Bank, government reports, or non-governmental research reports.

*Potential Data Sources:*

Official government website, Ministry of Education, Ministry of Finance, [UNESCO Institute of Statistics](#), [World Bank DataBank](#)



Question 1.5.1	Response
What is the current public expenditure per pupil as a percentage of GDP per capita?	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	
<b>RESULTS Educational Fund comment:</b>	

**Question 1.5.2:**  
**What is the government expenditure on education as reported as the percentage of GDP allocated to education?<sup>SW</sup>**

**Basis:**

*"With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."*

— Convention on the Rights of the Child, Article 4

See also: CESCR General Comment 3.10

**Guidance:**

*Explanation:*

This question seeks to answer whether a country is using their available resources by identifying what percentage of a country’s GDP was allocated to education in the most recent year. This indicator suggests the importance a country placed on education. International averages range from 4 to 6%.

*Necessary Definitions:*

“GDP” is the country’s Gross Domestic Product.

*Examples:*

4.93% in Columbia, 2013 (UNESCO Institute of Statistics)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include the national budget, statement of accounts, financial statements, audit reports, data from a reputable regional or multi-national organization such as the UN or the World Bank, government reports, or non-governmental research reports.

*Potential Data Sources:*

Official government website, Ministry of Education, Ministry of Finance, [UNESCO Institute of Statistics](#), [World Bank DataBank](#)

Question 1.5.2	Response
<p><b>What is the government expenditure on education as reported as the percentage of GDP allocated to education?</b></p>	

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Question 1.5.3: What percentage of the national education budget comes from foreign aid sources (bilateral and multilateral)?<sup>S W</sup>

### Basis:

*"With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."*

— Convention on the Rights of the Child, Article 4

See also: CESCR General Comment 3.10

### Guidance:

#### *Explanation:*

This question seeks to answer whether a country is using their available resources by identifying the percentage of expenditure on education that came from foreign aid sources. This indicator suggests whether a country is able to independently sustain their education system.

#### *Necessary Definitions:*

"Foreign Funding Sources" include bilateral and multilateral agreements with other countries, multi-national organizations, international non-governmental organizations, and international finance institutions that include a provision for financial support.

#### *Examples:*

\$70 (USD Constant) Million in Albania from foreign funding sources for education, 2011: (UNESCO EFA GMR Air Tables).

2011 Total Education Budget = 40,394,457,000 Albanian Lek (Approximately 395,000,000 USD using 2011 conversion rate)

$(70,000,000/395,000,000) * 100 = 17.7\%$  of 2011 budget for education in Albania provided through foreign sources.

#### *Appropriate Supporting Documentation:*

Acceptable supporting documents may include the national budget, statement of accounts, financial statements, audit reports, data from a reputable regional or multi-national organization such as the UN or the World Bank, government reports, or non-governmental research reports.

#### *Potential Data Sources:*

Official government website, Ministry of Education, Ministry of Finance, [UNESCO EFA GMR Aid Tables](#), [UNESCO Institute of Statistics](#), [World Bank DataBank](#)

Question 1.5.3	Response
<p><b>What percentage of the national education budget comes from foreign aid sources (bilateral and multilateral)?</b></p>	
<p><b>Supporting document/citation:</b></p>	
<p><b>Researcher comment:</b></p>	
<p><b>Peer review 1 comment:</b></p>	
<p><b>Peer review 2 comment:</b></p>	
<p><b>Government comment:</b></p>	
<p><b>RESULTS Educational Fund comment:</b></p>	

## Question 1.5.4:

### What is the percentage of GDP allocated to foreign aid in relation to education? [donor countries]<sup>SW</sup>

#### Basis:

*"State Parties shall promote and encourage international cooperation in matters relating to education...In this regard, particular account shall be taken of the needs of developing countries."*

— Convention on the Rights of the Child, Article 28, Paragraph 3

See also: ICESCR 14

#### Guidance:

##### *Explanation:*

This question seeks to answer whether a country is promoting and encouraging the right to education internationally by allocating a percentage of their GDP to other countries as foreign aid.

##### *Necessary Definitions:*

"Foreign Aid" refers to the financial, technical, and in-kind support provided from one country to another.

##### *Examples:*

For Netherlands (in 2011 Constant \$): \$429 Million in Total Aid to Education (from UNESCO EFA GMR Aid Tables), \$773,063.7 Million for GDP (from World Bank DataBank).

Total Aid to Education/GDP \* 100 = 5.55% for Netherlands in 2011

##### *Appropriate Supporting Documentation:*

Acceptable supporting documents may include the national budget, statement of accounts, financial statements, audit reports, data from a reputable regional or multi-national organization such as the UN or the World Bank, government reports, or non-governmental research reports.

##### *Potential Data Sources:*

Official government website, Ministry of Education, Ministry of Finance, [UNESCO EFA GMR Aid Tables](#), [UNESCO Institute of Statistics](#), [World Bank DataBank](#), Websites of Institutions that Monitor Education Aid Activity – Includes the Global Partnership for Education, and the Global Campaign for Education

##### *Additional Guidance for Responses:*

If you are not a donor country please respond NA in the response box and indicate that you are not a donor country in the comment box.

Question 1.5.4	Response
What is the percentage of GDP allocated to foreign aid in relation to education? [donor countries]	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	
<b>RESULTS Educational Fund comment:</b>	

## Question 1.5.5: What is the percentage of total national education budget allocated to each level of education?<sup>S W</sup>

### Basis:

*"With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."*

— Convention on the Rights of the Child, Article 4

See also: CESCR General Comment 3.10

### Guidance:

#### *Explanation:*

This question seeks to answer how a country is using their available resources by breaking down the budget allocated to education by level of education. This indicator can identify the level of education a country focuses their resources on.

#### *Necessary Definitions:*

"Total National Education Budget" includes the amount of money the government allocates to education institutions, administration, and subsidies at all levels of education.

#### *Examples:*

"About 37% of the program costs are for primary level, 11.2% for secondary education, 8.8% for adult education and some 21.7% dedicated to higher education. The relatively limited spending on Technical and Vocational Education and Training (TVET) (8.0%) is, to a large extent, due to the important share of students expected to enroll in non-government schools." (Ethiopia ESDP IV, p. 7)

#### *Appropriate Supporting Documentation:*

Acceptable supporting documents may include the national budget, statement of accounts, financial statements, audit reports, data from a reputable regional or multi-national organization such as the UN or the World Bank, government reports, or non-governmental research reports.

#### *Potential Data Sources:*

Official government website, Ministry of Education, Ministry of Finance, [UNESCO Institute of Statistics](#), [World Bank DataBank](#)



1.5.5	Response
<p><b>What is the percentage of total national education budget allocated to each level of education?</b></p> <ul style="list-style-type: none"> <li>a. Primary</li> <li>b. Secondary</li> <li>c. Vocational and Technical Training</li> <li>d. Tertiary</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> </ul>
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	

<b>RESULTS Educational Fund comment:</b>

### **Question 1.5.6:**

**What is the percentage of the total national education budget allocated to the following components?<sup>S W</sup>**

**Basis:**

*"Material conditions of teaching staff shall be continuously improved"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section e

*"Every child has the right to receive an education of good quality which in turn requires a focus on the quality of the learning environment, of teaching and learning processes and materials, and of learning outputs."*

— Committee on the Rights of the Child, General Comment 1, Paragraph 22

*"The development of a system of schools at all levels shall be actively pursued"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section e

See also: CESCR General Comment 13.6(a)

**Guidance:**

*Explanation:*

This question seeks to answer what percentage of the overall education budget was allocated to specific components of the education system.

*Necessary Definitions:*

"Total National Education Budget" includes the amount of money the government allocates to education institutions, administration, and subsidies at all levels of education.

"Teaching and Learning Materials" include all materials designed to be used for teaching and learning. This includes technology, organizational equipment, school supplies, curriculum and curriculum support, and teaching resources.

"Capital Development" includes the expansion and improvement of infrastructure. This may include school building construction, enhancement, or rehabilitation.

Examples:

80.5% of education budget spend on teacher salaries in Mexico, 2011 (World Bank DataBank)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include the national budget, statement of accounts, financial statements, audit reports, data from a reputable regional or multi-national organization such as the UN or the World Bank, government reports, or non-governmental research reports.

*Potential Data Sources:*

Official government website, Ministry of Education, Ministry of Finance, [UNESCO Institute of Statistics](#), [World Bank DataBank](#), [Plans and Policies of UNESCO Members](#), [Teacher Union Website](#), [UNESCO Institute of Statistics – Teachers](#), [Global Teacher Status Index](#)

Question 1.5.6	Response
<b>What is the percentage of total national education budget is allocated to the following education components?</b>  a. Teacher Salaries  b. Teaching and Learning Materials (including teacher training)  c. Capital Development (Infrastructure)	a.  b.  c.
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 1.5.7:**  
**What percentage of the approved budget for education was actually executed?**<sup>P W</sup>

**Basis:**

*"With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."*

— Convention on the Rights of the Child, Article 4

See also: CESCR General Comment 3.10

**Guidance:**

*Explanation:*

This question seeks to answer whether the state actually spends the money it has allocated towards education on education. The percentage measures the amount of the promise towards education that was actually fulfilled. Specifically, it measures whether what percentage of the education budget was actually executed.

*Necessary Definitions:*

“Approved Budget” is defined as the approved financial amount allocated to education by the appropriate executive and/or legislative governing body.

“Last Fiscal Year” to the most recent Fiscal year expenditure data.

“Executed” indicates the amount of money spent and documented as expenditure.

*Examples:*

76% percent of the Ministry of Education budget was executed in Iraq in 2011 (UN-Iraq Joint Analysis Unit).

Full Citation: UN-Iraq Joint Analysis Unit (2013). *Iraqi Budget Execution*. Available at <http://www.jauiraq.org/documents/1915/Budget%20Execution-JAN2.pdf>

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include the national budget, statement of accounts, financial statements, audit reports, data from a reputable regional or multi-national organization such as the UN or the World Bank, government reports, or non-governmental research reports.

*Potential Data Sources:*

Official government website, Ministry of Education, Ministry of Finance, [UNESCO Institute of Statistics](#), [World Bank DataBank](#), [Right to Education Project – Where to Find Information](#)

<b>Question 1.5.7</b>	<b>Response</b>
<b>What percentage of the approved budget for education was actually executed?</b>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	

<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Theme 2: Availability

### Subtheme 2.1: Classrooms

#### Question 2.1.1:

Is there a minimum standard in place setting the numbers of pupils per classroom?<sup>S</sup>

#### Basis:

"Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party."

— Committee on Economic, Social and Cultural Rights, General Comment 13, Paragraph 6, Section a

#### Guidance:

#### Explanation:

This question seeks to answer whether the government has established a minimum standard or national benchmark outlining the allowed number of pupils to occupy each classroom. The second part of the question captures what the minimum standard is.

#### Examples:

SECTOR OUTCOME	SECTOR OUTCOME INDICATOR <sup>11</sup>	BASELINE (2012/13) <sup>12</sup>	Targets <sup>13</sup>				
			2013/14	2014/15	2015/16	2016/17	2017/18
	GER in upper secondary	27.1%	28.1%	29.1%	30%	31%	32%
	NER in upper secondary (M/F)	25.4% M: 24.1% F: 26.6%	29%	32%	35%	39%	42%
	% of primary schools with access to:						
	- Electricity	25%	34%	43%	52%	61%	70%
	- Alternative energy sources (solar, biogas etc)	9%	13%	17%	22%	26%	30%
	- Water	34%	47%	60%	74%	87%	100%
	% of secondary schools with access to:						
	- Electricity	44%	49%	54%	60%	65%	70%
	- Alternative energy sources	18.6%	21%	23%	25%	28%	30%
	- Water	45%	56%	67%	78%	89%	100%
	Primary pupils: classroom ratio <sup>14</sup>	83:1	85:1	86:1	85:1	84:1	83:1

(Republic of Rwanda ESP 2013/14-2017/18, p. 85)

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education, Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

Please provide ratios for part b and d in the form of x:1.

<b>Question 2.1.1</b>	<b>Response</b>
<b>a. Is there a minimum standard in place setting the numbers of pupils per classroom (primary school)?</b>	a.
<b>b. If yes, what is the minimum standard pupil-classroom ratio (primary school)?</b>	b.
<b>c. Is there a minimum standard in place setting the numbers of pupils per classroom (secondary school)?<sup>w</sup></b>	c.
<b>d. If yes, what is the minimum standard pupil-classroom ratio (secondary school)?<sup>w</sup></b>	d.
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	



<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Question 2.1.2: What is the pupil-classroom ratio?<sup>P</sup>

### **Basis:**

*"Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party."*

— Committee on Economic, Social and Cultural Rights, General Comment 13, Paragraph 6, Section a

### **Guidance:**

#### *Explanation:*

This question seeks to answer what is the average number of pupils for each classroom in reality.

*Examples:*

In China the number of pupils per classroom is 38 in primary school and 53 in lower secondary school, 2011 (OECD, 2013).

Full Citation: OECD (2013), *Education at a Glance 2013*, Chart D2.2, available at <http://dx.doi.org/10.1787/888932851687>

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UNESCO Institute of Statistics](#), [World Bank DataBank](#), Teacher Union Website

*Additional Guidance for Responses:*

Please provide ratios in the form of x:1.

<b>Question 2.1.2</b>	<b>Response</b>
<b>What is the pupil-classroom ratio?</b>  a. For primary schools  b. For secondary schools <sup>w</sup>	a.  b.
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	

<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Subtheme 2.2: Sanitation

### Question 2.2.1:

**Is there a minimum standard in place setting the number of pupils per toilet?<sup>S</sup>**

**Basis:**

*"The Committee urges States Parties, in line with articles 28 and 29 of the Convention to (b) provide well-functioning school and recreational facilities which do not pose health risks to students, including water and sanitation"*

— Committee on the Rights of the Child, General Comment 4, Paragraph 17

See also: CESCR General Comment 13.6(a)

**Guidance:**

*Explanation:*

This question seeks to answer whether the government has established a minimum standard or national benchmark outlining the allowed number of pupils to share each toilet. The second part of the question captures what the minimum standard is.

*Necessary Definitions:*

“Toilets” include flush toilets, squat toilets, pit latrines, and composting toilets.

“Schools” in this question are limited to brick and mortar schools.

*Examples:*

a) School Infrastructure

Nursery: Minimum classroom size 337 square feet, Maximum 562 square feet (15 square feet per student). Sanitary facilities: A minimum of four toilets for every 50 students.

Primary: Minimum classroom size 180 square feet, Maximum 600 square feet (14 square feet per student). Sanitary facilities: A minimum of four toilets for every 100 students.

Secondary: Minimum classroom size 420 square feet, Maximum 945 square feet (14 square feet per student). Sanitary facilities: A minimum of four toilets for each 150 students.

(Response of the Government of Guyana to the OHCHR, available at <http://www.ohchr.org/Documents/Issues/Education/QuestionnaireEducation/Guyana.pdf>)

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

Question 2.2.1	Response
a. Is there a minimum standard in place setting the number of pupils per toilet (primary school)?	a.
b. If yes, what is the minimum standard pupil-toilet ratio (primary school)?	b.
c. Is there a minimum standard in place setting the number of pupils per toilet (secondary school)? <sup>w</sup>	c.
d. If yes, what is the minimum standard pupil-toilet ratio (secondary school)? <sup>w</sup>	d.

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 2.2.2:**  
**What is the pupil-toilet ratio?<sup>S</sup>**

**Basis:**

*"The Committee urges States Parties, in line with articles 28 and 29 of the Convention to (b) provide well-functioning school and recreational facilities which do not pose health risks to students, including water and sanitation"*

— Committee on the Rights of the Child, General Comment 4, Paragraph 17

See also: CESCR General Comment 13.6(a)

**Guidance:***Explanation:*

This question seeks to answer whether the government has established a minimum standard or national benchmark outlining the allowed number of pupils to share each toilet. The second part of the question captures what the minimum standard is.

*Necessary Definitions:*

"Toilets" include flush toilets, squat toilets, pit latrines, and composting toilets.

"Schools" in this question are limited to brick and mortar schools.

*Examples:*

Survey Year 2013

SchoolTypeCode	Toilets	Enrolments	Pupil
			Toilet
			Ratio
ECE	701	18690	26.7
PS	1205	71649	59.5
CHS	1180	79443	67.3
PSS	184	6232	33.9
NSS	195	4698	24.1
RTC	16		0
Grand Total	3481	180712	51.9

(Ministry of Education – Solomon Islands, available at <http://www.mehrd.gov.sb/pupil-toilet-ratio>)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UN Water for Life](#), [Water and Sanitation Program](#), [WHO – Water, Sanitation, and Health](#), [UNESCO Institute of Statistics](#), [World Bank DataBank](#), Teacher Union Website

<b>Question 2.2.2</b>	<b>Response</b>
<p>a. Is there a minimum standard in place setting the number of pupils per toilet (primary school)?</p> <p>b. If yes, what is the minimum standard pupil-toilet ratio (primary school)?</p> <p>c. Is there a minimum standard in place setting the number of pupils per toilet (secondary school)?<sup>w</sup></p> <p>d. If yes, what is the minimum standard pupil-toilet ratio (secondary school)?<sup>w</sup></p>	<p>a.</p> <p>b.</p> <p>c.</p> <p>d.</p>
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

### Question 2.2.3: What is the percentage of schools with toilets?<sup>P</sup>

**Basis:**

*"The Committee urges States Parties, in line with articles 28 and 29 of the Convention to (b) provide well-functioning school and recreational facilities which do not pose health risks to students, including water and sanitation"*

— Committee on the Rights of the Child, General Comment 4, Paragraph 17

See also: CESCR General Comment 13.6(a)

**Guidance:**

*Explanation:*

This question seeks to answer whether there are adequate sanitation facilities available for students by identifying how many students were there for each available toilet.

*Necessary Definitions:*

"Toilets" include flush toilets, squat toilets, pit latrines, and composting toilets.

"Schools" in this question are limited to brick and mortar schools.



*Examples:*

40.6% of primary schools in Cameroon have toilets, 2012  
71.4% of lower secondary schools in Cameroon have toilets, 2012  
(UNESCO Institute of Statistics)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UN Water for Life](#), [Water and Sanitation Program](#), [WHO – Water, Sanitation, and Health](#), [UNESCO Institute of Statistics](#), [World Bank DataBank](#), Teacher Union Website

<b>Question 2.2.3</b>	<b>Response</b>
<b>What is the percentage of schools with toilets?</b>  a. For primary schools  b. For secondary schools <sup>w</sup>	a.  b.
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Question 2.2.4: What is the percentage of schools with potable water?<sup>P</sup>

### Basis:

*"The Committee urges States Parties, in line with articles 28 and 29 of the Convention to (b) provide well-functioning school and recreational facilities which do not pose health risks to students, including water and sanitation"*

— Committee on the Rights of the Child, General Comment 4, Paragraph 17

See also: CESCR General Comment 13.6(a)

### Guidance:

#### Explanation:

This question seeks to answer whether water, that does not pose health risks to students, is readily available by identifying the percentage of schools that had potable water.

#### Necessary Definitions:

"Potable water" is defined as water that is safe for humans to drink.

"Schools" in this question is limited to brick and mortar schools.

*Examples:*

31.3% of primary schools in Cameroon have access to potable water, 2012  
27.2% of lower secondary schools in Cameroon have access to potable water, 2011  
(UNESCO Institute of Statistics)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UN Water for Life](#), [Water and Sanitation Program](#), [WHO – Water, Sanitation, and Health](#), [UNESCO Institute of Statistics](#), [World Bank DataBank](#), Teacher Union Website

<b>Question 2.2.4</b>	<b>Response</b>
<b>What is the percentage of schools with potable water?</b>  a. For primary schools  b. For secondary schools <sup>w</sup>	a.  b.
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Subtheme 2.3: Teachers

### Question 2.3.1:

**What is the percentage of teachers that are appropriately trained?<sup>P</sup>**

**Basis:**

*"Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including...trained teachers" (CESCR General Comment 13.6(a))*

— Committee on Economic, Social and Cultural Rights, General Comment 16, Paragraph 6, Section a

See also: CRC General Comment 1.18, CRC General Comment 14.79

**Guidance:**

*Explanation:*

This question seeks to answer what percent of the overall teaching population are fully trained according to the standards laid out by the State Party.

*Necessary Definitions:*

"Appropriately trained" includes teachers that have successfully completed the prescribed standard training as outlined by the government.

*Examples:*

84.7% of teachers in primary education are appropriately trained in Ecuador, 2013  
 77.1% of teachers in lower secondary education are appropriately trained in Ecuador, 2013 (UNESCO Institute of Statistics)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UNESCO Institute of Statistics – Teachers, Global Teacher Status Index](#), International Surveys of Teachers – Includes TALIS and TEDS-M, Teacher Union Website, [UNESCO Institute of Statistics](#), [World Bank DataBank](#)

<b>Question 2.3.1</b>	<b>Response</b>
<p><b>What is the percentage of teachers that are appropriately trained?</b></p> <p>a. For primary schools</p> <p>b. For secondary schools <sup>w</sup></p>	<p>a.</p> <p>b.</p>
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	

<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 2.3.2:**  
**Is there a minimum standard in place setting the number of pupils per trained teacher?<sup>S</sup>**

**Basis:**

*"Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including...trained teachers" (CESCR General Comment 13.6(a))*

— Committee on Economic, Social and Cultural Rights, General Comment 16, Paragraph 6, Section a

See also: CRC General Comment 1.18, CRC General Comment 14.79

**Guidance:**

*Explanation:*

This question seeks to answer whether the government has established a minimum standard or national benchmark outlining the allowed number of pupils per trained teacher in each school. The second part of the question captures what the minimum standard is.

*Necessary Definitions:*

“Trained teacher” is a teacher that has been trained according to national standards.

*Examples:*

In addition to the fast-track programme, the following guiding principles are critical for the envisaged positive change in primary education between 2008 and 2018:

- i. Ratio of pupils to teachers progressing to a 1:60 ratio by 2013/14 and below 1:60 ratio by 2017/18

(Malawi ESP 2008-2018, p. 12)

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

Question 2.3.2	Response
<p>a. Is there a minimum standard in place setting the number of pupils per trained teacher (primary school)?</p> <p>b. If yes, what is the minimum standard pupil-trained teacher ratio (primary school)?</p> <p>c. Is there a minimum standard in place setting the number of pupils per trained teacher (secondary school)? <sup>W</sup></p> <p>d. If yes, what is the minimum standard pupil-trained teacher ratio (secondary school)? <sup>W</sup></p>	<p>a.</p> <p>b.</p> <p>c.</p> <p>d.</p>
<b>Supporting document/citation:</b>	

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

### **Question 2.3.3:** **What is the pupil-trained teacher ratio?<sup>P</sup>**

**Basis:**

*"Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including...trained teachers" (CESCR General Comment 13.6(a))*

— Committee on Economic, Social and Cultural Rights, General Comment 16, Paragraph 6, Section a

See also: CRC General Comment 1.18, CRC General Comment 14.79



**Guidance:**

*Explanation:*

This question seeks to answer how many teachers that have been trained in accordance with the standards laid out by the State Party were present for each student.

*Necessary Definitions:*

“Trained teacher” is a teacher that has been trained according to national standards.

*Examples:*

If pupils per trained teacher is not readily available the ratio can be calculated as follows:

- Overall pupil-teacher ratio in primary education in Ecuador is 18.7, 2013
- 84.7% of primary teachers in Ecuador are appropriately trained, 2013 (UNESCO Institute of Statistics)
  - $18.7/0.847 = 22.08$  **pupils per trained teacher in primary education** in Ecuador, 2013
- Overall pupil-teacher ratio in lower secondary education in Ecuador is 14.7, 2013
- 77.1% of lower secondary teachers in Ecuador are appropriately trained, 2013 (UNESCO Institute of Statistics)
  - $14.7/0.771 = 19.07$  **pupils per trained teacher in lower secondary education** in Ecuador, 2013

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UNESCO Institute of Statistics – Teachers, Global Teacher Status Index](#), International Surveys of Teachers – Includes TALIS and TEDS-M, Teacher Union Website, [UNESCO Institute of Statistics](#), [World Bank DataBank](#)

Question 2.3.3	Response
<p><b>What is the pupil-trained teacher ratio?</b></p> <p>a. For primary schools</p> <p>b. For secondary schools <sup>w</sup></p>	<p>a.</p> <p>b.</p>
<p><b>Supporting document/citation:</b></p>	

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

### **Question 2.3.4:**

**What is the mean teacher salary relative to the national mean salary?<sup>P W</sup>**

**Basis:**

*"Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including...trained teachers receiving domestically competitive salaries" (CESCR General Comment 13.6(a))*

— Committee on Economic, Social and Cultural Rights, General Comment 13, Paragraph 6, Section a

See also: ICESCR 13.2(e)

**Guidance:**

*Explanation:*

This question seeks to answer whether teachers received a competitive salary for their country of service by dividing the average annual salary of a teacher by the average annual overall salary of all workers in a country. A number over 1.0 indicates that teachers, on average, make more than other workers in the country.

*Necessary Definitions:*

*Examples:*

Average Teacher Salary in Switzerland = \$68,000 (2011 PPP)  
Average Salary in Switzerland = \$50,000 (2011 PPP)  
(The Guardian Online, September 5, 2014 (<http://www.theguardian.com/teacher-network/teacher-blog/2014/sep/05/how-the-job-of-a-teacher-compares-around-the-world>))

$\$68,000/\$50,000 = 1.36$  Ratio of Mean Teacher Salary to National Mean Salary for Switzerland

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, ministry/department of education reports, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UNESCO Institute of Statistics – Teachers, Global Teacher Status Index](#), International Surveys of Teachers – Includes TALIS and TEDS-M, Teacher Union Website, [UNESCO Institute of Statistics](#), [World Bank DataBank](#)

<b>Question 2.3.4:</b>	<b>Response</b>
<b>What is the mean teacher salary relative to the national mean salary?</b>	
<b>Supporting document/citation:</b>	

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## **Subtheme 2.4: Textbooks**

### **Question 2.4.1:**

**Is there a minimum standard in place setting the number of pupils per available textbook?<sup>S</sup>**

**Basis:**

"Every child has the right to receive an education of good quality which in turn requires a focus on the quality of the learning environment, of teaching and learning processes and materials, and of learning outputs." (CRC General Comment 1.22)

— Committee on the Rights of the Child, General Comment 1, Paragraph 22

**Guidance:**

*Explanation:*

This question seeks to answer whether the government has established a minimum standard or national benchmark outlining the allowed number of pupils to share a single textbook. The second part of the question captures what the minimum standard is.

*Necessary Definitions:*

"Textbooks" include both access to traditional hard copies and electronic copies.

*Examples:*

In addition to the fast-track programme, the following guiding principles are critical for the envisaged positive change in primary education between 2008 and 2018:

- vi. Giving 3 exercise books per subject per child for all standards

(Malawi ESP 2008-2018, p. 12)

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

Question 2.4.1	Response
<b>a. Is there a minimum standard in place setting the number of pupils per available textbook (primary school)?</b>	a.
<b>b. If yes, what is the minimum standard pupil-textbook ratio (primary school)?</b>	b.
<b>c. Is there a minimum standard in place setting the number of pupils per available textbook (secondary school)?<sup>w</sup></b>	c.
<b>d. If yes, what is the minimum standard pupil-textbook ratio (secondary school)?<sup>w</sup></b>	d.

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Question 2.4.2: What is the pupil-textbook ratio?<sup>P</sup>

### Basis:

"Every child has the right to receive an education of good quality which in turn requires a focus on the quality of the learning environment, of teaching and learning processes and materials, and of learning outputs." (CRC General Comment 1.22)

— Committee on the Rights of the Child, General Comment 1, Paragraph 22

### Guidance:

#### Explanation:

This question seeks to answer whether there are adequate textbooks available for students to use by identifying how many students, on average, shared a textbook.

#### Necessary Definitions:

"Textbooks" include both access to traditional hard copies and electronic copies.

#### Examples:

2.6 Pupils per Mathematics Textbook in Primary Schools in Ghana, 2013  
2.6 Pupils per Reading Textbook in Primary Schools in Ghana, 2013  
(UNESCO Institute of Statistics)

#### Appropriate Supporting Documentation:

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, ministry/department of education reports, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

#### Potential Data Sources:

Ministry of Education, National Bureau of Statistics, [UNESCO Institute of Statistics](#), [World Bank DataBank](#), Teacher Union Website

#### Additional Guidance for Responses:

Please provide an overall pupil-textbook ratio if available. If only available for some subjects (as in the example above) record the subject specific information in the comments box and put the average of subject specific pupil-textbook ratios in the response box.

Question 2.4.2	Response
<p><b>What is the pupil-textbook ratio?</b></p> <p>a. For primary schools</p> <p>b. For secondary schools <sup>w</sup></p>	<p>a.</p> <p>b.</p>

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>



# Theme 3: Accessibility

## Subtheme 3.1: Free Education

### Question 3.1.1:

**Do national laws provide for free and compulsory primary education?<sup>S</sup>**

**Basis:**

*"Primary education should be compulsory and available free to all"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section a

*See also:* UDHR 26.1, CRC 28.1(a), Charter of the Organization of American States 49 (a), American Declaration of the Rights and Duties of Man 12, Protocol of San Salvador 13.3(a), African Charter on the Rights and Welfare of the Child 11.3(a), Revised European Social Charter 17.2

**Guidance:**

*Explanation:*

This question seeks to answer whether national law explicitly indicates that primary school is provided for free and is compulsory for all students to attend.

*Necessary Definitions:*

“Compulsory Education” is the education legally required in a country.

*Examples:*

See “Basis” above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A “yes” response indicates that the appropriate language is present in the law. A “yes” response does not suggest the law is comprehensive or effective.

<b>Question 3.1.1</b>	<b>Response</b>
<p><b>Do national laws provide for free and compulsory primary education?</b></p> <ul style="list-style-type: none"> <li>a. Yes, national law provides for both free and compulsory primary education.</li> <li>b. No, national law provides for either free or compulsory primary education but not both.</li> <li>c. No, national law does not provide for either free or compulsory primary education.</li> <li>d. Not applicable/other (please comment).</li> </ul>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	

<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Question 3.1.2: Is primary education free in practice?<sup>P</sup>

### Basis:

*"Primary education should be compulsory and available free to all"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section a

See also: UDHR 26.1, CRC 28.1(a), Charter of the Organization of American States 49 (a), American Declaration of the Rights and Duties of Man 12, Protocol of San Salvador 13.3(a), African Charter on the Rights and Welfare of the Child 11.3(a), Revised European Social Charter 17.2

### Guidance:

#### *Explanation:*

This question seeks to answer whether in practice primary education is free in the country.

#### *Necessary Definitions:*

#### *Examples:*

"Now, more than ten years later, a group of parents [is suing a government minister](#) angry that many schools are still charging fees. As education experts the world over pore of the results of [UNESCO's Education for All Global Monitoring Report](#), it's clear there is still a long way to go to reach the goal of global universal primary education by 2015."

(From Free Education in Kenya is a Failed Promise. Available at <http://theconversation.com/free-education-in-kenya-is-a-failed-promise-22453>)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, the national constitution, national education acts, or national plan of action.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

<b>Question 3.1.2</b>	<b>Response</b>
<b>Is primary education free in practice?</b>  a. Yes, primary education is free for all children.  b. No, but primary education is free for the majority of children.  c. No, primary education is free for about half of all children.  d. No, primary education is free for the minority of children.  e. No, primary education is not free for anyone.  f. Not applicable/other (please comment).	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	

<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 3.1.3:  
What percent of household spending is spent on primary education?<sup>P</sup>**

**Basis:**

*"Primary education should be compulsory and available free to all"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section a

*See also:* UDHR 26.1, CRC 28.1(a), Charter of the Organization of American States 49 (a), American Declaration of the Rights and Duties of Man 12, Protocol of San Salvador 13.3(a), African Charter on the Rights and Welfare of the Child 11.3(a), Revised European Social Charter 17.2

**Guidance:**

*Explanation:*

This question seeks to answer whether primary schools in a country provided free access. To allow for cross-national comparisons this should be reported as the percentage of household spending spent on education.

*Necessary Definitions:*

"Household spending" includes any fees associated with the enrollment of an individual in a school as well as books, meals, uniforms, and other associated costs.

*Examples:*

In Tanzania in 2007, 7.7% of household spending is spent on education. 31% of this overall spending on education was spent on primary education (Foko et al., 2012).

$(0.077 * 0.31) * 100 = 2.4\%$  of household spending spent on primary education.

Full Citation: Foko, B., Tiyab, B.K. & Husson, G. (2012). Household education spending: An analytical and comparative perspective for 15 African countries. UNESCO-BREDA Working Paper. Dakar: Senegal.

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from nationally representative surveys or questionnaires, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Household Budget Surveys, [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#), [Global Partnership for Education – Library](#)

<b>Question 3.1.3</b>	<b>Response</b>
<b>What percent of household spending is spent on primary education?</b>	
<b>Supporting document/citation:</b>	

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 3.1.4:**  
**What percent of household spending is spent on secondary education?**<sup>P W</sup>

**Basis:**

*"Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section b

See also: CRC 28.1(b), Charter of the Organization of American States 49(b), Protocol of San Salvador 13.3(b), African Charter on the Rights and Welfare of the Child 11.3(b)

**Guidance:**

*Explanation:*

This question seeks to answer whether secondary schools in a country provided free access in 2013. To allow for cross-national comparisons this should be reported as the percentage of household spending spent on education.

*Necessary Definitions:*

"Household Spending" includes any fees associated with the enrollment of an individual in a school as well as books, meals, uniforms, and other associated costs.

*Examples:*

In Tanzania in 2007, 7.7% of household spending is spent on education. 43% of this overall spending on education was spent on lower secondary education (Foko et al., 2012).

$(0.077 * 0.43) * 100 = 3.3\%$  of household spending spent on lower secondary education.

Full Citation: Foko, B., Tiyab, B.K. & Husson, G. (2012). Household education spending: An analytical and comparative perspective for 15 African countries. UNESCO-BREDA Working Paper. Dakar: Senegal.

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from nationally representative surveys or questionnaires, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, Household Budget Surveys, [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#), [Global Partnership for Education – Library](#)

<b>Question 3.1.4</b>	<b>Response</b>
<b>What percent of household spending is spent on secondary education?</b>	



<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 3.1.5:**  
**Are tuition fees charged for public university/higher education?**<sup>P</sup>

**Basis:**

"Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education"

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section c

See also: Protocol of San Salvador 13.3(c)

**Guidance:**

*Explanation:*

This question seeks to answer whether, in practice, public higher education institutions in a country charged a tuition fee for students to attend their school.

*Necessary Definitions:*

"Tuition Fees" include any fees associated with the enrollment of an individual in a school. This includes mandatory fees and the costs of books.

*Examples:*

Average higher education tuition in Mexico in 2010 = \$5077 (2010 HESA Global Higher Education Rankings)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from nationally representative surveys or questionnaires, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, Household Budget Surveys, [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#), [Global Partnership for Education – Library](#)

*Additional Guidance for Responses:*

A "yes" response to "part a" indicates that tuition fees (as defined above) are charged as at least one public university/higher education institution in the country. A "yes" response does not suggest that all public universities/higher education institutions charge a tuition fee. Part b is the average tuition fee of all institutions that charge a tuition fee.

<b>Question 3.1.5</b>	<b>Response</b>
<p><b>a. Are tuition fees charged for public university/higher education?</b></p> <p><b>b. If yes, what is the average tuition fee for public university/higher education?</b></p>	<p>a.</p> <p>b.</p>

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 3.1.6:**  
**Is basic education publicly provided for adults who have not completed primary education?<sup>SW</sup>**

**Basis:**

*"Basic education should be encouraged or intensified as far as possible for those persons who have not received or completed the whole cycle of primary instruction"*

— Protocol of San Salvador, Article 13, Paragraph 3

See also: ICESCR 13.2(d), Standard Minimum Rules for the Treatment of Prisoners 77.1

**Guidance:**

*Explanation:*

This question seeks to answer whether adults who are illiterate or who have not completed primary education have access to free primary or basic education.

*Necessary Definitions:*

"Basic Education", also called fundamental education, is education that equips the individual with the skills they need to be literate member of society. It is often equated with primary education.

*Examples:*

See "Basis" above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include domestic law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A "yes" response indicates that a publicly provided program exists for adults who have not completed primary education to obtain the skills they need to be a literate member of society. A "yes" response does not suggest that this program can be accessed by all individuals in need or that the program is comprehensive or effective.

Question 3.1.6	Response
<p><b>Is basic education publicly provided for adults who have not completed primary education?</b></p> <p>a. Yes</p> <p>b. No</p> <p>c. Not applicable/other (please comment)</p>	

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Subtheme 3.2: Discrimination

### Question 3.2.1:

**Do national laws forbid discrimination in education on the following grounds?<sup>S</sup>**

**Basis:**

*"States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, property, disability, birth or other status"*

— Convention on the Rights of the Child, Article 2, Paragraph 1

See also: UDHR, Article 2

**Guidance:**

*Explanation:*

This question seeks to answer whether national law explicitly includes language forbidding discrimination of any kind in the education system.

*Necessary Definitions:*

"Discrimination" refers to any distinction, exclusion or restriction made on the basis of an individual's beliefs, history, or other demographic or personal characteristics.

*Examples:*

See "Basis" above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Official government website, Ministry of Education, [UNESCO Database on the Right to Education, Constitute Project](#) (searchable list of constitutions worldwide), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A "yes" response indicates that the appropriate language is present in the law. A "yes" response does not suggest the law is comprehensive or effective.

<b>Question 3.2.1</b>	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b> (Please Comment)
<p><b>Do domestic laws forbid discrimination in education on the following grounds?</b></p> <ul style="list-style-type: none"> <li>a. Race and color (ethnicity)?</li> <li>b. Sex?</li> <li>c. Language?</li> <li>d. Religion?</li> <li>e. Political or other opinion?</li> <li>f. National or social origin?</li> <li>g. Property?</li> <li>h. Birth?</li> <li>i. Sexual orientation and gender identity?</li> <li>j. Disability?</li> <li>k. Age?</li> <li>l. Nationality?</li> <li>m. Marital and family status?</li> <li>n. Health status?</li> <li>o. Place of residence?</li> <li>p. Economic and social situation?</li> </ul>			
<b>Supporting document/citation:</b>			
<b>Researcher comment:</b>			
<b>Peer review 1 comment:</b>			

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 3.2.2:**  
**Is the expulsion of girls from school because of pregnancy or for having a baby explicitly forbidden in national legislation?**<sup>s</sup>

**Basis:**

*"Discrimination based on adolescent pregnancy, such as expulsion from schools, should be prohibited, and opportunities for continuous education should be ensured."*

— Committee on the Rights of the Child, General Comment 15, Paragraph B, Section d

See also: African Charter on the Rights and Welfare of the Child 11.6, CRC General Comment 4.31

**Guidance:**

*Explanation:*

This question seeks to answer whether national law explicitly prohibits schools from discriminating against girls that are pregnant. This includes protection of girls who become pregnant from expulsion.



*Necessary Definitions:*

"Expulsion" is the removal or exclusion of an individual from school. This can be specific to an individual school or encompass a larger set of schools.

*Examples:*

See "Basis" above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution, education act or child's rights act.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A "yes" response indicates that the appropriate language is present in the law. A "yes" response does not suggest the law is comprehensive or effective.

<b>Question 3.2.2</b>	<b>Response</b>
<b>Is the expulsion of girls from school because of pregnancy or for having a baby explicitly forbidden in national legislation?</b>  a. Yes  b. No  c. Not applicable/other (please comment)	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	

<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 3.2.3:**  
**In practice, are girls expelled from school because of pregnancy or for having a baby?<sup>P</sup>**

**Basis:**

As in 3.2.2 above.

**Guidance:**

*Explanation:*

This question seeks to answer whether girls who are pregnant are expelled from schools in practice.

*Necessary Definitions:*

"Expelled" denotes someone that has been removed or excluded from school. This can be specific to an individual school or encompass a larger set of schools.

*Examples:*

Girls are subject to mandatory pregnancy testing and if pregnant are expelled from schools in Tanzania (Forced Out: Mandatory Pregnancy Testing and the Expulsion of Pregnant Students in Tanzanian Schools, 2012)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a reputable regional or multi-national organization such as the UN or the World Bank, data from a nationally representative survey or questionnaire, or in the absence of all else, expert testimony.

*Potential Data Sources:*

Ministry of Education, Official government website, [Women Watch](#), [Right to Education Project – Where to Find Information](#), [Global Partnership for Education – Library](#)

*Additional Guidance for Responses:*

“Nearly universally practiced” suggests that greater than 7 in 10 pregnant girls are expelled; “regularly practiced” suggests that approximately 3 in 10 to 7 in 10 are expelled; and “rarely practiced” suggests that less than 3 in 10 are expelled.

<b>Question 3.2.3</b>	<b>Response</b>
<p><b>In practice, are girls expelled from school because of pregnancy or for having a baby?</b></p> <ul style="list-style-type: none"><li>a. Yes, it is nearly universally practiced.</li><li>b. Yes, it is regularly practiced.</li><li>c. Yes, but it is rarely practiced.</li><li>d. No.</li><li>e. Not applicable/other (please comment).</li></ul>	
<b>Supporting document/citation:</b>	

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 3.2.4:**  
**Do migrant, refugee, or internally displaced children have to present documents stating their legal status to enroll in school?**<sup>P</sup>

**Basis:**

*“Access...shall not be refused or limited by reason of the irregular situation with respect to stay or employment...or...irregularity of the child’s stay in the State of employment”*

— *International Convention on the Protection of the Rights of all Migrant Workers and Members of their Family, Article 30*

**Guidance:***Explanation:*

This question seeks to answer whether children are denied access to school due to a lack of documented legal status. This may include exclusion of those that do not have a birth certificate, paperwork documenting their families legal work status, or proof of residency.

*Necessary Definitions:*

"Migrant" refers to an individual that has moved to another country or region to better their material or social conditions and improve the prospect for themselves or their family.

"Refugee" refers to an individual that has moved outside of their country of nationality to avoid persecution and is unable to return.

"Internally displaced person" refers to an individual that has been displaced from their home due to coercion or force and remain within their country of nationality.

*Examples:*

In their 2015 Joint Education Needs Assessment Report, UNICEF identified lack of documentation as one of the main barriers that prevented Syrian refugees from attending school in Jordan: "Reasons why children had never attended formal education in Jordan were largely similar across the two age groups. Lack of documentation or financial resources featured highest amongst the younger children (15 mentions respectively), with lack of financial resources also being the most commonly mentioned reason amongst children aged 12-17 (16 mentions) and lack of documentation the third most commonly mentioned reason (11 mentions)." (UNICEF, 2015, p. 47).

Full Citation: UNICEF (2015). Access to education for Syrian refugee children and youth in Jordan host communities. *Joint Education Needs Assessment Report: Education Sector Working Group*.

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, national constitutions, or education acts.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#), [Humanitarian Practice Network](#), [Global Partnership for Education – Library](#)

*Additional Guidance for Responses:*

A “yes” response indicates that in any part of the country, migrant, refugee, or internally displaced children have to present documents stating their legal status to enroll in school. A “yes” response does not indicate the practice is universally applied across all regions or to all migrant, refugee, or internally displaced children.

<b>Question 3.2.4</b>	<b>Response</b>
<b>Do migrant, refugee, or internally displaced children have to present documents stating their legal status to enroll in school?</b>  a. Yes  b. No  c. Not applicable/other (please comment)	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	

<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Subtheme 3.3: Participation

### Question 3.3.1: What is the gross enrollment rate?<sup>P</sup>

**Basis:**

*"Primary education should be compulsory and available free to all"*

- International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section a

*"Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education"*

- International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section b

*"Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education"*

- International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section c

See also: UDHR 26.1, CRC 28.1(a), Charter of the Organization of American States 49 (a), American Declaration of the Rights and Duties of Man 12, Protocol of San Salvador 13.3(a), African Charter on the Rights and Welfare of the Child 11.3(a), Revised European Social Charter 17.2, CRC 28.1(b), Charter of the Organization of American States 49(b), Protocol of San Salvador 13.3(b), African Charter on the Rights and Welfare of the Child 11.3(b), Protocol of San Salvador 13.3(c)

**Guidance:**

**Guidance:**

*Explanation:*

This question seeks to answer how many individuals, regardless of age, were enrolled in school relative to the total number of school age children. Note that this rate may be above 100 as it includes all individuals enrolled regardless of age capturing late enrollment, early enrollment, and repetition.

*Necessary Definitions:*

"Gross Enrollment Rate" is defined as the number of individuals in a given level of school, regardless of age, relative to the total number of individuals of the appropriate age to attend the given level of school. This includes students enrolled in either public or private schools.

*Examples:*

The overall gross enrollment ratio for primary schools for Jamaica in 2013 was 92.3. For males it was 94.9 and for females it was 89.6 (World Bank Databank)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#), [UNESCO Institute of Statistics](#), [World Bank DataBank](#)

<b>Question 3.3.1</b>	<b>Response</b>
<p><b>A: What is the gross enrollment rate for primary schools?</b></p> <ul style="list-style-type: none"><li>a. Overall gross enrollment rate for primary schools</li><li>b. For males</li><li>c. For females</li><li>d. In urban schools</li><li>e. In rural schools</li><li>f. For the lowest income quintile</li><li>g. For the second income quintile</li><li>h. For the middle income quintile</li><li>i. For the fourth income quintile</li><li>j. For the highest income quintile</li><li>k. For students with a disability</li></ul>	<ul style="list-style-type: none"><li>a.</li><li>b.</li><li>c.</li><li>d.</li><li>e.</li><li>f.</li><li>g.</li><li>h.</li><li>i.</li><li>j.</li><li>k.</li></ul>



<p><b>B: What is the gross enrollment rate for secondary schools? <sup>w</sup></b></p> <ul style="list-style-type: none"> <li>a. Overall gross enrollment rate for secondary schools</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>C: What is the gross enrollment rate for technical and vocational training? <sup>w</sup></b></p> <ul style="list-style-type: none"> <li>a. Overall gross enrollment rate for technical and vocational training</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>D: What is the gross enrollment rate for tertiary schools? <sup>w</sup></b></p> <ul style="list-style-type: none"> <li>a. Overall gross enrollment rate for tertiary schools</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Question 3.3.2: What is the net enrollment rate?<sup>P</sup>

### Basis:

*"Primary education should be compulsory and available free to all"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section a

*"Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section b

See also: UDHR 26.1, CRC 28.1(a), Charter of the Organization of American States 49 (a), American Declaration of the Rights and Duties of Man 12, Protocol of San Salvador 13.3(a), African Charter on the Rights and Welfare of the Child 11.3(a), Revised European Social Charter 17.2, CRC 28.1(b), Charter of the Organization of American States 49(b), Protocol of San Salvador 13.3(b), African Charter on the Rights and Welfare of the Child 11.3(b)

### Guidance:

#### *Explanation:*

This question seeks to answer how many children of primary school age are enrolled in school relative to the total number of primary-school-age children.

#### *Necessary Definitions:*

"Net enrollment rate" is defined as the number of individuals at the appropriate age of a given school level actually enrolled at the given level of school. This includes students enrolled in either public or private schools.

#### *Examples:*

The overall net enrollment rate for primary schools in Jamaica in 2013 was 85.2%. For males it was 86.6% and for females it was 83.7% (World Bank Databank).

#### *Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

#### *Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#), [UNESCO Institute of Statistics](#), [World Bank DataBank](#)

Question 3.3.2	Response
<p><b>A: What is the net enrollment rate for primary schools?</b></p> <ul style="list-style-type: none"> <li>a. Overall net enrollment rate for primary schools</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>B: What is the net enrollment rate for secondary schools? <sup>w</sup></b></p> <ul style="list-style-type: none"> <li>a. Overall net enrollment rate for secondary schools</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>Supporting document/citation:</b></p>	
<p><b>Researcher comment:</b></p>	

<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

### **Question 3.3.3: What is the completion rate?<sup>P</sup>**

**Basis:**

*"State Parties...shall, in particular: (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates"*

— Convention on the Rights of the Child, Article 28, Paragraph 1, Section e

*"Primary education should be compulsory and available free to all"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section a

*"Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section b

*"Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education"*

— International Covenant on Economic, Social and Cultural Rights, Article 13, Paragraph 2, Section c

See also: CEDAW 10 (f), Revised European Social Charter 17.2, Protocol of the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 12.2(c), African Charter on the Rights and Welfare of the Child 11.3(d)

**Guidance:**

*Explanation:*

This question seeks to answer what percentage of students completed the identified level of education. It is calculated by taking the total number of students in the last grade of the given level, minus the number of repeaters in that grade, divided by the total number of children of official graduation age.

*Necessary Definitions:*

"Completion rate" is calculated by taking the total number of students in the last grade of a given education level, minus the number of repeaters in that grade, divided by the total number of children of official graduation age.

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, National Bureau of Statistics, [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#), [UNESCO Institute of Statistics](#), [World Bank DataBank](#)

Question 3.3.3	Response
<p><b>A: What is the primary school completion rate?</b></p> <ul style="list-style-type: none"> <li>a. Overall completion rate for public primary schools</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> </ul>

<ul style="list-style-type: none"> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>B: What is the secondary school completion rate? <sup>w</sup></b></p> <ul style="list-style-type: none"> <li>a. Overall completion rate for public secondary schools</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>C: What is the completion rate for technical and vocational training programs? <sup>w</sup></b></p> <ul style="list-style-type: none"> <li>a. Overall completion rate for public technical and vocational training programs</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>D: What is the tertiary school completion rate? <sup>w</sup></b></p> <ul style="list-style-type: none"> <li>a. Overall completion rate for public tertiary schools</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> </ul>

<ul style="list-style-type: none"> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	
<b>RESULTS Educational Fund comment:</b>	



# Theme 4: Acceptability

## Subtheme 4.1: Aims of Education

### Question 4.1.1:

**Do national laws or policies direct education towards the following aims?<sup>S</sup>**

**Basis:**

*"States Parties agree that the education of the child shall be directed to: (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential, (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations, (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own, (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin, and (e) The development of respect for the natural environment"*

— Convention on the Rights of the Child, Article 29, Paragraph 1

See also: CRPD 24.1(b), African Charter on the Rights and Welfare of the Child 11.2(a), UDHR 26.2, ICESCR 13.1, CRPD 24.1(a), African Charter on the Rights and Welfare of the Child 11.2(b), UDHR 26.2, ICESCR 13.1, African Charter on the Rights and Welfare of the Child 11.2(d), African Charter on the Rights and Welfare of the Child 11.2(g)

**Guidance:**

*Explanation:*

This question seeks to answer whether specific aims of education are explicitly included in the national laws of a country.

*Necessary Definitions:*

"Child's personality, talent, and mental and physical abilities" speaks to the holistic development of the full potential of the child.

"Respect for the child's parents...and other civilizations" speaks to a child's enhanced sense of identity and affiliation.

"Child's responsibilities in a free society...and friendship among all persons and groups" speaks to his or her socialization and interaction with others.

*Examples:*

See "Basis" above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A “yes” response indicates that the appropriate language is present in the law. A “yes” response does not suggest the law is comprehensive or effective.

<b>Question 4.1.1</b>	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b> (Please Comment)
<p><b>Do national laws or policies direct education towards the following aims?</b></p> <ul style="list-style-type: none"> <li>a. The full development of the child’s personality, talents, and mental and physical abilities?</li> <li>b. The development of respect for human rights and fundamental freedoms?</li> <li>c. The development of respect for the child’s parents, cultural identity, language, and values, as well as respect for the values of the child’s country and other civilizations?</li> <li>d. The development of the child’s responsibilities in a free society, including understanding, peace, tolerance, equality, and friendship among all persons and groups?</li> <li>e. The development of respect for the natural environment?</li> </ul>			
<b>Supporting document/citation:</b>			

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 4.1.2:**  
**Does the national curriculum direct education towards the following aims?<sup>P</sup>**

**Basis:**

*"The effective promotion of article 29 (1) requires the fundamental reworking of curricula to include the various aims of education and the systematic revision of textbooks and other teaching materials and technologies, as well as school policies."*

— Committee on the Rights of the Child, General Comment 1, Paragraph 18

See also: CRC General Comment 11.56

**Guidance:**

*Explanation:*

This question seeks to answer whether the national curriculum includes language that addresses specific aims of education.

*Necessary Definitions:*

“National curriculum” outlines the subjects and content used in schools to aid nationwide uniformity of education quality. It is usually legislated by the national government but may coordinate with state and regional authorities for administration.

“Child’s personality, talent, and mental and physical abilities” speaks to the holistic development of the full potential of the child.

“Respect for the child’s parents...and other civilizations” speaks to a child’s enhanced sense of identity and affiliation.

“Child’s responsibilities in a free society...and friendship among all persons and groups” speaks to his or her socialization and interaction with others.

*Examples:*

“Malta’s National Curriculum Framework (NCF). The overarching principle upon which this framework has been constructed is that of giving children and young people an appropriate entitlement of learning that enables them to accomplish their full potential as individual persons and as citizens of a small State within the European Union.” (A National Curriculum Framework for All, 2012)

“During the Junior Years cycle, children are introduced to democratic values that are related to respect of fundamental freedoms, human rights and responsibilities as well as diversity, active participation and dealing with change.” (A National Curriculum Framework for All [Malta], 2012)

“The learning of History contributes to the development of the students’ sense of identity as Maltese citizens as well as citizens of Europe and members of a wider global community.” (A National Curriculum Framework for All [Malta], 2012)

“The National Curriculum Framework aims at: (4) providing quality time for social interaction, non-formal learning and peer activity” (A National Curriculum Framework for All [Malta], 2012)

“Education for Sustainable Development (ESD) is about learning that:

- re-orient education to address sustainable development.
- respects, values and preserves past achievements.
- values the Earth’s resources and its peoples.
- strives towards a world in which all humans have access to sufficient food and water, a healthy and productive life, basic education, and a safer and just environment.
- assesses, cares for and restores the state of our planet.” (A National Curriculum Framework for All [Malta], 2012)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include the official national curriculum or government policies outlining the national curriculum.

*Potential Data Sources:*

Ministry of Education, Official government website, [Web Links to Select National Curriculum](#), Teacher Union Website, National Curriculum Map

*Additional Guidance for Responses:*

A “yes” response indicates that the aims are included in the national curriculum. A “yes” response does not suggest that the incorporation of the aims into the national curriculum are comprehensive or that the curriculum is being implemented.

<b>Question 4.1.2</b>	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b> (Please Comment)
<b>Does the national curriculum direct education towards the following aims?</b>  a. The full development of the child’s personality, talents, and mental and physical abilities?  b. The development of respect for human rights and fundamental freedoms?  c. The development of respect for the child’s parents, cultural identity, language, and values, as well as respect for the values of the child’s country and other civilizations?  d. The development of the child’s responsibilities in a free society, including understanding, peace, tolerance, equality, and friendship among all persons and groups?  e. The development of respect for the natural environment?			
<b>Supporting document/citation:</b>			

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 4.1.3:**

**Does the required training for teachers include improving the skills necessary for teaching towards the full development of the following aims?<sup>P</sup>**

**Basis:**

*"Pre-service and in-service training schemes which promote the principles reflected in Article 29(1) are thus essential for teachers, educational administrators and others involved in child education"*

— Committee on the Rights of the Child, General Comment 1, Paragraph 18

See also: CRC General Comment 11.56

**Guidance:***Explanation:*

This question seeks to answer whether the standard teacher training in a country is designed to develop the teacher's ability to teach to specific aims of education.

*Necessary Definitions:*

"Required training" includes the training that meets the standards laid out by the government to become a certified teacher.

"Child's personality, talent, and mental and physical abilities" speaks to the holistic development of the full potential of the child.

"Respect for the child's parents...and other civilizations" speaks to a child's enhanced sense of identity and affiliation.

"Child's responsibilities in a free society...and friendship among all persons and groups" speaks to his or her socialization and interaction with others.

*Examples:*

Teacher education includes compulsory course in Islamic Studies/Ethics and professional course in Methods of Teaching Islamic Studies which emphasize history and understanding of Islamic Civilization – Fulfills 4.1.3c (2010 Revised Curriculum of Education, Higher Education Commission-Pakistan).

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, national teacher training standards, or curriculum of teacher training that meets national standards.

*Potential Data Sources:*

Ministry of Education, Official government website, National College of Education Curriculum, [World Data on Education – Sixth Edition](#), [TIMMS Encyclopedia](#), International Surveys of Teachers – Includes TALIS and TEDS-M

*Additional Guidance for Responses:*

A “yes” response indicates that the aims are included in the mandatory training for teachers. A “yes” response should not be given if the aim is only included in a voluntary or elective portion of the training. A “yes” response does not suggest that the incorporation of the aims into teacher training is comprehensive or that the training leads to specific classroom practices.

<b>Question 4.1.3</b>	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b> (Please Comment)
<p><b>Does the required training for teachers include improving the skills necessary for teaching towards the full development of the following aims?</b></p> <ul style="list-style-type: none"> <li>a. The full development of the child’s personality, talents, and mental and physical abilities?</li> <li>b. The development of respect for human rights and fundamental freedoms?</li> <li>c. The development of respect for the child’s parents, cultural identity, language, and values, as well as respect for the values of the child’s country and other civilizations?</li> <li>d. The development of the child’s responsibilities in a free society, including understanding, peace, tolerance, equality, and friendship among all persons and groups?</li> <li>e. The development of respect for the natural environment?</li> </ul>			
<b>Supporting document/citation:</b>			
<b>Researcher comment:</b>			



<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 4.1.4:**

**Are there established mechanisms to ensure that textbooks used in both public and private schools are aligned with the curriculum guidelines provided by the Ministry of Education?<sup>S</sup>**

**Basis:**

*"The effective promotion of article 29 (1) requires the fundamental reworking of curricula to include the various aims of education and the systematic revision of textbooks and other teaching materials and technologies, as well as school policies." (CRC General Comment 1.18)*

— Committee on the Rights of the Child, General Comment 1, Paragraph 18

**Guidance:**

*Explanation:*

This question seeks to answer whether mechanisms, such as textbook selection, are in place to ensure that the textbooks used in schools align with a national curriculum based on developing the child’s personality, talents, and abilities; respect for human rights and fundamental freedoms; respect for parents, cultural identity and other cultures and countries; sense of responsibility in a free society; and respect for the natural environment.

*Necessary Definitions:*

“Textbooks” include both access to traditional hard copies and electronic copies.

*Examples:*

The Ministry of Education in Japan uses a Textbook Examination Procedure which is “designed to screen textbooks in order to ensure that they conform to the purpose and policy of education as specified by the Fundamental Law of Education and the purpose of the school and objectives of education as specified by the School Education Law.” This includes ensuring that information in the textbook is mapped onto the national Courses of Study.

<http://www.mofa.go.jp/policy/education/textbooks/overview-3.html>

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, or national textbook adoption procedures and regulations.

*Potential Data Sources:*

Ministry of Education, Official government website, [Portal for Education Plans and Policies of UNESCO Members](#), Teacher Union Website

*Additional Guidance for Responses:*

A “yes” response indicates that a mechanism has been established to align textbook with the curriculum guidelines. A “yes” response does not suggest that all textbooks in use are aligned or that the mechanism in use is effective.

<b>Question 4.1.4</b>	<b>Response</b>
<p><b>Are there established mechanisms to ensure that textbooks used in both public and private schools and aligned with the curriculum guidelines provided by the Ministry of Education?</b></p> <p>a. Yes</p> <p>b. No</p> <p>c. Not applicable/other (please comment).</p>	

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Question 4.1.5: Does national curriculum include the following topics?<sup>P</sup>

### Basis:

For Health and Wellbeing:

*"The Committee urges States Parties, in line with articles 28 and 29 of the Convention to: (d) initiate and support measures, attitudes and activities that promote healthy behaviour by including relevant topics in school curricula"*

— Committee on the Rights of the Child, General Comment 4, Paragraph 17

For Human Rights:

*"Include in the educational curriculum information on human rights, including women and children's rights, gender equality and self-awareness and contribute to eliminating gender stereotypes and fostering an environment of non-discrimination"*

- Committee on the Rights of the Child, General Comment 18, Paragraph 7, Section 3.2.68(c)

For the Arts:

*"Consistent with obligations under article 29 concerning the aims of education, appropriate time and expertise must be allocated within the school curriculum for children to learn, participate in and generate cultural and artistic activities, including music, drama, literature, poetry and art, as well as sports and games."*

- Committee on the Rights of the Child, General Comment 17, Paragraph 8, Section g

See also: CEDAW 10(f), CRC 24.2(e), CRC General Comment 15.B(e), CRC General Comment 3.16, CRC General Comment 5.68, CRC 42

### Guidance:

#### Explanation:

This question seeks to answer whether the national curriculum includes an emphasis on health and well-being, human rights, and the arts – including music, drama, and literature.

#### Necessary Definitions:

“National curriculum” outlines the subjects and content used in schools to aid nationwide uniformity of education quality. It is usually legislated by the national government but may coordinate with state and regional authorities for administration.

#### Examples:

For Health and Well-being:

“The learning experiences that take place during health education activities aim at equipping learners with the necessary knowledge, competencies, skill, attitudes, and values which they need to maintain, promote and enhance physical, emotional, psychological and social well-being throughout their school life and as lifelong learners.”

For Human Rights:

“During the Junior Years cycle, children are introduced to democratic values that are related to respect of fundamental freedoms, human rights and responsibilities as well as diversity, active participation and dealing with change.”

For the Arts:

“This learning area which includes Art, Music, Dance and Drama provides opportunities for learners to be creative and imaginative, to experience enjoyment and inspiration, and to develop skills in the visual and performing arts.” (A National Curriculum Framework for All [Malta], 2012)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include the official national curriculum, national laws or policies, government reports, or non-governmental research reports.

*Potential Data Sources:*

Ministry of Education, Official government website, Web Links to Select National Curriculum (<http://www.globalclassroom.org/curriculum.html>), Teacher Union Website, National Curriculum Map.

*Additional Guidance for Responses:*

A “yes” response indicates that the topic is included in the national curriculum. A “yes” response does not suggest that topic is comprehensively covered or that the curriculum is being implemented.

<b>Question 4.1.5</b>	<b>Yes</b>	<b>No</b>	<b>Not Applicable</b> (Please Comment)
<b>Does national curriculum include the following topics?</b>  a. Health and Well-being  b. Human Rights  c. The Arts			
<b>Supporting document/citation:</b>			

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 4.1.6:**

**Do national laws include children in the decision making process of school curricula, school policies, and codes of behavior?<sup>SW</sup>**

**Basis:**

*"Education authorities have to include children's...views in the planning of curricula"*

- Committee on the Rights of the Child, General Comment 12, Paragraph 107

*"Steady participation of children in decision-making processes should be achieved...where they freely express their views on the development and implementation of school policies and codes of behavior. These rights need to be enshrined in legislation"*

— Committee on the Rights of the Child, General Comment 12, Paragraph 110

See also: CRC General Comment 1.8

**Guidance:***Explanation:*

This question seeks to answer whether national law explicitly includes children in the education decision making process. This should include children having a voice in choosing school curriculum, deciding on school policies and establishing codes of behavior and is often done through the inclusion of children on a school leadership or governing board.

*Necessary Definitions:*

"School Curricula" includes the curricula chosen by the school to address the national curriculum and meet educational standards.

"Codes of Behavior" is defined as the set of rules established by school leaders – including administration, teachers, and students – that regulate appropriate behavior at school or while conducting school business.

*Examples:*

See "Basis" above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education, Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A "yes" response indicates that the appropriate language is present in the law. A "yes" response does not suggest the law is comprehensive or effective.

Question 4.1.6	Response
<p><b>Do national laws include children in the decision making process of school curricula, school policies, and codes of behavior?</b></p> <p>a. Yes</p> <p>b. No</p> <p>c. Not applicable/other (please comment)</p>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	



<b>RESULTS Educational Fund comment:</b>

## Subtheme 4.2: Learning Environment

### Question 4.2.1:

**Has the national government adopted specific measures to protect children from violence and abuse in school?<sup>S</sup>**

**Basis:**

*"States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child, "*

— Convention on the Rights of the Child, Article 19, Paragraph 1

See also: Protocol of the African Charter on Human and Peoples' Rights on the Right of Women in Africa 12.1(c), CRC General Comment 13, CRC General Comment 4.17

**Guidance:**

*Explanation:*

This question seeks to answer whether a country has adopted clear measures through the establishment of laws, trainings, and social and educational supports to protect the child from all types of violence and abuse.

*Necessary Definitions:*

"Abuse" includes all forms of abuse: emotional, verbal, physical, sexual, and mental.

*Examples:*

"In the case of Kenya, Article 29 of the new constitution, which came into force in August 2010, prohibits all forms of violence from either public or private sources, a ban that is binding for all State organs and all persons. Article 53 provides that every child has the right to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative labour." (*Tackling Violence in Schools: A Global Perspective*, by SRSG on Violence Against Children, 2011, p. 7)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, the national constitution, national education acts, or national plan of action.

*Potential Data Sources:*

Ministry of Education, Official government website, [Portal for Education Plans and Policies of UNESCO Members](#), Teacher Union Website, [UNESCO Database on the Right to Education](#), [Right to Education Project – Where to Find Information](#), [Global Partnership for Education – Library](#)

*Additional Guidance for Responses:*

A “yes” response indicates that a measure has been established to protect children from violence and abuse in school. A “yes” response does not suggest that the measure is universally applied or effective.

<b>Question 4.2.1</b>	<b>Response</b>
<b>Has the national government adopted specific measures to protect children from violence and abuse in school?</b>  a. Yes  b. No  c. Not applicable/other (please comment)	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 4.2.2:**  
**In practice, are children in schools free from violence and abuse?<sup>P</sup>**

**Basis:**

*"States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child, "*

— Convention on the Rights of the Child, Article 19, Paragraph 1

See also: Protocol of the African Charter on Human and Peoples' Rights on the Right of Women in Africa 12.1(c), CRC General Comment 13, CRC General Comment 4.17

**Guidance:**

*Explanation:*

This question seeks to answer whether in practice children are protected from all types of violence and abuse.

*Necessary Definitions:*

"Abuse" includes all forms of abuse: emotional, verbal, physical, sexual, and mental.

*Examples:*

" School violence in the U.S. reached a peak in 1993, according to the National Center for Education Statistics. That year, there were 42 homicides by students in total, as well as 13 "serious violent crimes" — rape, sexual assault, robbery and aggravated assault — per 1,000 students at primary and secondary schools. By 2010, the latest figures available, those numbers had decreased to two homicides and four violent crimes per 1,000 students. (*Violence in Schools: How big a problem is it?* Available at <http://www.npr.org/2012/03/16/148758783/violence-in-schools-how-big-a-problem-is-it>)

*Appropriate Supporting Documentation:*


Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, the national constitution, national education acts, or national plan of action.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

"Very common in practice" suggests that greater than 1 in 3 students are subject to violence or abuse in school; "regularly practiced" suggests that approximately 1 in 10 to 1 in 3 are subject to violence or abuse in school; and "rarely practiced" suggests that less than 1 in 10 are subject to violence or abuse in school.

<b>Question 4.2.2</b>	<b>Response</b>
<p><b>In practice, are children in schools free from violence and abuse?</b></p> <p>a. s, violence and abuse is very common in practice.</p> <p>b. Yes, violence and abuse is regularly practiced.</p> <p>c. Yes, violence and abuse is rarely practiced.</p> <p>d. No.</p> <p>e. Not applicable/other (please comment).</p>	

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 4.2.3:**  
**Do national laws prohibit corporal punishment?<sup>S</sup>**

**Basis:**

*"States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention"*

— Convention on the Rights of the Child, Article 28, Paragraph 4

See also: African Charter on the Rights and Welfare of the Child 11.5, CRC General Comment 1.8, ICESCR General Comment 13, CRC General Comment 8.2, CRC General Comment 4.17

**Guidance:**

*Explanation:*

This question seeks to answer whether national law explicitly prohibits the use of corporal punishment in schools.

*Necessary Definitions:*

"Corporal Punishment" includes physical punishment that is intended to cause some degree of pain or discomfort, however light, and non-physical punishment that is cruel or degrading in nature.

*Examples:*

See "Basis" above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A "yes" response indicates that the appropriate language is present in the law. A "yes" response does not suggest the law is comprehensive or effective.

<b>Question 4.2.3</b>	<b>Response</b>
<p><b>Do national laws prohibit corporal punishment?</b></p> <p>a. Yes</p> <p>b. No</p> <p>c. Not applicable/other (please comment)</p>	

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 4.2.4:**  
**Does corporal punishment occur in practice?<sup>P</sup>**

**Basis:**

As in 4.2.3 above.

**Guidance:***Explanation:*

This question seeks to answer whether schools actually practice corporal punishment as a form of discipline.

*Necessary Definitions:*

"Corporal Punishment" includes physical punishment that is intended to cause some degree of pain or discomfort, however light, and non-physical punishment that is cruel or degrading in nature.

*Examples:*

In Bangladesh "Most recently, UNICEF research covering nearly 4,000 households involved interviews with children aged 9-18 and the heads of their households, focus group discussions, case studies and a survey of children living on the street. It found that 91% of children experienced physical punishment in school, including hitting the palm with a ruler or stick (experienced by 76%), standing in class, hitting other body parts with a ruler or stick, and slapping; 23% said they faced corporal punishment every day and 7% reported injuries and bleeding as a result." (Prohibition of Corporal Punishment of Children in South Asia: A Progress Review, 2011, p. 15)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a reputable regional or multi-national organization such as the UN or the World Bank, or in the absence of all else, expert testimony.

*Potential Data Sources:*

Ministry of Education, Official government website, [Global Initiative to End all Corporal Punishment of Children](#), [World Corporal Punishment Research](#), [Plan International – Campaign Against Corporal Punishment](#), [Right to Education Project – Where to Find Information](#), [Global Partnership for Education – Library](#)

*Additional Guidance for Responses:*

"Very common in practice" suggests that greater than 1 in 3 students are subject to corporal punishment; "regularly practiced" suggests that approximately 1 in 10 to 1 in 3 are subject to corporal punishment; and "rarely practiced" suggests that less than 1 in 10 are subject to corporal punishment.



Question 4.2.4	Response
<p><b>Does corporal punishment occur in practice?</b></p> <ul style="list-style-type: none"> <li>a. Yes, corporal punishment is very common in practice.</li> <li>b. Yes, corporal punishment is regularly practiced.</li> <li>c. Yes, corporal punishment is rarely practiced.</li> <li>d. No.</li> <li>e. Not applicable/other (please comment).</li> </ul>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	

<b>RESULTS Educational Fund comment:</b>

## Subtheme 4.3: Learning Outcomes

### Question 4.3.1:

**Do national assessments or exams attempt to evaluate pupils progress towards the following aims?<sup>S</sup>**

**Basis:**

*"States Parties agree that the education of the child shall be directed to: (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential, (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations, (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own, (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin, and (e) The development of respect for the natural environment"*

— Convention on the Rights of the Child, Article 29, Paragraph 1

See also: CRPD 24.1(b), African Charter on the Rights and Welfare of the Child 11.2(a), UDHR 26.2, ICESCR 13.1, CRPD 24.1(a), African Charter on the Rights and Welfare of the Child 11.2(b), UDHR 26.2, ICESCR 13.1, African Charter on the Rights and Welfare of the Child 11.2(d), African Charter on the Rights and Welfare of the Child 11.2(g)

**Guidance:**

*Explanation:*

This question seeks to answer whether sections or questions included in the national assessment/exam attempt to evaluate student's progress towards the aims of education as outlined in the international right to education.

*Necessary Definitions:*

"Child's personality, talent, and mental and physical abilities" speaks to the holistic development of the full potential of the child.

"Respect for the child's parents...and other civilizations" speaks to a child's enhanced sense of identity and affiliation.

"Child's responsibilities in a free society...and friendship among all persons and groups" speaks to his or her socialization and interaction with others.

“National assessment/exam” in this question is identified as the assessment or exam administered closest to the end of an education level. Either census based assessments/exams or nationally representative sample based assessments/exams may be used.

*Examples:*

NATIONAL LEARNING ASSESSMENTS BY COUNTRY AND REGION

Table 1

Table 1  
Sub-Saharan Africa

Country	Name or description of assessment study	Organization/institution responsible for assessment	Target population	Curricular subject assessed	Year(s)
Benin	Evaluation sur les acquis des élèves du CP et du CM1	Ministère des Enseignements Maternel et Primaire	Grades 2, 5	French, Mathematics	2011
Botswana	Standard 4 Attainment Test	Botswana Examinations Council	Grade 4	Setswana, English, Mathematics	2007
	Monitoring Learning Achievement			Setswana, English, Numeracy, Life Skills	1999
Burkina Faso	Evaluation sur les Acquis Scolaires	Ministère de l'Enseignement de Base et de l'Alphabétisation	Grade 3	French, Mathematics	Annually, 2001–2012
			Grade 5	French, Mathematics, Sciences	
Cameroon	Evaluation des Acquis Scolaires des Elèves	MoE	Grade 5	Language, Mathematics	2011
Comoros	Monitoring of Learning Achievement	MoE, UNESCO, UNICEF	Grade 4	French, Mathematics, Life Skills	2001
Democratic Republic of the Congo	Enquête sur l'évaluation des acquis scolaires	MoE	Grade 5	Literacy, Numeracy, Life Skills	1994

*(EFA GMR 2015, Annex 1)*

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national assessment/exam framework or results.

*Potential Data Sources:*

Official government website, Ministry of Education, National Bureau of Statistics, UNESCO GMR or GEMR, National Testing Authority

*Additional Guidance for Responses:*

A “yes” response indicates that the appropriate language is present in the assessment framework.

Question 4.3.1	Yes	No	Not Applicable (Please Comment)
<p><b>Do national assessments or exams attempt to evaluate pupils progress towards the following aims?</b></p> <ul style="list-style-type: none"> <li>a. The full development of the child's personality, talents, and mental and physical abilities?</li> <li>b. The development of respect for human rights and fundamental freedoms?</li> <li>c. The development of respect for the child's parents, cultural identity, language, and values, as well as respect for the values of the child's country and other civilizations?</li> <li>d. The development of the child's responsibilities in a free society, including understanding, peace, tolerance, equality, and friendship among all persons and groups?</li> <li>e. The development of respect for the natural environment?</li> </ul>			
<b>Supporting document/citation:</b>			
<b>Researcher comment:</b>			
<b>Peer review 1 comment:</b>			

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 4.3.2:**  
**Do national assessments or exams evaluate pupil’s understanding of the following topics?<sup>P</sup>**

**Basis:**

For Health and Wellbeing:

*"The Committee urges States Parties, in line with articles 28 and 29 of the Convention to: (d) initiate and support measures, attitudes and activities that promote healthy behaviour by including relevant topics in school curricula"*

— Committee on the Rights of the Child, General Comment 4, Paragraph 17

For Human Rights:

*"Include in the educational curriculum information on human rights, including women and children's rights, gender equality and self-awareness and contribute to eliminating gender stereotypes and fostering an environment of non-discrimination"*

- Committee on the Rights of the Child, General Comment 18, Paragraph 7, Section 3.2.68(c)

For the Arts:

*"Consistent with obligations under article 29 concerning the aims of education, appropriate time and expertise must be allocated within the school curriculum for children to learn, participate in and generate cultural and artistic activities, including music, drama, literature, poetry and art, as well as sports and games."*

- Committee on the Rights of the Child, General Comment 17, Paragraph 8, Section g

See also: CEDAW 10(f), CRC 24.2(e), CRC General Comment 15.B(e), CRC General Comment 3.16, CRC General Comment 5.68, CRC 42

**Guidance:**

*Explanation:*

This question seeks to answer whether sections or questions included in the national assessment/exam attempt to evaluate student’s understanding of health and well-being, human rights, and the arts – including music, drama, and literature.

*Necessary Definitions:*

“National assessment/exam” in this question is identified as the assessment or exam administered closest to the end of an education level. Either census based assessments/exams or nationally representative sample based assessments/exams may be used.

*Examples:*

NATIONAL LEARNING ASSESSMENTS BY COUNTRY AND REGION

Table 1

Table 1

Sub-Saharan Africa

Country	Name or description of assessment study	Organization/institution responsible for assessment	Target population	Curricular subject assessed	Year(s)
Benin	Evaluation sur les acquis des élèves du CP et du CM1	Ministère des Enseignements Maternel et Primaire	Grades 2, 5	French, Mathematics	2011
Botswana	Standard 4 Attainment Test	Botswana Examinations Council	Grade 4	Setswana, English, Mathematics	2007
	Monitoring Learning Achievement			Setswana, English, Numeracy, Life Skills	1999
Burkina Faso	Evaluation sur les Acquis Scolaires	Ministère de l’Enseignement de Base et de l’Alphabétisation	Grade 3	French, Mathematics	Annually, 2001–2012
			Grade 5	French, Mathematics, Sciences	
Cameroon	Evaluation des Acquis Scolaires des Elèves	MoE	Grade 5	Language, Mathematics	2011
Comoros	Monitoring of Learning Achievement	MoE, UNESCO, UNICEF	Grade 4	French, Mathematics, Life Skills	2001
Democratic Republic of the Congo	Enquête sur l’évaluation des acquis scolaires	MoE	Grade 5	Literacy, Numeracy, Life Skills	1994

(EFA GMR 2015, Annex 1)

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national assessment/exam framework or results.

*Potential Data Sources:*

Official government website, Ministry of Education, National Bureau of Statistics, UNESCO GMR or GEMR, National Testing Authority

*Additional Guidance for Responses:*

A “yes” response indicates that the topic is included in the assessment framework.

<b>Question 4.3.2</b>	<b>Yes</b>	<b>No</b>	<b>Not Applicable (Please Comment)</b>
<p><b>Do national assessments or exams evaluate pupil’s understanding of the following topics?</b></p> <ul style="list-style-type: none"> <li>a. Health and Well-being</li> <li>b. Human Rights</li> <li>c. The Arts</li> </ul>			
<b>Supporting document/citation:</b>			
<b>Researcher comment:</b>			
<b>Peer review 1 comment:</b>			
<b>Peer review 2 comment:</b>			
<b>Government comment:</b>			

<b>RESULTS Educational Fund comment:</b>

### **Question 4.3.3:**

## **What percent of students received a passing score on the national assessment/exam?<sup>o</sup>**

**Basis:**

*"Every child has the right to receive an education of good quality which in turn requires a focus on...learning outputs"*

- Committee on the Rights of the Child, General Comment 1, Paragraph 22

*"Basic skills include not only literacy and numeracy"*

- Committee on the Rights of the Child, General Comment 1, Paragraph 9

*See also:*

**Guidance:**

*Explanation:*

This question seeks to answer whether the children have basic literacy and numeracy skills by reporting the percentage of students that passed the national assessment/exam.

*Necessary Definitions:*

"Passing score" is a nationally defined score that is sometimes called a proficient score or minimum competent score. When both a combination of "passing", "proficient" and "minimum competency" scores are used the one that includes the greatest portion of students will be chosen.

"National assessment/exam" in this question is identified as the assessment or exam administered closest to the end of an education level. Either census based assessments/exams or nationally representative sample based assessments/exams may be used.

*Examples:*

In the 2013 National Education Assessment (NEA) in Ghana 50.0% of primary grade P6 students reached the minimum competency score for mathematics and another 10.9% reached the proficient score. Therefore, the total percent of primary students that received a passing score on the national mathematics for 2013 was 60.9%. (Ghana MOE 2014, p. 26)



Full Citation: Ghana MOE (2014). Ghana 2013 National Education Assessment Technical Report. Ministry of Education, Ghana Education Service: National Education Assessment Unit.

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a nationally representative survey or questionnaire, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, Official government website, National Assessments

*Additional Guidance for Responses:*

If multiple assessments/exams are administered during a given education level please choose the one that occurs at the end of the level (i.e. the leaving exam). Census based exams or nationally representative sample based assessments can be used.

Question 4.3.3	Response
<p><b>A: What percent of students received an overall passing score on the national assessment/exam (primary school)?</b></p> <ul style="list-style-type: none"> <li>a. Overall</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>B: What percent of students received a passing score on the national reading assessment/exam (primary school)?</b></p> <ul style="list-style-type: none"> <li>a. Overall</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> </ul>

k. For students with a disability	k.
<p><b>C: What percent of students received a passing score on the national mathematics assessment/exam (primary school)?</b></p> <p>a. Overall  b. For males  c. For females  d. In urban schools  e. In rural schools  f. For the lowest income quintile  g. For the second income quintile  h. For the middle income quintile  i. For the fourth income quintile  j. For the highest income quintile  k. For students with a disability</p>	<p>a.  b.  c.  d.  e.  f.  g.  h.  i.  j.  k.</p>
<p><b>D: What percent of students received an overall passing score on the national assessment/exam (secondary school)?<sup>w</sup></b></p> <p>a. Overall  b. For males  c. For females  d. In urban schools  e. In rural schools  f. For the lowest income quintile  g. For the second income quintile  h. For the middle income quintile  i. For the fourth income quintile  j. For the highest income quintile  k. For students with a disability</p>	<p>a.  b.  c.  d.  e.  f.  g.  h.  i.  j.  k.</p>
<p><b>E: What percent of students received a passing score on the national reading assessment/exam (secondary school)?<sup>w</sup></b></p> <p>a. Overall  b. For males  c. For females  d. In urban schools  e. In rural schools  f. For the lowest income quintile  g. For the second income quintile  h. For the middle income quintile  i. For the fourth income quintile  j. For the highest income quintile  k. For students with a disability</p>	<p>a.  b.  c.  d.  e.  f.  g.  h.  i.  j.  k.</p>
<p><b>F: What percent of students received a passing score on the national mathematics assessment/exam (secondary school)?<sup>w</sup></b></p>	

<ul style="list-style-type: none"> <li>a. Overall</li> <li>b. For males</li> <li>c. For females</li> <li>d. In urban schools</li> <li>e. In rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For students with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	

<b>RESULTS Educational Fund comment:</b>

## Question 4.3.4: What is the literacy rate?<sup>o</sup>

### Basis:

*"The Member States will give special attention to the eradication of illiteracy"*

— *Charter of the Organization of the American States, Article 50*

See also: CRC 28.3, Protocol of the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 12.2(a)

### Guidance:

#### *Explanation:*

This question seeks to answer whether a country is working towards the eradication of illiteracy by identifying what percentage of individuals are literate.

#### *Necessary Definitions:*

"Youth Literacy Rate" is defined as the percentage of individuals age 15 to 24 that are able to functionally read and write.

"Adult Literacy Rate" is defined as the percentage of individuals age 15 and over that are able to functionally read and write.

#### *Examples:*

Youth literacy rate in Egypt in 2012 was 89.3% (World Bank DataBank)

Adult literacy rate in Egypt in 2012 was 73.9% (World Bank DataBank).

#### *Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a nationally representative survey or questionnaire, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

#### *Potential Data Sources:*

Question 4.3.4	Response
<p><b>What is the youth literacy rate (ages 15-24)?</b></p> <ul style="list-style-type: none"> <li>a. Overall</li> <li>b. For males</li> <li>c. For females</li> <li>d. Residents in urban areas</li> <li>e. Residents in rural areas</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For individuals with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>What is the adult literacy rate (ages 15 +)?</b></p> <ul style="list-style-type: none"> <li>a. Overall</li> <li>b. For males</li> <li>c. For females</li> <li>d. Residents in urban schools</li> <li>e. Residents in rural schools</li> <li>f. For the lowest income quintile</li> <li>g. For the second income quintile</li> <li>h. For the middle income quintile</li> <li>i. For the fourth income quintile</li> <li>j. For the highest income quintile</li> <li>k. For individuals with a disability</li> </ul>	<ul style="list-style-type: none"> <li>a.</li> <li>b.</li> <li>c.</li> <li>d.</li> <li>e.</li> <li>f.</li> <li>g.</li> <li>h.</li> <li>i.</li> <li>j.</li> <li>k.</li> </ul>
<p><b>Supporting document/citation:</b></p>	
<p><b>Researcher comment:</b></p>	

<b>Peer review 1 comment:</b>

<b>Peer review 2 comment:</b>

<b>Government comment:</b>

<b>RESULTS Educational Fund comment:</b>

# Theme 5: Adaptability

## Subtheme 5.1: Children with Disabilities

### Question 5.1.1:

**Do national laws recognize the right to education for children with disabilities?<sup>S</sup>**

**Basis:**

*“States Parties recognize the right of persons with disabilities to education.”*

— Convention on the Rights of Persons with Disabilities, Article 24, Paragraph 1

*See also:* Universal Declaration of Human Rights, Article 2; International Covenant on Economic, Social and Cultural Rights, Article 2, Paragraph 2; Convention on the Rights of the Child, Article 1, Paragraph 2; Protocol of San Salvador, Article 13, Paragraph 3, Section e; Committee on the Rights of the Child General Comment 9

**Guidance:**

*Explanation:*

This question seeks to answer whether national law explicitly includes the right to education for children with disabilities.

*Necessary Definitions:*

"Disability" is defined as any physical, emotional or mental restriction or lack of ability that limits a person's movements, senses, or activities.

*Examples:*

See "Basis" above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A "yes" response indicates that the appropriate language is present in the law. A "yes" response does not suggest the law is comprehensive or effective.

Question 5.1.1	Response
<p><b>Do national laws recognize the right to education for children with disabilities?</b></p> <p>a. Yes</p> <p>b. No</p> <p>c. Not applicable/other (please comment)</p>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	



<b>RESULTS Educational Fund comment:</b>

## **Question 5.1.2: Are reasonable accommodation measures available for children with disabilities in mainstream schools?<sup>P</sup>**

### **Basis:**

*"In realizing this right, States Parties shall ensure that: (c) Reasonable accommodation of the individual's requirements is provided"*

— Convention on the Rights of Persons with Disabilities, Article 24, Paragraph 2, Section c

See also: Committee on the Rights of the Child General Comment 9

### **Guidance:**

#### *Explanation:*

This question seeks to answer whether a country has taken measures to ensure that children with disabilities have reasonable accommodations available for them to fully participate in mainstream classrooms when appropriate.

#### *Necessary Definitions:*

"Disability" is defined as any physical, emotional or mental restriction or lack of ability that limits a person's movements, senses, or activities.

"Mainstream" is the standard educational track that is expected of students in a given grade.

"Accommodation" is a support or service provided to help an access the general education curriculum, providing students with an equal opportunity to attain the same level of performance, and granting them the same benefits and privileges experienced by others.

#### *Examples:*

Examples may include the availability of brail textbooks or adaptable school infrastructure, such as wheelchair ramps.

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, the national constitution, national education acts, or national plan of action.

*Potential Data Sources:*

Ministry of Education, Official government website, [Disability Rights International](#), [Inclusion International](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

“nearly universal” suggests that accommodations are present in greater than 7 in 10 schools; “generally available” suggests that they are present in 3 in 10 to 7 in 10 schools; and “rare or uncommon” suggests that they are available in less than 3 in 10 schools.

<b>Question 5.1.2</b>	<b>Response</b>
<p><b>Are reasonable accommodation measures available for children with disabilities in mainstream schools?</b></p> <ul style="list-style-type: none"><li>a. Yes, they are nearly universally in schools.</li><li>b. Yes, they are generally available in schools.</li><li>c. Yes, but availability is rare or uncommon.</li><li>d. No.</li><li>e. Not applicable/other (please comment).</li></ul>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	

<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 5.1.3:**  
**What is the percentage of teachers trained to teach children with disabilities?**<sup>P W</sup>

**Basis:**

*"States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education."*

— *Convention on the Rights of Persons with Disabilities, Article 24, Paragraph 4*

See also: Committee on the Rights of the Child General Comment 9

**Guidance:**

*Explanation:*

This question seeks to answer whether a country has an adequate stock of teachers trained to meet the needs of children with disabilities by indicating what percentage of teachers are specifically trained to teach children with disabilities.

*Necessary Definitions:*

"Disability" is defined as any physical, emotional or mental restriction or lack of ability that limits a person's movements, senses, or activities.

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a nationally representative survey or questionnaire, or data from a reputable regional or multi-national organization such as the UN or the World Bank.

*Potential Data Sources:*

Ministry of Education, Official government website, [Disability Rights International](#), [Inclusion International](#), [Right to Education Project – Where to Find Information](#)

<b>Question 5.1.3</b>	<b>Response</b>
<b>What is the percentage of teachers trained to teach children with disabilities?</b>  a. Overall  b. In Primary Schools  c. In Secondary Schools	a.  b.  c.
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	

<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## **Subtheme 5.2: Children of Minorities**

### **Question 5.2.1: Are there mobile schools for children of nomads?<sup>P</sup>**

**Basis:**

*"States parties should ensure that school facilities are easily accessible where indigenous children live. If required, States parties should ... establish mobile schools for indigenous peoples who practice nomadic traditions." (CRC General Comment 11.61)*

— Committee on the Rights of the Child, General Comment 11, Paragraph 61

**Guidance:**

*Explanation:*

This question seeks to answer whether a country has established mobile schools to meet the demands of their population which are more traditionally nomadic.

*Necessary Definitions:*

“Mobile Schools” include schools that do not have a permanent structure, making it easier to travel with the population they are serving. These have also been called “tent schools” or “field schools”.

“Nomads” refers to a group of people that do not have a fixed place of residence. They travel place to place – often seasonally – for fresh water, food, and pasture for livestock.

*Examples:*

Kenya has adopted a mobile school program to target nomadic populations in the north and east. Presently they have over 91 mobile schools

(<http://www.theguardian.com/business/2010/jan/20/kenya-mobile-schools-initiative>) and schools have had success in enrollment and transition rates (Shamsa, 2010).

Full Citation: Shamsa, M.A. (2010). An evaluation study of the effectiveness of mobile pre-school education in Wajir District, Kenya. University of Nairobi. Available at <http://erepository.uonbi.ac.ke:8080/xmlui/handle/11295/4761>

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, the national constitution, national education acts, or national plan of action.

*Potential Data Sources:*

Ministry of Education, Official government website, [Portal for Education Plans and Policies of UNESCO Members](#), Teacher Union Website, [UNESCO Database on the Right to Education, Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

“Generally present” suggests that between 4 in 10 and 9 in 10 nomads have access to a mobile school; and “rare or uncommon” suggests that between 1 in 10 and 4 in 10 have access.

Question 5.2.1	Response
<p><b>Are there mobile schools for children of nomads?</b></p> <ul style="list-style-type: none"> <li>a. Yes, mobile schools are available universally.</li> <li>b. Yes, mobile schools are generally present.</li> <li>c. Yes, but mobile schools are rare or uncommon.</li> <li>d. No.</li> <li>e. Not applicable/other (please comment).</li> </ul>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	

<b>RESULTS Educational Fund comment:</b>

## **Question 5.2.2:** **Do national laws provide for language of instruction to be in the child's mother tongue?<sup>S</sup>**

### **Basis:**

*"In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is substantial demand, the Parties shall endeavour to ensure...that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language."*

— Framework Convention for the Protection of National Minorities, Article 14, Paragraph 2

See also: European Charter for Regional or Minority Languages 8, European Convention on the Legal Status of Migrant Workers 14.2, CRC 1.9, CRPD 24.3

### **Guidance:**

#### *Explanation:*

This question seeks to answer whether national law explicitly indicates that students have the right to be taught in their first language or mother tongue. This could occur through bilingual or multilingual offerings within a school or the creation of schools that offer language of instruction in the student's first language or mother tongue.

#### *Necessary Definitions:*

"Mother Tongue" is the primary language a person grew up speaking in childhood.

"Minorities" refers to a group numerically inferior to the rest of the population of a State or in a non-dominant position, whose members - being nationals of the State - possess ethnic, religious or linguistic characteristics differing from those of the rest of the majority population or the dominant group.

#### *Examples:*

See "Basis" above.



*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution or education act.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education, Constitute Project](#) (searchable list of constitutions worldwide), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A “yes” response indicates that the appropriate language is present in the law. A “yes” response does not suggest the law is comprehensive or effective.

<b>Question 5.2.2</b>	<b>Response</b>
<b>Do national laws provide from language of instruction to be in the child's mother tongue?</b>  a. Yes  b. No  c. Not applicable/other (please comment)	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	

<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

### **Question 5.2.3:** **What percentage of students are not taught in their mother tongue?<sup>P</sup>**

**Basis:**

*"In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is substantial demand, the Parties shall endeavour to ensure...that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language."*

— Framework Convention for the Protection of National Minorities, Article 14, Paragraph 2

See also: European Charter for Regional or Minority Languages 8, European Convention on the Legal Status of Migrant Workers 14.2, CRC 1.9, CRPD 24.3

**Guidance:**

*Explanation:*

This question seeks to answer whether students' language needs are being met by indicating what percentage of students are not taught in their first language or mother tongue.

*Necessary Definitions:*

"Mother Tongue" is the primary language a person grew up speaking in childhood.

"Minorities" refers to a group numerically inferior to the rest of the population of a State or in a non-dominant position, whose members - being nationals of the State - possess ethnic, religious or linguistic characteristics differing from those of the rest of the majority population or the dominant group.

*Examples:*

4% of non-immigrant students in Panama speak a home language other than the testing language for the 2012 PISA (Spanish)

42.8% of immigrant students in Panama speak a home language other than the testing language for the 2012 PISA (Spanish)

3.7% of 2012 PISA respondents in Panama identified as immigrant (96.3% non-immigrant) (2012 OECD Report "Untapped Skills: Realizing the Potential of Immigrant Students")

$(42.8 * 0.037) + (4.0 * 0.963) = 5.44\%$  of 15 year old students in Panama speak a language other than the testing language at home.

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a reputable regional or multi-national organization such as the UN or the World Bank, or data from nationally representative surveys or questionnaires.

*Potential Data Sources:*

Ministry of Education, Official government website, National Bureau of Statistics, Household Surveys, See Results on Home Language in International Assessments – Includes PISA, TIMMS, & PIRLS, [EFA GMR](#)

<b>Question 5.2.3</b>	<b>Response</b>
<b>What percentage of students are not taught in their mother tongue?</b>  a. For Primary Schools  b. For Secondary Schools	
<b>Supporting document/citation:</b>	

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## **Subtheme 5.3: Out of School Education**

### **Question 5.3.1:**

**Is primary education available in retention centers/camps for refugee children?<sup>P</sup>**

**Basis:**

*"The Contracting States shall accord to refugees the same treatment as is accorded to national with respect to elementary education"*

— *Convention on the Status of Refugees, Article 22, Paragraph 1*

**Guidance:***Explanation:*

This question seeks to answer whether primary education is available to children in retention centers and camps of equal quality to the primary education available outside of such camps.

*Necessary Definitions:*

“Refugee” refers to an individual that has moved outside of their country of nationality to avoid persecution and is unable to return.

“Retention Camp/Center” is defined as a place that provides temporary housing for groups in need.

*Examples:*

In Turkey, children in refugee camps have limited access to education. Schools and teachers vary by camp and resources are restricted to volunteer teachers and stretched by the increasing number of refugees from Syria (New York Times, 2014, available at [http://www.nytimes.com/2014/12/29/world/europe/for-children-in-turkish-refugee-camps-schools-out.html?\\_r=0](http://www.nytimes.com/2014/12/29/world/europe/for-children-in-turkish-refugee-camps-schools-out.html?_r=0))

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, education acts, or, in the absence of all else, expert testimony.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#), [Humanitarian Practice Network](#), [Global Partnership for Education – Library](#)

*Additional Guidance for Responses:*

“Generally available” suggests that between 4 in 10 and 9 in 10 have access; and “rare or uncommon” suggests that between 1 in 10 and 4 in 10 have access.

Question 5.3.1	Response
<p><b>Is primary education available in retention centers/camps for refugee children?</b></p> <ul style="list-style-type: none"> <li>a. Yes it is universally available.</li> <li>b. Yes it is generally available.</li> <li>c. Yes, but availability is rare or uncommon.</li> <li>d. No</li> <li>e. Not applicable/other (please comment)</li> </ul>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	

<b>RESULTS Educational Fund comment:</b>

**Question 5.3.2:**  
**Do refugee children receive education integrated with the general education system (i.e., same curricula)?<sup>P</sup>**

**Basis:**

*"The Contracting States shall accord to refugees the same treatment as is accorded to national with respect to elementary education"*

— *Convention on the Status of Refugees, Article 22, Paragraph 1*

**Guidance:**

*Explanation:*

This question seeks to answer whether primary education is available to children in retention centers and camps of equal quality to the primary education available outside of such camps.

*Necessary Definitions:*

"Refugee" refers to an individual that has moved outside of their country of nationality to avoid persecution and is unable to return.

"Retention Camp/Center" is defined as a place that provides temporary housing for groups in need.

*Examples:*

In NGO-run and community-based schools for Chin and Afghan refugees in Kuala Lumpur, Malaysia, one of the key barriers to establishing secondary education for refugees is the poor quality of education received by refugee teachers in their countries of origin and their resulting lack of capacity to teach the Malaysian curriculum (Rahman, 2011). (UNHCR Refugee Education: A Global Review, 2011, available at <http://www.unhcr.org/4fe317589.pdf>)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, education acts, or, in the absence of all else, expert testimony.

*Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#), [Humanitarian Practice Network](#), [Global Partnership for Education – Library](#)

*Additional Guidance for Responses:*

A “yes” response indicates that education provided to refugee children is aligned with the education available in the general education system. A “yes” response does not suggest that the education provided is of high quality or effective.

<b>Question 5.3.2</b>	<b>Response</b>
<b>Do refugee children receive education integrated with the general education system (i.e., same curricula)?</b>  a. Yes  b. No  c. Not applicable/other (please comment)	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	



<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

### Question 5.3.3: Is education available in prison?<sup>P</sup>

**Basis:**

*"Provision shall be made for the further education of all prisoners capable of profiting thereby...The education of illiterates and young prisoners shall be compulsory"*

— *Standard Minimum Rules for the Treatment of Prisoners, Article 77*

See also: CRC General Comment 10

**Guidance:**

*Explanation:*

This question seeks to answer whether education is made available to all children and illiterate adults in prison.

*Necessary Definitions:*

"Prison" is defined as a building in which individuals are held as punishment for their crime or while awaiting trial.

*Examples:*

In the United Kingdom, “Courses are normally available to help prisoners get new skills, e.g. learning to read and write, use computers and do basic maths. Most prisoners get an Individual Learning Plan listing courses and training.” (<https://www.gov.uk/life-in-prison/education-and-work-in-prison>)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a reputable regional or multi-national organization such as the UN or the World Bank, data from a nationally representative survey or questionnaire, or in the absence of all else, expert testimony.

*Potential Data Sources:*

Ministry of Education, Official government website, , [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

“Generally available” suggests that education is available in between 4 in 10 and 9 in 10 prisons; and “rare or uncommon” suggests it is available in between 1 in 10 and 4 in 10 prisons.

<b>Question 5.3.3</b>	<b>Response</b>
<b>Is education available in prison?</b>  a. Yes it is universally available.  b. Yes it is generally available.  c. Yes, but availability is rare or uncommon.  d. No  e. Not applicable/other (please comment)	
<b>Supporting document/citation:</b>	

<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

### **Question 5.3.4:**

**Do imprisoned children receive education integrated with the general education system (i.e., same curricula)?<sup>P</sup>**

**Basis:**

*"Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided...through programs integrated with the education system of the country"*

— *Rules for the Protection of Juveniles Deprived of their Liberty, Article 38*

See also: Standard Minimum Rules for the Treatment of Prisoners 77.2

**Guidance:**

*Explanation:*

This question seeks to answer whether children in prison receive the same standard of education present throughout the rest of the country. This includes curriculum that is aligned with national education standards.

*Necessary Definitions:*

"Imprisoned" an individual held within a prison as punishment for their crime.

*Examples:*

In Argentina although education is available for non-reprimanded prisoners the "educational curricula is not homogeneous across states" (Alzua, Rodriguez, & Villa, 2010)

Complete citation: Alzua, M.L., Rodriguez, C. & Villa, E. (2010). The Quality of Life in Prisons: Do Educational Programs Reduce In-Prison Conflicts? Available at: <http://www.nber.org/chapters/c11843>

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, the national constitution, national education acts, or national plan of action.

*Potential Data Sources:*

Ministry of Education, Official government website, , [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#)

*Additional Guidance for Responses:*

A "yes" response indicates that education provided to imprisoned children is aligned with the education available in the general education system. A "yes" response does not suggest that the education provided is of high quality or effective.

<b>Question 5.3.4</b>	<b>Response</b>
<b>Do imprisoned children receive education integrated with the general education system (i.e., same curricula)?</b>  a. Yes  b. No  c. Not applicable/other (please comment)	

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Subtheme 5.4: Out of School Children

### Question 5.4.1:

**Does national law prohibit early marriage (below the age of 18)?<sup>SW</sup>**

#### **Basis:**

*“Child marriage, also referred to as early marriage, is any marriage where at least one of the parties is under 18 years of age... As a matter of respecting the child’s evolving capacities and autonomy in making decisions that affect her or his life, in exceptional circumstances a marriage of a mature, capable child below the age of 18 may be allowed provided that the child is at least 16 years old and that such decisions are made by a judge based on legitimate exceptional grounds defined by law and on the evidence of maturity without deference to cultures and traditions... In cases of child and/or forced marriages, particularly where the husband is significantly older than the bride, and where girls have limited education, the girls generally have limited decision-making power in relation to their own lives. Child marriages also contribute to higher rates of school dropout, particularly among girls, forced exclusion from school, increased risk of domestic violence and to limiting the enjoyment of the right to freedom of movement.”*

— Committee on the Rights of the Child, General Comment 18, Paragraph 6, Section 2.19

See also: CRC General Comment 4.20, CRC General Comment 3.11

#### **Guidance:**

##### *Explanation:*

This question seeks to answer whether national law explicitly prohibits marriage before the age of 18.

##### *Necessary Definitions:*

“Early Marriage”, also known as child marriage, is any marriage in which one of the participants is under the age of 18.

##### *Examples:*

See “Basis” above.

##### *Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution, education act, or child’s rights act.

##### *Potential Data Sources:*

Ministry of Education, Official government website, [UNESCO Database on the Right to Education](#), [Constitute Project](#) (searchable list of constitutions worldwide), [Universal Human Rights Index](#), [Right to Education Project – Where to Find Information](#), Early Marriage Data from [World Policy Forum](#)

*Additional Guidance for Responses:*

A “yes” response indicates that the appropriate language is present in the law. A “yes” response does not suggest the law is comprehensive or effective.

<b>Question 5.4.1</b>	<b>Response</b>
<b>Does national law prohibit early marriage (below the age of 18)?</b>  a. Yes  b. No  c. Not applicable/other (please comment)	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	

<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

## Question 5.4.2: What percent of women are married by the age of 18?<sup>P W</sup>

### **Basis:**

As in 5.4.1a above.

### **Guidance:**

#### *Explanation:*

This question seeks to answer whether marriage before the age of 18 occurs in practice.

#### *Necessary Definitions:*

"Early Marriage", also known as child marriage, is any marriage in which one of the participants is under the age of 18.

#### *Examples:*

In Bangladesh in 2011 65% of girls were married by age 18 (UNICEF Data on Child Marriage).

#### *Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a nationally representative survey or questionnaire, data from a reputable regional or multi-national organization such as the UN or the World Bank, or in the absence of all else, expert testimony.

#### *Potential Data Sources:*

Ministry of Education, Official government website, [UNICEF Data on Child Marriage](#), [ICRW – Child Marriage](#), [Girls not Brides](#)



Question 5.4.2	Response
What percent of women are married by the age of 18?	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	
<b>RESULTS Educational Fund comment:</b>	

## Question 5.4.3:

### Is the legal minimum age of employment 15 or above?<sup>SW</sup>

#### Basis:

"The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years."

— ILO Minimum Age Convention, Article 2, Paragraph 3

See also: Protocol of San Salvador 7(f), Revised European Social Charter 7.3, CRC 32.2(a)

#### Guidance:

##### Explanation:

This question seeks to answer whether national law explicitly establishes a minimum age of employment of at least 15 years old.

##### Necessary Definitions:

"Employment" includes work in the formal sector in which work is exchanged for a salary or wage.

##### Examples:

See "Basis" above.

##### Appropriate Supporting Documentation:

Acceptable supporting documents include national law such as a national constitution, education act, or labor act.

##### Potential Data Sources:

Ministry of Education, Official government website, Ministry of Labor, [UNESCO Database on the Right to Education, Constitute Project](#) (searchable list of constitutions worldwide), Child Labor Data from [World Policy Forum](#)

##### Additional Guidance for Responses:

A "yes" response indicates that the appropriate language is present in the law. A "yes" response does not suggest the law is comprehensive or effective.

Question 5.4.3	Response
<p><b>Is the legal minimum age of employment 15 or above?</b></p> <p>a. Yes</p> <p>b. No</p> <p>c. Not applicable/other (please comment)</p>	

<b>Supporting document/citation:</b>
<b>Researcher comment:</b>
<b>Peer review 1 comment:</b>
<b>Peer review 2 comment:</b>
<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>

**Question 5.4.4:**  
**Has the government adopted specific measures to combat child labor?**<sup>SW</sup>

**Basis:**

*“States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:*

*(a) Provide for a minimum age or minimum ages for admission to employment; (b) Provide for appropriate regulation of the hours and conditions of employment; (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.”*

— Convention on the Rights of the Child, Article 32, Paragraph 2

See also: Revised European Social Charter 7.3, Protocol of San Salvador 7(f), ILO Convention 138 Minimum Age Convention 2.1, ILO Convention 182 on the Worst Forms of Child Labour 7.2

**Guidance:***Explanation:*

This question seeks to answer whether a country has established specific measures to combat child labor – such as regulating work hours, conditions, and minimum age and providing penalties for business and individuals that participate in child labor.

*Necessary Definitions:*

“Child Labor” is defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. This includes work that interferes with the child’s opportunity for attending school.

*Examples:*

In Nepal the Child Labor Act of 1999, prohibits children under the age of 16 from working in hazardous jobs and limits the hours worked of children age 14 to 16. The Kamaiya Labour Protection Act of 2001 prohibited bonded labor. (ILO, accessed at <http://www.ilo.org/legacy/english/regions/asro/newdelhi/ipecc/responses/nepal/national.htm>)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, the national constitution, national education acts, national labor acts, or national plan of action.

*Potential Data Sources:*

Ministry of Education, Official government website, Ministry of Labor, [International Labour Organization](#), [UNESCO Database on the Right to Education](#), [Child Labor Coalition](#)

*Additional Guidance for Responses:*

A “yes” response indicates that a measure has been established to keep children from participating in the labor force. A “yes” response does not suggest that the measure is effective in reducing child labor.

Question 5.4.4	Response
<p><b>Has the government adopted specific measures to combat child labor?</b></p> <p>a. Yes</p> <p>b. No</p> <p>c. Not applicable/other (please comment)</p>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	

<b>RESULTS Educational Fund comment:</b>

## **Question 5.4.5: What percent of children under the age of 15 work in the labor force?<sup>P</sup>**

### **Basis:**

*"States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development (32.1)...States Parties shall in particular: (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article"*

— Convention on the Rights of the Child, Article 32, Paragraph 2, Section c

See also: Protocol of San Salvador 7(f), Revised European Social Charter 7.3, CRC 32.2(a), ILO Minimum Age Convention 2.3

### **Guidance:**

#### *Explanation:*

This question seeks to answer whether children under the age of 15 work in practice.

#### *Necessary Definitions:*

"Child Labor" is defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. This includes work that interferes with the child's opportunity for attending school.

#### *Examples:*

In 2010 in Yemen approximately 16.4% of children age 5 to 14 were employed (Working children in the Republic of Yemen: The results of the 2010 National Child Labour Survey, 2012)

#### *Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a reputable regional or multi-national organization such as the UN or the World Bank, data from a nationally representative survey or questionnaire, or in the absence of all else, expert testimony.

*Potential Data Sources:*

Ministry of Education, Official government website, Ministry of Labor, [UNESCO Institute of Statistics](#), [World Bank DataBank](#), [International Labour Organization](#), [Child Labor Coalition](#)

<b>Question 5.4.5</b>	<b>Response</b>
What percent of children under the age of 15 work in the labor force?	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	

<b>RESULTS Educational Fund comment:</b>

## **Question 5.4.6:** **Is the legal minimum age of military recruitment 15 or above?**<sup>SW</sup>

### **Basis:**

*"States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities."*

— Convention on the Rights of the Child, Article 38, Paragraph 2

*See also:*

### **Guidance:**

*Explanation:*

This question seeks to answer whether national law explicitly establishes the age of military recruitment at 15 or above.

*Necessary Definitions:*

"Military Recruitment" includes the act of requesting individuals to join the military. This may include voluntary requests, in addition to, coercion, or forced recruitment.

*Examples:*

See "Basis" above.

*Appropriate Supporting Documentation:*

Acceptable supporting documents include national law such as a national constitution, education act or child's rights act.

*Potential Data Sources:*

Ministry of Education, Official government website, Ministry of Defense, [CIA World Factbook – Military Service Age](#), [Child Soldiers International](#)

*Additional Guidance for Responses:*

A "yes" response indicates that the appropriate language is present in the law. A "yes" response does not suggest the law is comprehensive or effective.



Question 5.4.6	Response
<p><b>Is the legal minimum age of military recruitment 15 or above?</b></p> <p>a. Yes</p> <p>b. No</p> <p>c. Not Applicable (please comment)</p>	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	
<b>Government comment:</b>	

<b>RESULTS Educational Fund comment:</b>

## Question 5.4.7

### Are children under the age of 15 recruited by the military in practice?<sup>P W</sup>

**Basis:**

As in 5.4.5a above.

**Guidance:**

*Explanation:*

This question seeks to answer whether children under the age of 15 are recruited to or participate in military activities in practice.

*Necessary Definitions:*

"Military Recruitment" includes the act of requesting individuals to join the military. This may include voluntary requests, in addition to, coercion, or forced recruitment.

*Examples:*

"Thousands of boys serve in Burma's national army, with children as young as 11 forcibly recruited off the streets and sent into combat operations. Children also serve with some of the armed ethnic opposition groups." (Human Rights Watch, Child Soldiers Worldwide, available at <http://www.hrw.org/news/2012/03/12/child-soldiers-worldwide>)

*Appropriate Supporting Documentation:*

Acceptable supporting documents may include government reports, non-governmental research reports, local or international news articles, data from a reputable regional or multi-national organization such as the UN or the World Bank, data from a nationally representative survey or questionnaire, or in the absence of all else, expert testimony.

*Potential Data Sources:*

Ministry of Education, Official government website, Ministry of Defense, [Child Soldiers International](#), [Human Rights Watch – Child Soldiers](#), [Amnesty International – Child Soldiers](#)

*Additional Guidance for Responses:*

“Very common practice” suggests that more than 1 in 3 children under the age of 15 serve in the military; “regularly practiced” suggests between 1 in 10 and 1 in 3 serve; and “rarely practiced” suggests that less than 1 in 10 serve.

<b>Question 5.4.7</b>	<b>Response</b>
<b>Are children under the age of 15 recruited by the military in practice?</b>  a. Yes, it is very common practice.  b. Yes, it is regularly practiced.  c. Yes, but it is rarely practiced.  d. No.  e. Not applicable/other (please comment).	
<b>Supporting document/citation:</b>	
<b>Researcher comment:</b>	
<b>Peer review 1 comment:</b>	
<b>Peer review 2 comment:</b>	

<b>Government comment:</b>
<b>RESULTS Educational Fund comment:</b>