

EDUCATION COALITION OF ZIMBABWE



The Civil Society Voice in Education

Education is key to attain SDGs

Findings from 2018 Right to Education Index Research

Introduction

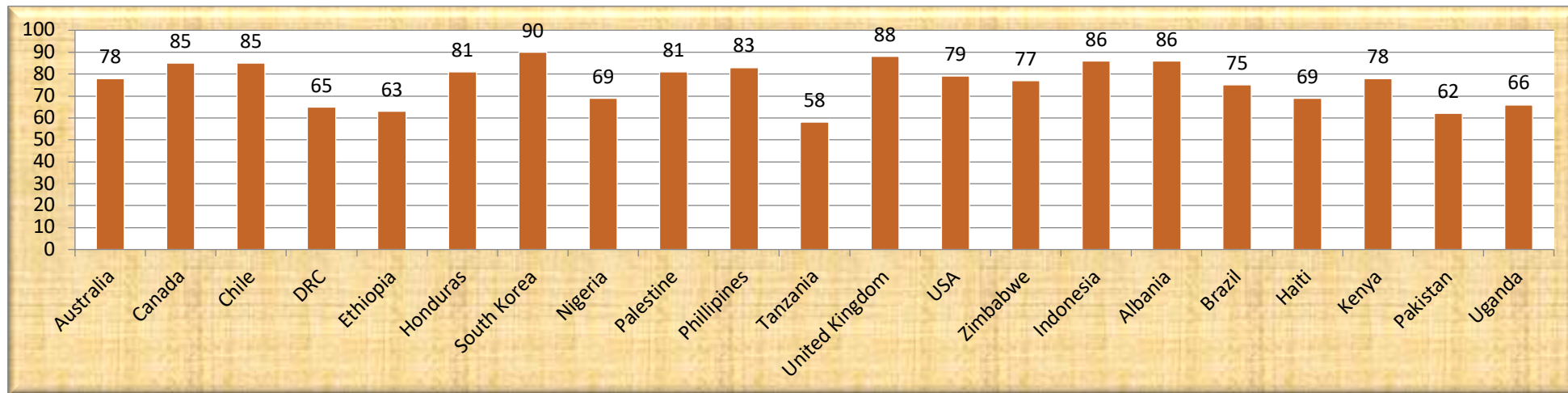
Right to Education Index (RTEI) is a global index built out of the international right to education framework to monitor national progress towards its fulfillment. It reveals key areas in need of improvement, offers country-to-country comparisons, and tracks progress over time¹. Data is collected using the RTEI Questionnaire which is comprised of the themes on Governance, Availability, Accessibility, Acceptability, and Adaptability, the 4A framework developed by the first UN Special Rapporteur on the Right to Education Katarina Tomasevski². RTEI can be used to monitor commitments by governments on promoting the right to education. It can also be used to help civil society and rights defenders to hold governments accountable to their commitments on the right to education, strengthen networks of Northern and Southern education advocates, and increase public and political support to realize the right to education. With support from Results Educational Fund, the Education Coalition of Zimbabwe conducted the second official round of the Right to Education Index (RTEI) in 2018, which was preceded by the RTEI first official round of 2016.

Overview of RTEI Results

2018 RTEI was conducted in 21 countries. According to the results Zimbabwe had an index score of 77% which is slightly higher than the 2016 score of 74%.

¹ 2016 Right to Education Index Questionnaire page 3

²Tomasevski, 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> cited in 2016 Right to Education Index Questionnaire



2018 RTEI country level scores

Issue Area 1

Theme: Governance

Sub-Theme: Plan of Action

According to the RTEI Questionnaire “National education plan”/plan of action is defined as a formal plan of education proposed and adopted by the government of a country 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. It went on to state that plan of action can be interchangeably used with Education Sector Plan in other cases.

According to 2018 RTEI findings, overall governance scored 78% and the sub-theme on Plan of Action scored the lowest score of 33% percent which reflects that national commitment towards providing free and compulsory education in Zimbabwe is very little or not available at all. There has not been any change on the score from 2016. The 2016-2020 Education Sector Strategic Plan and national education laws such as the Education Act of 2006 does not aim to provide free and compulsory education. This is happening regardless of the fact that Zimbabwe is a signatory to the United Nations Convention on the Rights of the Child (UNCRC), UNESCO Convention against Discrimination on Education and African Charter on the Rights and Welfare of Children, which mandates state parties to provide free and compulsory primary education for all. Article 28 of the UNCRC clearly stipulates that, “State Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular :(a) Make primary

education compulsory and available free to all”.³The African Charter on the Rights and Welfare of Children Section 3 clearly states that, “States Parties to the present Charter shall take all appropriate measures with a view to achieving the full realization of this right and shall in particular:(a) provide free and compulsory basic education”.⁴ These provisions were domesticated into the Zimbabwean Constitution under Section 75 (1) (a) which stipulates that every citizen and permanent resident of Zimbabwe has a right to a basic state funded education including adult basic education.⁵

However, this does not permeate to the Zimbabwe 2016-2020 Education Sector Plan which does not have a plan of action to provide free and compulsory primary education. The Education Act [Chapter 25:04] requires school fees to be maintained at the lowest possible levels. This shows that the bottlenecks are still huge as there are policy inconsistencies. The introduction of examination fees at Grade 7 to cushion the Zimbabwe School Examinations Council, which is resource constrained, even seemingly small as it may be has also compounded the situation. There is no harmony between the Constitution and the Education Act.

According to 2018 RTEI findings, Financing scored 73%. The research also revealed that at least 91% of the total education budget goes towards salaries and 1, 7% goes towards capital expenditure. This means that the burden of financing education is left to parents and external financiers. This is regardless of the fact that Zimbabwe has a dire shortage of schools. To cope with the number of students, 41% of primary schools and 36% of secondary schools in urban areas are running double sessions which limits the classroom time for learners. In other cases, classes are conducted under a tree or a shed where learners will be exposed to harsh weather conditions. According to 2015 Education Sector Analysis Report Zimbabwe is in need of 2,056 new schools, with the remote areas having acute shortage of schools. An additional 33,636 classrooms are needed in existing schools, 83,268 classrooms need minor repairs, 25,443 classrooms need major repairs and 3,554 classrooms are dangerous. This require the government to heavily invest in capital development to ease the challenges.

Issue Area 2

Theme: Acceptability

Sub-Theme: Learning environment

According to 2018 RTEI findings Acceptability scored 64% and the sub-theme on Learning Environment scored the lowest index score of 25% showing no improvements from 2016 index score. This shows the existence of an unfriendly learning environment for learners. According to the research corporal punishment was found to be very rampant in schools. Policy 35 (P35) regulates the use of corporal punishment using the Education (Disciplinary Powers) Regulations of 1979 as stipulated in the Ministry's Log Book hence showing that corporal punishment is permissible in schools. The Policy 35 gives school authorities' powers to administer corporal punishment as a disciplinary method, but to boys only. A research by Midlands State University (2011) on the Prevalence of Corporal Punishment in Zimbabwean Schools in the Twenty-First Century revealed that Thirty six out of forty-five students said that they had been subjected to corporal punishment by their teachers. Nine out of thirty teachers said that they used corporal punishment on a regular basis. Such

³United Nations Convention on the Rights of Children Article 28

⁴African Charter on the Rights and Welfare of Children Section 3

⁵Constitution of Zimbabwe Amendment Act (20) Section 75 (1) (a)

evidence proves that violence is rampant in Zimbabwean learning institutions thereby making them not child friendly. Section 53 of the Zimbabwean Constitution states that, "no person may be subjected to physical or psychological torture or to cruel, inhumane or degrading treatment or punishment". The policy inconsistencies show the need to realign the policies with the Zimbabwe Constitution.

Issue Area 3

Theme: Adaptability

Sub-Theme: Out of School Education

According to 2018 RTEI findings Adaptability scored 78% and the sub-theme on Out of School Education had an index score of 50%, which was the same score for 2016, reflecting the nation's little adherence to minimum core obligations to the right to education for children in out of school settings. Zimbabwe is a signatory to the UNESCO Convention against Discrimination in Education in which Article 3(e) urges all member states to "eliminate and prevent discrimination in education by giving foreign nationals that reside within their territory the same access to education as their own nationals."⁶ However the right to education is not being universally applied as migrants and those in detention receive education of different quality than those in the conventional education system.

According to the 2018 RTEI findings, the right to education is not fully enjoyed by prisoners as the curriculum is different from that of learners in the mainstream schools. Findings revealed that prisoners are offered practical courses in particular agriculture, woodwork, music, peace keeping, nonviolence and human rights, meant to promote their self-esteem, tolerance and conflict management skills. Zimbabwe prisoners are denied the opportunity to study in conventional institutions during their time of serving. This is because conventional institutions do not have special education facilities to reach out to people behind bars (Chigunwe, 2014).⁷ Academic education is provided in the form of general education or literacy classes. This shows that Zimbabwe has not met the minimum core obligation in promoting the right to education considering that there is discrimination on the access of education for migrants/refugees and prisoners, compared to those in conventional system.

Child marriages have been on the rise taking girls out of school yet there has been little targeted support to enable young out of school mothers to access their right to education. According to the Herald newspaper of 12 December 2016, at least 4500 Grade 7 pupils were impregnated in 2016 and subsequently dropped out of school. The National out of School Children Report (2015) highlighted that early marriage is one of the major causes that drive children out of school.

The Ministry of Primary and Secondary Education has launched a Non- Formal Education Policy to cater for those learners who never attended school or those who were taken out of the school system by one reason or another. However there has been very little financial support to implement Non-Formal Education programs. Learners are also expected to pay fees to be able to access non-formal education programs thereby affecting implantation of out of school education programs.

Data Availability

⁶UNESCO Convention against Discrimination in Education in which Article 3(e)

⁷Chigunwe G (2014) ,Access and Inclusion of Inmates to Education through Open and Distance Learning Mode page 8 paragraph 2

Data unavailability was very common during the RTEI research. 2017 Education Management Information System (EMIS) data from the Ministry of Primary and Secondary Education was the most recent data. The available 2017 data did not have some information on indicators that were in the RTEI questionnaire which are very vital in national education planning. Unavailability of data was very common on the following indicators among others:

Primary and secondary schools Gross Enrolment Rate disaggregated by rural and urban schools, students with disability and quintile levels.

Net Enrolment Rate disaggregated by rural and urban schools, disability and quintile levels.

Completion rate for public primary and secondary schools disaggregated by rural and urban schools, disability and quintile levels.

Percentage of teachers trained to teach children with disability.

Recommendations

❖ The Ministry of Primary and Secondary Education should invest more in research and should capture disaggregated data on disability, quintile level and by location (rural or urban location) for purposes of equity.

❖ There is need to harmonize the education policies with the national constitution for the right to education to be guaranteed. The Ministry of Primary and Secondary Education should revise the education statutory instruments for them to be in tandem with the provisions of international laws such as UNCRC, CEDAW to mention just a few which condemns corporal punishment.

There is need for the government to adopt sustainable innovative education financing mechanisms where domestic financing must be at the core of future funding of the education sector in Zimbabwe. Some of the available options include tax reform, matching donor funds, use proceeds from the natural resources to finance education and establish Zimbabwe National Education Fund to raise funds for capital projects.

❖ The government should promote positive, non-violent and participatory forms of child-rearing and discipline in all settings, including through providing teachers and parents with training on alternative discipline measures.

❖ Civil society organizations should monitor the implementation of the provisions of the international education legal frameworks to which nations will be signatories. This can be achieved through civil society organizations participation in consolidating Universal Periodic Review reports and alternative reports to United Nations Convention on the Rights of Children and African Charter on the Rights and Welfare of the Child to hold the duty bearers accountable.