



June 11, 2024

Permanent Representatives to the UN Human Rights Council in Geneva

Re: Resolution to strengthen children’s right to free education

Excellencies,

We write as 22 non-governmental organizations to ask your government to support a critical initiative to strengthen children’s right to free education under international law. Specifically, we seek your support for a UN Human Rights Council (HRC) resolution, expected to be presented by Luxembourg, Sierra Leone, and the Dominican Republic at the upcoming 56th session, to establish an open-ended Working Group to draft an optional protocol to the Convention on the Rights of the Child that would explicitly recognize all children’s right to early childhood education and care; right to free public pre-primary education, beginning with at least one year; and right to free public secondary education for all children.

Education is not only a fundamental right for all children, but also one of the best investments that societies can make. It has the power to transform lives, lift individuals out of poverty, and foster social and economic development. The right to education is a multiplier of other rights, empowering girls and enabling individuals to participate in society. Children from disadvantaged and excluded groups are in greatest need of access to education and stand to

benefit most. Yet for millions of children around the world, the cost of schooling remains one of the most significant barriers to education, particularly at the pre-primary and secondary level.

Through the Sustainable Development Goals and the related [Incheon Framework for Action](#), all states have committed to make at least one year of pre-primary education free and compulsory, and all secondary education free, by 2030. Many countries have already made significant progress in guaranteeing access to free education. Currently, approximately 107 countries have enshrined at least one year of free pre-primary education in their domestic legislation, showcasing their recognition of the importance of early childhood education. Additionally, at least 117 countries guarantee 11 or more years of free primary and secondary education.

Yet the right to education as defined in international human rights treaties does not reflect these commitments and is no longer sufficient to ensure that children thrive in today's world. The Convention on the Rights of the Child (CRC), for example, guarantees children free and compulsory primary education, but says nothing about early childhood education and does not oblige states to guarantee every child free secondary education.

We note increasing momentum for stronger international law on the right to education, including:

- A [joint statement](#) by 73 countries at the 53rd regular session of the HRC, expressing support for “efforts to strengthen the right to education, including the explicit right to full, free secondary education and at least one year of free pre-primary education.”
- An [open letter](#) led by Malala Yousafzai and Vanessa Nakate in advance of the 2022 Transforming Education Summit, signed by more than 500,000 people globally, calling on world leaders to support a new global treaty on the right to free education;
- A [recommendation](#) from the then-Special Rapporteur on the Right to Education, Koumba Boly Barry, for new binding international law to enshrine the right to pre-primary education;
- The [Tashkent Declaration and Commitment to Action](#), calling for an exploration of a new legal instrument on early childhood education;
- Support from [leading academics](#) and [international experts](#) for a new optional protocol to the CRC to explicitly guarantee the right to free secondary education and at least one year of free pre-primary education.

It will be critical that the resolution ensures the meaningful participation of children in the drafting process of the proposed new optional protocol, something we hope we can count on you to actively support. Such consultation would bring meaning to the Convention on the Rights

of the Child's assurances that children freely express their views in all matters affecting the child, and their views be given due weight.

We firmly believe that more explicit international law on the right to free education can accelerate global progress and help millions of children access their right to education. We look forward to your government's support and would of course welcome an opportunity to discuss the initiative and related issues with you in more depth.

Please accept, Excellencies, the assurance of our highest consideration.

Sincerely,

ActionAid
Association Internationale des Charités (AIC)
ATD Fourth World
Avaaz
BPW International
Childhood Education International
Early Childhood Research Centre, Dublin City University
Education International
Girls Not Brides
Global Campaign for Education
Human Rights Watch
Initiative for Social and Economic Rights (ISER)
The Institute on Statelessness and Inclusion
International Office of Catholic Education (OEIC)
KidsRights
Latin American Campaign for the Right to Education (CLADE)
Make Mothers Matter
Malala Fund
Plan International
World Organization for Early Childhood Education (OMEP)
World Vision International
Zonta International