Open-ended Intergovernmental Working Group on an Optional Protocol to the Convention on the Rights of the Child

THE CHALLENGE:

The UN Convention on the Rights of the Child—the most widely ratified human rights treaty, which was adopted in 1989—affirms children's right to education, and guarantees all children free primary education. However, "**it makes no mention of early childhood education or pre-primary education, and does not require all governments to make secondary education free for all**"

According to the UNESCO's April 4th, 2025, nearly half of the world's primary school pupils now have access to school meals. Furthermore, in 2022, 27% of school meals worldwide were not designed in consultation with nutritionists. Only 93 out of 187 countries had legislation, standards or guidelines on school food and drink. And of these 93 countries, only 65% had standards governing the sale of food and drink in school cafeterias, food shops and vending machines.

THE GOAL:

To update the Convention on the Rights of the Child and to encourage Governments to implement.

THE AIMS:

1. To explicitly recognize that the right to education includes a right to early childhood care and education.
2. To encourage governments to make public pre-primary education available and free to all, beginning with at least one year.
3. To encourage governments to make complete public secondary education totally available and free to all.
4. To make every part of the treaty inclusive.

OVERVIEW:

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), over 250 million children, adolescents and young people do not attend school, predominately at the secondary school level, that, according to the United Nations Children's Fund, nearly 50 per cent of pre-primary age children around the world – at least 175 million – are not enrolled in pre-primary education, that costs to students or their families, social inequality and lack of infrastructure at the pre-primary and secondary levels remain important obstacles to access to education in many countries.

BENEFITS:

The cut down on the number of out-of-school children cuts down on thuggery, insurgency, human political tools and underdevelopment knowing fully well that school age children who are numerate and literate can express themselves gainfully and contribute to the development of the society with their educated natural talents.

It has also been noted that children with early childhood care and pre-primary education tend to perform better on multiple phases than those without it. This would aid better performances in the various phases of their lives.

If the barriers caused by cost and lack of public education are taken out, every mind would be put to the best possible use which guarantees faster social development.

The new international binding law may be used by civil society actors and well-meaning individuals to advocate for equitable universal education which would also give authoritative direction to lawmakers and policy makers in navigating the development of their education laws.

The word 'marginalized' will no longer be usable in describing children in places where free equitable education wasn't previously available.

Access to tertiary education becomes more feasible for the previously marginalized and those who may later choose to pursue it.

BARRIERS:

1. **Financial and Economic Barriers:**
   Low and medium income countries (LMICs) are mostly ravaged by serious level of poverty and their economic viability has mostly not been set on a progressive mode, especially in sub-Saharan Africa. This keeps a lot of children out-of-school, more so that many of the poor parents do not engage in family planning because of their lack of the knowledge that funnels more poverty into the economy thereby creating more out-of-school children.

Many governments also do not have viable poverty alleviation programmes to mitigate these effects and the free education available in Osun state, Nigeria for example, is not absolutely free and it only covers basic education which is Primary 1 to Junior Secondary School 3. In fact, the Basic Education certificate Examination (BECE) is totally not free. This also implies that the Nigerian government does not recognize pre-primary education which means that pre-primary education is not provided for and the senior secondary education which is recognized is not free at all.

It is therefore recommended that the provisions be made to remove fees, the cost of books, school materials, uniforms, transportation, examination fees, utilities and security, parent-teacher association fees, the payment of volunteering teachers, boarding school costs (mostly for children with special needs) when parents have no other choice and, increasingly, the costs of digital devices and Internet connections, as well as providing free lunches, in particular for those unable to pay. This is the removal of every legal, financial and systemic barriers preventing learners from gaining access to and fully participating in education.

This will definitely bring about quality human resources for the nation as well as safer environments.

2. **Lack of knowledge and insecurity:**
   The lack of the knowledge of the human rights benefit of providing inclusive and equitable pre-primary, primary and secondary education including early childhood, primary and secondary education is that many children who are privileged to have inclusive and equitable pre-primary, primary and secondary education tend to perform better in their numeracy, literacy, interpersonal relationships, communications and in other areas than other children who do not. Some of the consequences are that such less privileged children turn to vices like drugs, thuggery, becoming political tools, etc. such children contribute to the lack of security of other children and the society at large. Insecurity in some places makes it hard for children to safely attend school.

3. **The low use of the media for awareness:**
   The use of terrestrial and digital media to publicize public inclusive and equitable pre-primary, primary and secondary education to propagate the information and how to access it should be done to intimate the public about it and its benefit. The need for family planning should equally be publicized towards reducing the number of out-of-school-children.

4. **Hard-to-reach and/or rural areas:**
   The specific impact on marginalized children is that they are very hard to reach and sometimes totally unreached because of the lack of road networks and mobile networks.

5. **The poor focus of Governments on education:**

The basic and sustainable financial mechanism is firstly from the governments who should be encouraged to budget better for providing equitable education including early childhood, primary and secondary education.

Interventions should be focused on every child and not just the girl child and that would be equity. It has been laid out by UNESCO that there are 251 million out-of-school-children globally and about 20 million of those are in Nigeria. It is also worthy of note that about 62.5% of those are boys.

Innovative and Sustainable Financial Mechanism

1. There should be increased budgetary allocation to education to cater for pre-primary to secondary education by the governments of states.
2. The regular training and retraining of teaching and non-teaching staff members of educational outfits.
3. The State Universal Basic Education Board (SUBEB) and State Senior Secondary Education Board (SSESEB) may be saddled with the responsibility of regular Monitoring and Evaluation of the quality of education doled out to students with key performance Indices put in place which NGOs/CSOs can equally follow up on.

Steps taken by Government

1. The passing of the out-of-school-children law which criminalizes not having a school-age child in school. It goes on to have first, second and third time offenders penalties. (Data/profile of every child born should be matched with those of children in schools).
2. The setting up of the State Senior Secondary Education Board (SSESEB) separate from the State Universal Basic Education Board (SUBEB).
3. The maintaining of both the segregated schools of special needs and the integrated schools. (A maintenance team may be set up to monitor use and maintain educational facilities and replace such as at when due).

Recommendations:

1. Every child has a right to free and equitable education including early childhood, primary and complete secondary education and should be accorded that right.
2. States shall make public pre-primary education equitable and absolutely free to all, beginning with at least one year.
3. States shall promote eating locally produced, fresh school meals, delivered by informed school nutritionists as part of the child's education which helps their brains and health
    i. State may create a nutrition profile with black warning labels as a pointer to banned food products in schools with a strong focus on marketing control which

may include restrictions of cartoons and enticements for children from package designs.

ii. Selling of junk food items may be banned in the vicinity of school facilities.

iii. Priority should be placed on fresh food items and ultra-processed food should be banned to aide good health and cut down on obesity.

iv. Home-grown school feeding programme should be encouraged as it has provided balanced diets and also help increase primary school enrolment by 20%.

v. Food education may also be included in school curricula.

4. States shall make public primary education equitable and absolutely free to all.
5. States shall make public secondary education equitable and absolutely free to all.
6. States shall promote and encourage international cooperation in educational matters.
7. States shall publicize the availability of absolutely free and equitable education on all media possible.
8. States shall make provision for scheduled training of teachers and monitoring and evaluation of the works on education.
9. States shall make provision for special needs education centres for inclusive school educators.
10. States shall make provision for the education of the various clusters of people with disabilities and special needs for both segregated and integrated schools especially in the provision of quality building structures, accessible textbooks, digital learning tools and alternative communication methods.
11. States shall conduct reviews and updates of the education curriculum at stipulated periods.
12. States shall promote the teaching of lessons in mother tongues for better understanding and assimilation.
13. States shall make provision for eye tests and eye care for every potential student.

Thank you.