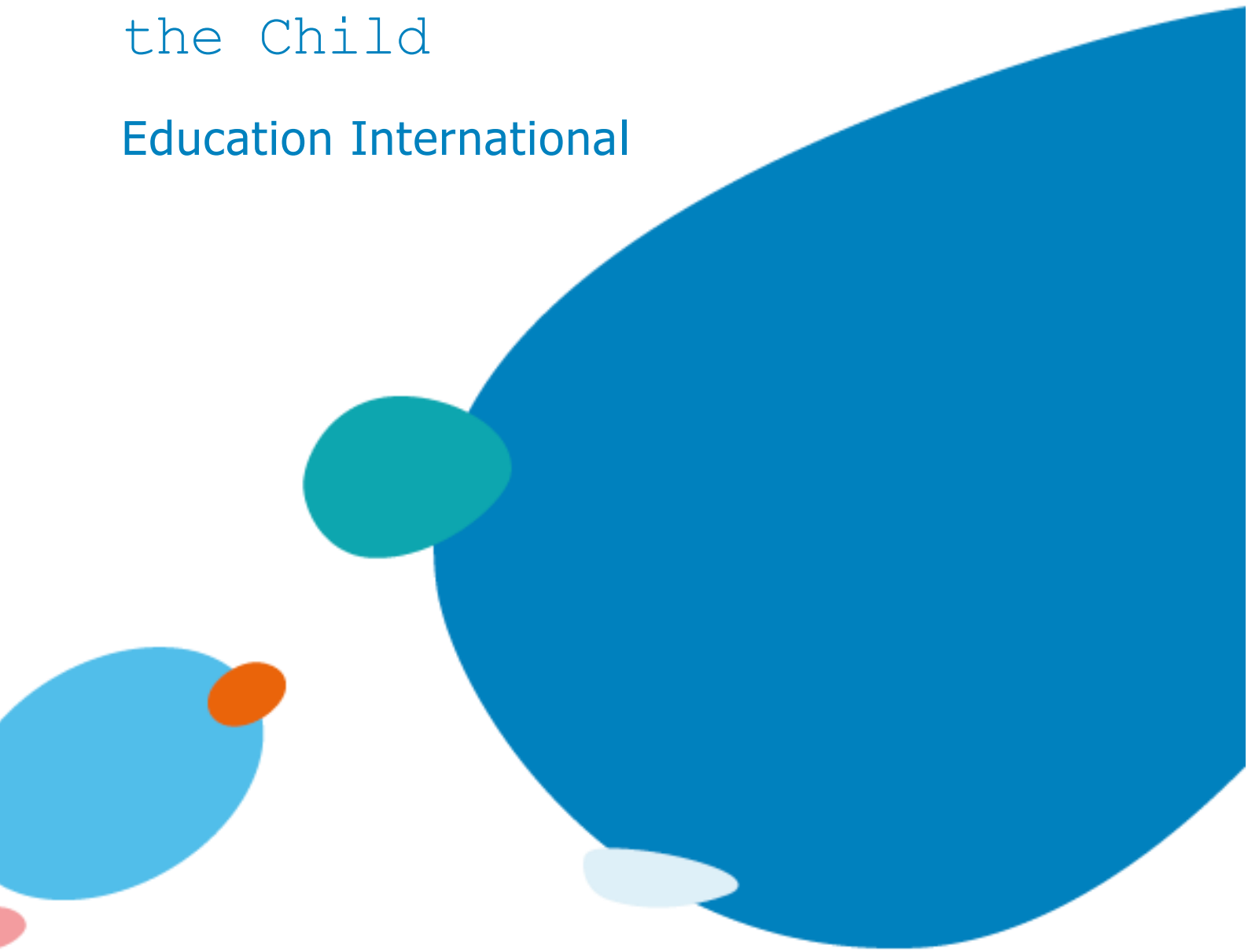
Submission on the proposed Optional Protocol to the Convention on the Rights of the Child

Education International



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Education International strongly supports the proposal for an optional protocol to the Convention on the Rights of the Child to strengthen the right to education under international law.

- *What are the main barriers to public pre-primary education available free to all in law, policy, and practice and what is their impact on the rights of the child? Please consider the specific situation of marginalized children and those in vulnerable situations in your response.*

Education is a human right and a public good. The right to education starts at birth. However, despite a global consensus on the right to quality education for all children, there is great variation when it comes to the funding, provision, quality of and access to early childhood education.

Globally, many countries have not been able to guarantee children access to free and compulsory ECE. A study by UNESCO (2021) revealed that of the 193 countries they examined, only 63 countries made legal provisions to ensure free ECE and only 51 countries guaranteed compulsory ECE in their national legal frameworks. In fact, data from the GEM report (2023) suggested that 91 out of 188 countries guaranteed zero years of free and compulsory ECE in their laws.

In practice, about 60% of 3- to 6-year-old children worldwide have access to pre-primary education. In low-income countries, only one in five children has access to preschool (World Bank, 2023). Concerningly, one out of every four children aged five has never received any pre-primary education, representing 35 million out of 137 million 5-year-old children globally (UNESCO, 2022).

Recent reports from the OECD (2025) highlight that vulnerable children are most likely to miss out on quality early childhood education, due to prohibitive costs, information scarcity and cultural barriers. As a robust body of evidence documents inequalities in early development based on children's socio-economic backgrounds and knowing that the trajectory of a child's development in the early years is a powerful predictor of their future success in education, work and well-being, free and universally accessible ECE is key in strengthening social cohesion and fostering inclusive and equitable societies.

The policy intention to expand access to and enhance the quality of early childhood education has not been accompanied by the necessary increase in funding, as early childhood education remains a chronically underfunded sector.

Globally, ECE receives far less public funding than other levels of education, especially in low and middle-income countries (UNICEF, 2019). To achieve the Sustainable Development Goal (SDG) 4.2 by 2030, it is recommended that countries should allocate 10% of their national education budget or at least 1% of their GDP to early childhood education (UNICEF, 2019).

Despite this recommendation, an average of 6.6% of the national education budget is being allocated to ECE at the national and sub-national levels (UNESCO, 2022). Low- and middle-income countries tend to invest less than 2% of their education budgets in ECE. In OECD countries, the average percentage of GDP invested in early childhood education is just over 0.8% (OECD, 2023).

The positive relationship between sufficient public financing of ECE and the participation rate of children in ECE has been well documented. Recent evidence suggested that the introduction of three years of free ECE in Armenia and Azerbaijan and four years of free ECE in Uzbekistan has led to a significant increase in the participation rate in ECE (UIS & GEM Report, 2023).

Public funding shortfalls also lead to the increased participation of private actors in ECE, which might put at risk achieving equality in the sector and providing quality ECE for all. In many countries, ECE is the sector most impacted by privatisation. For example, in Ghana, over 70% of early childhood education is private, and in the UK, over 84% of early years provision is private. Education International's research reveals that 90% of unions recorded increases in private provision of early childhood education in their countries (2014). The subsequent over-dependence on household contributions significantly deepens inequalities in access to ECE. Studies have underlined the connection between private early childhood provision and social exclusion, particularly for young children from disadvantaged groups (Education International, 2014; Ebrahim, 2010; Islam, 2010). According to a report from UNESCO (2022), children from the poorest families in Sub-Saharan Africa have an attendance rate of below 10% in early childhood education, largely due to their families not being able to afford the enrolment fees charged by private ECE providers.

Furthermore, privately provided early childhood services have been linked to low quality, including through poorer salaries and declining working conditions for early childhood education personnel (Education International and Public Services International, 2024). Qualified, well trained and supported ECE teachers are key to achieving quality and inclusive ECE. Despite evidence on the indispensable role of ECE teachers, there are persistent issues of teacher shortages, poor salaries, lack of professional recognition, low retention rates and inadequate pre-service and in-service training in the sector (UNESCO, 2022).

In early childhood education, salaries are comparatively lower than at other levels of education, while career pathways and opportunities for continuing training and professional development are few. High workload, including high levels of emotional labour, coupled with the widespread deployment of untrained/unqualified staff on short-term contracts, make for an unsupportive work environment. Long-term staffing shortages are in themselves a contributing factor to workload pressures and stressful working conditions.

The 2023 International Barometer of the Health and Well-being of Education Personnel (I-BEST) confirmed that those working in early childhood education, the vast majority of whom are

women, feel undervalued. A significant number, varying from about a quarter to over half of the respondents across jurisdictions, also expressed that they would not choose their profession again.

Finally, unlike compulsory levels of education, early childhood education (ECE) tends to be fragmented, ranging from formal settings such as preschools, crèches, and childcare centres to more informal arrangements, including home-based care and community initiatives, and often involving oversight by multiple ministries and agencies (Byrne et al, 2024). This fragmentation and the significant private sector involvement in the sector make for a complex governance landscape, where regulation may be difficult to enforce, including in relation to the rights and working conditions of ECE teachers and personnel, and quality assurance difficult to ensure.

- *What are examples of innovative and sustainable financial mechanisms to support the full and effective implementation of public pre-primary and secondary education available free to all children?*

Education financing has to be sufficient, predictable, transparent and sustainable.

Governments have a responsibility to provide free, quality, publicly-funded education for all. The same should be true for providing early childhood education for all children. As innovative and often parallel financial mechanisms can dilute resources, it is critical to ensure that public money should be used to properly and adequately fund free quality universally accessible early childhood education.

Furthermore, as fees are barriers to access, household spending must not be considered a sustainable or equitable source of financing for any level of education.

Governments must take all necessary measures to ensure sufficient revenue to fund early childhood education systems. Efforts to increase tax revenue should be linked to increasing the progressivity of taxation and be in line with the social and environmental aims of the SDGs. This includes closing tax havens, combatting tax avoidance and evasion, ensuring companies pay their fair share of tax, as well as exploring new mechanisms of educational and public funding, such as a global tax on wealth.

As stated in the Transforming Education Summit Financing education call to action (2022), on the international level, we must revise the financial architecture to ensure sufficient financing can be mobilized in support of long-term, sustainable development objectives, including by removing conditionalities that require cutting expenditure on education as a pre-requisite to attain new financing, and using innovative tools such as debt-for-education swaps.

Systematic and comprehensive debt relief, restructuring and cancellation are essential mechanisms that would allow governments to spend money on crucial public services, including early childhood education, instead of debt servicing. This is particularly important for low-income countries, that tend to spend more on debt servicing than public services such as education and health. Research shows that education expenditure often depends on the levels of debt servicing. In Niger, for example, a 31% increase in debt servicing resulted in a 41% decrease in education expenditure between 2015-17 (Eurodad, 2020).

Finally, predictable and long-term aid can be a significant means for financing free and universally accessible early childhood education. To that end, donor countries must meet their commitment to provide 0.7 % of their Gross National Income to Official Development Assistance and allocate at least 10 % of Official Development Assistance to education, with particular attention given to least developed countries and education in emergencies. Furthermore, the political and financial commitments to the Global Partnership for Education (GPE) must be met, to ensure support for the implementation of national education sector plans and programmes.

- *What steps is the Government taking to remove barriers and make public pre-primary and secondary education available free to all, including through the allocation of adequate resources and cross-sectoral and international cooperation? Please provide examples of specific laws and regulations, measures, policies, and programmes.*

Global frameworks consistently recognise the critical importance of universal access to free, quality pre-primary education as a foundation for lifelong learning and equitable development. To remove barriers and make public pre-primary education universally available, policies must emphasize adequate resource allocation and foster cross-sectoral and international cooperation.

SDG 4 commits countries to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. Specifically, Target 4.2 aims to ensure that all girls and boys have access to quality early childhood development, care, and pre-primary education by 2030. This target underscores the need for removing financial, geographic, and social barriers through public investment and regulation, including through financing mechanisms prioritizing early childhood education in national budgets.

The Tashkent Declaration (2022) reaffirms global commitment to expanding equitable access to early childhood education, emphasizing integrated policies that address health, nutrition, protection, and education. It calls for governments to enact regulatory frameworks guaranteeing free and compulsory pre-primary education, backed by sufficient funding and workforce development, and urges international cooperation to support low- and middle-income countries in strengthening their early childhood systems.

The Transforming Education Summit's Call to Action on financing education (2022) stresses early childhood education as a priority to transform education systems. It advocates for policies that eliminate user fees and other economic barriers and promote cross-sector collaboration between education, health, social protection, and finance sectors. It also highlights the importance of mobilizing international partnerships and development assistance to support countries' early education programs.

The ILO Policy Guidelines on the promotion of decent work for early childhood education personnel (2013) set out principles for the promotion of decent work for early childhood education personnel as a means of ensuring universal access to high-quality ECE services. Furthermore, the recommendations of the UN High-Level Panel on the Teaching Profession (2024) emphasize that expanding access to quality pre-primary education requires well-trained, adequately supported teachers and equitable resource distribution. It calls for coherent policies that prioritize early childhood education funding, promote professional development, and encourage multisectoral approaches involving governments, communities, and international partners.

Such policies and regulations must guide the design and monitoring of national strategies serving as a foundation for realizing the right of every child to early childhood education and for meeting the SDG 4.2 targets globally.