

Research Supports the Need to Recognize the Right to Free Early Childhood Education and Free Secondary Education

We, the undersigned individuals, are scholars, experts, and researchers on the education, development, wellbeing, and rights of children and adolescents. We write to express our support for a new optional protocol to the UN Convention on the Rights of the Child (UNCRC) focused on the right to free education.¹ The aim of this initiative is to ensure recognition under international law of the right to free early childhood education and free secondary education, alongside the already-existing right to free and compulsory primary education.

Well-established scientific evidence shows unequivocally that education is foundational to children’s healthy development, wellbeing, fulfilment of their full potential, and their lifelong prospects. Not only is education valuable in its own right, it has a multiplier effect—that is, education helps position children to secure their other rights during childhood and subsequently as adults. At a societal level, investing in education is any country’s most effective policy tool to ensure prosperity, social cohesion, and sustainable development.

Although research evidence is clear on the importance of education to children’s holistic development, international law has not kept pace. In 1948, the Universal Declaration of Human Rights—the foundational instrument of the modern human rights movement—recognized every individual has the right to education, mandating that primary education be free and compulsory for all. In the more than 70 years since then, the international law standard on the right to education has changed little. While the right to education has been enshrined in legally-binding treaties—including the Convention on the Rights of the Child (1989) and the International Covenant on Economic, Social and Cultural Rights (1966)—international law has not expressly recognized early childhood education (pre-primary education) or mandated *free* secondary education for all children. These treaties have been silent on early childhood education, while calling on states to make secondary education “available and accessible” but stopping short of requiring that it be made available free. We believe it is time for that to change.

International consensus and frameworks (e.g., the 2030 Sustainable Development Goals) urge access to high-quality early childhood education, which, according to the Committee on the Rights of the Child’s “General Comment No. 7 on *Implementing Child Rights in Early Childhood*”, must be understood as beginning at birth. Similarly, evidence from research on adolescent development reveals the importance of secondary education to children’s healthy development and lifelong prospects, including their capacity to navigate the complexities of our world in the 21st Century.

While the Sustainable Development Goals (SDGs) call on states to ensure all children have access to quality early childhood education and care (SDG 4.2) and free secondary

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education (SDG 4.1), global monitoring data show the world is far from achieving the 2030 targets. Significant disparities persist among—and within—countries and regions, compounding stark inequalities of access, opportunity, condition, and outcome, especially for children from disadvantaged and marginalized communities. We therefore call for an urgent renewed commitment to education systems that realize just and equitable outcomes for ALL children. And we believe it is essential that this commitment be backed by a legal mandate to ensure its success.

The world has changed dramatically since 1948, and our understanding of how children develop and flourish has advanced significantly. To ensure education systems contribute to realizing children’s rights enshrined in UNCRC, it is critical that we secure their right to education from birth through secondary education.

We, therefore, call on all U.N. member states to support a new optional protocol to the U.N. Convention on the Rights of the Child that will recognize the importance of education to children’s healthy development by mandating that governments ensure every child has access to *free* pre-primary², primary, and secondary education.

Sincerely,

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¹ There are currently three Optional Protocols to the U.N. Convention on the Rights of the Child: Optional Protocol on the sale of children, child prostitution and child pornography (adopted in 2000; currently 178 states parties); Optional Protocol on the involvement of children in armed conflict (adopted in 2000, currently 173 states parties); Optional Protocol on a communications procedure (adopted in 2011; currently 52 states parties).

² While as researchers we recognize that early childhood care and education starts from birth, we are cognizant of resource limitations in many areas of the world. We support efforts to ensure at least one year of pre-primary education for all children, while states and civil society work to secure the resources needed to develop more comprehensive early childhood care and education programs.