



Oral Statement to the Open-ended Intergovernmental Working Group on the optional protocol to the Convention on the Rights of the Child

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The Global Initiative for Economic, Social and Cultural Rights welcomes the opportunity to contribute to the Open-ended Intergovernmental Working Group on the optional protocol to the Convention on the Rights of the Child.

We urge the Working Group to reaffirm two essential principles: First, the primacy of public education provision. Second, the centrality of adequate domestic financing to ensure the right to free, quality public early childhood care and education (ECCE) and free public secondary education for all.

Public education is not only a human right, it is a public good. Under international human rights law and authoritative interpretation, public education must be recognised as the primary form of education. Public education is the most effective way to guarantee equal access, inclusion, and dignity for all. While private actors may be involved, they can never replace nor dilute States' obligations. Indeed, States remain the ultimate duty bearers of the right to education for all. In this regard, they must regulate private providers and prioritise the financing and expansion of the public education system.

This is especially urgent in the case of ECCE and secondary education, which are often underfunded despite being critical to children's holistic development and participation in society. Currently, the global median for pre-primary education spending is just 0.4% of GDP, far below the recommended 1%. This shortfall has driven a surge in private provision, fueling inequality and undermining access from the earliest years.

To reverse this trend, States must commit to progressive fiscal reforms, such as taxing the ultra-rich, tackling illicit financial flows, combatting tax avoidance and evasion, managing debt responsibly, and fighting corruption. These domestic efforts, accompanied by systemic international financial reforms, can help expand overall budget size. With the necessary political will, this would enable adequate resources to be allocated towards public education, benefiting all. Moreover, even if international assistance and cooperation can and should support these efforts, it must never replace the central responsibility of States to mobilise domestic resources.



A future optional protocol should clearly articulate these obligations. Without robust public systems and sustainable public financing, the right to education risks becoming a privilege for some, rather than a right for all.

Thank you.

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