

Selected international human rights treaties relevant to the EFA goals

Human rights law is a living, breathing process of debate and negotiation between international bodies, states and citizens. The development and adoption of international and regional legal instruments often take years, but this is only the first step in a process that includes ratification by states, absorption into national law and, most crucially, use by individuals and groups to challenge

states on violations of rights – including the right to education. This table reviews the status of the main international human rights instruments relevant to education. Not only have important new international instruments emerged in recent years, but states parties continue to sign and ratify even those conventions in existence for decades, reflecting the potential for positive change in national legal contexts.

Instrument	Year	Components relevant to Education for All	Number of signatures ¹	Number of states parties ²	Recent (2008–2009) signatures (s), ratifications (r) and accessions (a) ³
International Bill of Human Rights:					
• Universal Declaration of Human Rights	1948	<ul style="list-style-type: none"> All peoples have the right to freely pursue their economic, social and cultural development. States to respect and ensure these rights without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Right of everyone to education. Free and compulsory primary education Secondary and higher education made generally available and accessible to all by every appropriate means; progressive introduction of free education. 			
• International Covenant on Civil and Political Rights (ICCPR)	1966		173	166	Bahamas (s, r), Comoros (s), Cuba (s), Lao People's Democratic Republic (r), Pakistan (s), Papua New Guinea (a), Samoa (a), Vanuatu (r)
– Optional Protocol to the ICCPR ⁴	1966		119	115	Brazil (a), Kazakhstan (r), Republic of Moldova (r)
• International Covenant on Economic, Social and Cultural Rights (ICESCR)	1966		166	160	Bahamas (s, r), Comoros (s), Cuba (s), Pakistan (r), Papua New Guinea (a)
– Optional Protocol to the ICESCR ⁴	2008		29	0	Signing ceremony held on 24 September 2009; 29 states parties signed within one week.
Discrimination (Employment and Occupation) Convention [No. 111. Adopted by ILO]	1958	<ul style="list-style-type: none"> Protection of all persons in vocational training and employment from discrimination (based on distinction, exclusion or preference) made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin. 	–	169	Kiribati (r), Lao People's Democratic Republic (r), Samoa (r)
Convention against Discrimination in Education [Adopted by UNESCO]	1960	<ul style="list-style-type: none"> Free and compulsory primary education. Governments shall formulate, develop and apply a national policy tending to promote equality of opportunity and of treatment. No discrimination in access to or quality of education. 	–	96	Latvia (a)
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	1965	<ul style="list-style-type: none"> Right to education and training with no distinction as to race, colour, or national or ethnic origin. Adopt measures, particularly in the field of teaching, education, culture and information, to combat prejudices which lead to racial discrimination. 	179	173	–
– ICERD Article 14 ⁴			–	53	Kazakhstan (accepted ⁵), San Marino (accepted ⁵)
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	1979	<ul style="list-style-type: none"> Eliminate discrimination against women in the field of education. Ensure equality of access to same curricula, qualified teaching staff, and school facilities and equipment of the same quality. Elimination of stereotyped concept of the roles of men and women by encouraging coeducation. Reduction of female dropout rates; organization of programmes for those who left school prematurely. 	187	179	Qatar (a)
– Optional Protocol to the CEDAW ⁴	1999		114	98	Australia (a), Congo (s), Guinea-Bissau (r), Mauritius (r), Mozambique (a), Rwanda (a), Switzerland (r), Tunisia (a), Turkmenistan (r), Zambia (s)

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Convention concerning Indigenous and Tribal Peoples in Independent Countries [No. 169. Adopted by ILO]	1989	<ul style="list-style-type: none"> Equal opportunities to obtain education. Education responsive to culture and needs of indigenous peoples. Educational measures to eliminate prejudices. 	—	20	Chile (r)
Convention on the Rights of the Child (CRC)	1989	<ul style="list-style-type: none"> Right to free and compulsory primary schooling without any type of discrimination. Access to higher levels of education. Emphasis on child well-being and development, encouragement of measures to support child care. 	195	193	Ratified or acceded to by all states parties, except Somalia and the United States, which have only signed.
– Optional Protocol to the CRC on the involvement of children in armed conflict	2000	<ul style="list-style-type: none"> Limit on voluntary recruitment of children into national armed forces, ban on recruitment of all children into independent armed groups. Condemnation of the targeting of children and schools during armed conflicts. 	157	130	Albania (a), Algeria (a), Burundi (r), China (r), Cyprus (s), Iraq (a), Mauritius (r), Netherlands (r), Russian Federation (r), Singapore (r), Solomon Islands (s), South Africa (r), Uzbekistan (a), Zambia (s)
– Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	2000	<ul style="list-style-type: none"> Recognizes the right of the child to be protected from performing any work that is likely to interfere with the child's education. 	163	132	Albania (a), Germany (r), Greece (r), Iraq (a), Israel (r), Monaco (r), Solomon Islands (s), United Kingdom (r), Uzbekistan (a), Zambia (s)
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	1990	<ul style="list-style-type: none"> Equality of treatment with nationals of the country concerned as regards access to education. Access to public pre-schools and schools shall not be refused or limited because of the irregularity of stay or employment of either parent, or of the child's stay. Facilitation of teaching of mother tongue and culture for the children of migrant workers. 	162	116	Albania (a), Congo (s), Iraq (a), Jamaica (s, r), Niger (a), Nigeria (a), Paraguay (r), Rwanda (a), Uzbekistan (a), Zambia (s)
Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour [No. 182. Adopted by ILO]	1999	<ul style="list-style-type: none"> Access to free basic education and to vocational training (wherever possible and appropriate) for all children removed from the worst forms of child labour. 	—	171	Brunei Darussalam (r), Guinea-Bissau (r), Kiribati (r), Samoa (r), Timor-Leste (r), Uzbekistan (r)
Convention on the Rights of Persons with Disabilities (CRPD)	2006	<ul style="list-style-type: none"> No exclusion from free and compulsory primary education, or from secondary education, on the basis of disability. Assurance of an inclusive education system at all levels and lifelong learning. 	150	70	In 2008, 32 states parties acceded or ratified; an additional 17 signed. In 2009, 24 acceded or ratified (most recently Czech Republic, Dominican Republic, Lao People's Democratic Republic, Malawi, Portugal, Turkey) and 5 signed (Bosnia and Herzegovina, Georgia, Monaco, United States, Uzbekistan).
– Optional Protocol to the CRPD ⁴	2006		96	45	In 2008, 19 states parties acceded or ratified; an additional 14 signed. In 2009, 18 acceded or ratified (most recently Australia, Dominican Republic, Portugal, United Kingdom) and 5 signed (Bosnia and Herzegovina, Georgia, Solomon Islands, the Former Yugoslav Republic of Macedonia, United Kingdom).

Notes: Information up to date as of 30 September 2009.

1. Indicates the number of states parties that have preliminarily endorsed the convention and intend to examine the treaty domestically and consider ratifying it.

2. Indicates the number of states parties that have agreed to be bound by the convention or protocol through ratification (entering into the convention after signing), accession (signing and ratifying at the same time), or succession (taking on the ratification of an existing or former state party of which the state party was formerly a part).

3. Signatures, ratifications or accessions between January 2008 and September 2009.

4. Optional protocols/articles that allow individuals to seek justice at the international level for violations of the rights established in the main convention, through the establishment of communications, complaint and inquiry procedures.

5. 'Accepted' indicates that the state party recognizes the competence of the Committee on the Elimination of Racial Discrimination as per Article 14.

Sources: ILOLEX (2009); United Nations (2009); UNESCO (2009).