ASPBAE

Ed-lines

QUALITY EDUCATION FOR ALL

Asia South Pacific Association for Basic and Adult Education
Learning Beyond Boundaries

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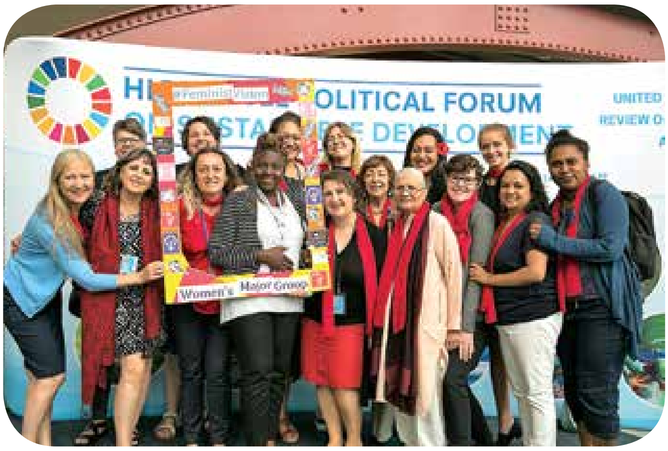
Financing the Sustainable Development Goal on education (SDG4) for a stronger public education system

The new education agenda, articulated in Sustainable Development Goal No. 4 (SDG4), presents huge opportunities, as well as challenges, in addressing the key gaps in education and in ensuring the right to education for all, particularly for the poorest and most disadvantaged children, youth, and adults. The Incheon Declaration, agreed upon during the World Education Forum in April 2015, and the Education 2030 Framework for Action, which concretizes SDG4[1] in particular, adopt a strong human rights perspective and a clear commitment to equity and gender equality. Education 2030 asserts that the state is fundamentally responsible and accountable in implementing the education agenda, ensuring transparency and participation of all stakeholders for a stronger public education system.

The 2017 High-level Political Forum on Sustainable Development (HLPF), that took place in July 2017 in New York, was held to give further guidance on follow-up and review of the 2030 Agenda and the Sustainable Development Goals (SDGs). It was the first HLPF to review in-depth a set of goals (Goal 1: Poverty; Goal 2: Hunger; Goal 3: Health; Goal 5: Gender; Goal 9: Industrialisation; Goal 14: marine resources) as well as SDG 17 on partnerships, which is reviewed annually. The overarching theme for all sessions was, '*Eradicating poverty and promoting prosperity in a changing world*'.



Deliberations at the HLPF pointed towards the fact that while the resources needed to implement the 2030 Agenda are significant, they are obtainable.

The HLPF was also a moment to reflect on the SDG means of implementation, particularly on financing the SDGs, including the education goal - SDG4. The strong statements on SDG financing, articulated during the Forum, provided a degree of optimism that financing issues will be taken up more seriously and more comprehensively.

In his opening speech, UN Secretary-General António Guterres emphasised the centrality of funding to meet all the 17 SDGs without leaving anyone behind. He called on developed countries to "*abide by their commitments in relation to official development assistance (ODA).*" At

1 *Education 2030 Framework for Action was adopted in the High-level Meeting on Education 2030, November 4, 2015 in Paris.*

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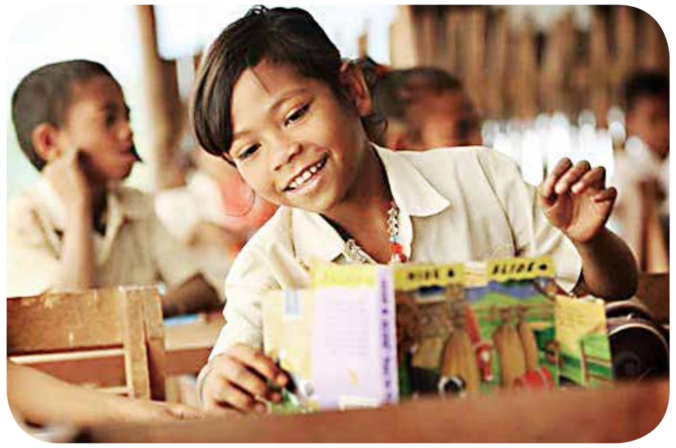
The amount of aid allocated to education has been falling for six years in a row.



Studies show that donor fragmentation and unpredictability is on the rise in the education sector, resulting in more inefficiencies.

the same time, he stressed the need "*to create conditions to help States mobilise more of their own resources… through domestic tax reforms,*" while urging the international community "*to fight together tax evasion, money-laundering, and illicit flows of capital*" that depletes the financial resources of developing countries. Professor Jeffrey Sachs echoed similar calls, noting that there is actually "*no shortage of funds; there is shortage of honesty.*" He went on to say that rich individuals and corporations have been evading their tax obligations with money secretly stashed in tax havens that host more than $20 trillion in hidden wealth which are protected by no less than the world's most powerful and richest governments.[2]

For his part, UN General Assembly President, Peter Thomson, said that while notable progress has been seen in the implementation of the Addis Abba Action Agenda (AAAA), which provides a comprehensive financing framework for the SDGs, significant gaps and challenges remain in the implementation of the SDGs. He urged the international community to act urgently by fully implement the AAAA at all levels.[3]

ASPBAE agrees that serious challenges remain in achieving the SDGs, particularly in mobilising adequate financial resources to meet the ambitious goals and targets by 2030. Overall resource requirements to deliver the SDGs is estimated to run in trillions of dollars, much of which must come from domestic resources (see Editorial entitled *'Tax justice for education justice'* on page 5 by David Archer of ActionAid). The United Nations Conference on Trade and Development (UNCTAD) says achieving the SDGs will take between $5-$7 trillion, with an investment gap in developing countries of about $2.5 trillion.[4] A recent estimate suggests that low and lower middle-income countries will need to increase spending levels by about 4% of their projected gross domestic product (GDP) to achieve the SDGs by 2030 (Schmidt-Traub, 2015).

In the education sector, the International Commission for Financing Education Opportunity calculated that total education spending will need to increase from $1.2 trillion per year today to $3 trillion by 2030 across all low and middle-income countries to secure a learning generation. By scaling to this level of financing for education, the Commission estimates that it is possible to provide free quality primary and secondary education, as well as two years of publicly funded pre-primary education. A large majority of this money must come from domestic governments. The Education Commission estimates that low and middle-income countries will need to increase domestic public expenditures on education at an annual rate of 7% to move from an estimated $1 trillion in 2015 to $2.7 trillion by 2030 (Education Commission, 2016).

It is unfortunate that countries have been consistently underinvesting in education. In 2014, 51 out of 138 countries, including 28 from the Asia Pacific, spent less than the global benchmark of 4%-6% of GDP. The Asia Pacific remains the least spender amongst all regions, with Central Asia allocating only 2.8% of GDP for education, while South Asia and East/Southeast Asia allocate 3.8% and 3.9% of GDP respectively.[5] Meanwhile, donors have reneged on their financing commitments made in Dakar in 2000, with aid to basic education declining starting from 2010. Aid has remained too small, too tied, too unpredictable, and misdirected to make any significant contribution to cover the annual funding gap in education.

2 *Transcript of Speeches. (43rd meeting) High-level segment - Economic and Social Council, High Level Political Forum, 17 July 2017 session.*

3 *President's Summary of the 2017 High-level Political Forum on Sustainable Development.*

4 *Mara Niculescu (UNDP Europe and Central Asia). "Impact investment to close the SDG funding gap." July 2017. (http://www.eurasia.undp.org/content/rbec/en/home/about_us/our-experts/new-partnerships/mara-niculescu.html)*

5 *UNESCO. 2016 Global Education Monitoring Report.*

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Aid effectiveness is key to strengthening partnerships for development, reducing transaction costs, and increasing transparency and mutual accountability.

Low and middle-income countries will need to increase domestic public expenditures on education at an annual rate of 7%.

Even with improved spending levels, domestic expenditures in low and lower middle income countries cannot cover the costs of reaching SDG4, and so aid must make up the shortfall. The Global Education Monitoring Report estimates that these countries would face an annual financing gap of US$39 billion in 2015-2030. Aid to education in these countries needs to be six times higher than 2012 levels, an estimate confirmed by the International Commission on Financing Global Education Opportunity (Education Commission, 2016). But as mentioned, aid to education has been stagnant since 2010, and the aid that is given often does not go to countries most in need, worsening the prospects for achieving the global education goals.[6]

What is particularly disturbing is the misplaced optimism given to private financing to fill the resource gap. The strategy is to provide better incentives to create an enabling environment for private sector investment without considering the potentially negative consequences of private business engagement in education and other essential public services which can set back the 2030 development agenda. The combination of chronic underfunding in education by developing states and donors, and the surge of private, profit-driven and corporate investment in education, can prove disastrous to the public education system. ASPBAE has consistently challenged the privatisation drive in education with evidence culled from various studies showing that privatisation exacerbates inequality in education access and leads to segregation. It widens gender disparity, putting girls at a disadvantage, and undermines the public education system (see section beginning with article entitled *'Privatisation of education and the need for effective regulation'* on page 8).

Civil society organisations (CSOs) engaging the Financing for Development (FfD) process criticise the conventional growth narrative and the over-reliance on the private sector which continue to permeate the thinking of donors and financial institutions, despite the increasing evidence of the unsustainable social and environmental implications of the current business model. The narrative on blended finance and Public Private Partnerships (PPPs) is highly inconsistent with the Addis commitment to developing principles to safeguard the public interest and to come up with an enabling policy environment and fiscal space to really advance the pursuit of the SDGs. Evidence shows that PPPs are an expensive and inefficient way of financing infrastructure and services as they conceal public borrowings while providing long-term state guarantees for profits to private companies.[7] The UN Department of Economic and Social Affairs (DESA) paper, for example, addresses PPPs and challenges the supposed efficiency gains in the social sector, such as hospitals and schools, where access and equity are major concerns.[8]

WHAT CAN BE DONE

ASPBAE and its members, along with other CSOs, have consistently advocated for clear and sustainable financing strategies to match the ambitious SDG goals and targets, ensuring equity with a clear bias for the poorest, the most excluded, and those left behind. Many of these financing strategies have been well articulated by several governments, UN agencies, academicians, and resource persons during SDG and FfD related consultations and forums.

6 *Global Education Monitoring Report (GEMR) press release – The share of aid allocated to education has fallen for the sixth year in a row*

7 *See official website of CSO for Financing for Development (May and July 2017 Archives), https://csoforffd.org/*

8 *Department of Economic & Social Affairs (DESA Working Paper No. 148). "Public-Private Partnerships and the 2030 Agenda for Sustainable Development: Fit for purpose?" February 2016.*

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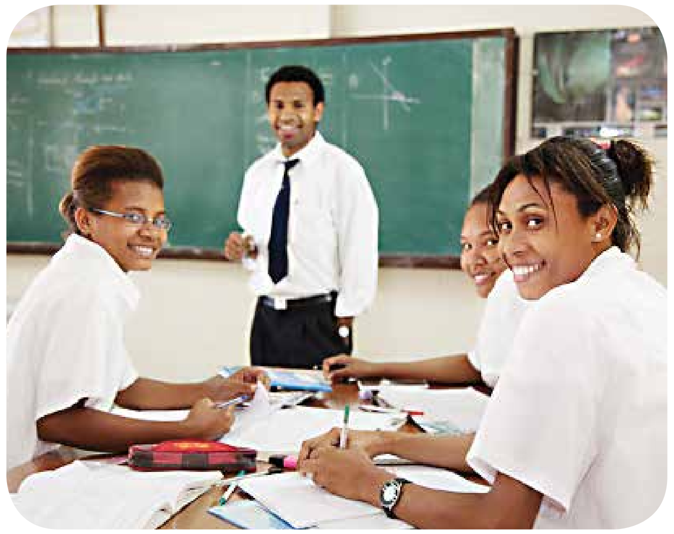


Special attention is required from governments on issues linked to fiscal reform, including widening government tax bases by preventing tax evasion and harmful tax incentives.

Acknowledging that much of the resources needed to meet the SDGs will come from domestic sources, special attention is required from governments on issues linked to fiscal reform, including widening the tax base through progressive taxation; ending harmful tax incentives usually accorded to multinational corporations; and preventing tax evasion practices of big business enterprises. Financing must also prioritise the poorest and most disadvantaged children, youth, and adults, and ensure that funds for education are not lost through corruption and inefficiency.

The international community must fully implement the commitments forged in Addis Ababa under the global accord on Financing for Development. Along this line, ASPBAE supports the call of civil society for an effective international tax cooperation through the establishment of an intergovernmental UN tax body with universal membership. This is an effective measure to curb tax evasion and impose taxes on offshore deposits in tax havens which could generated more than enough funds to finance the SDGs.

The Global Partnership for Education's Replenishment Campaign, efforts of the International Commission on Financing Global Education Opportunity, and the Education Cannot Wait Fund to galvanise resource mobilisation efforts for education and to finance meeting the SDG 4 targets, in particular are welcome (see article entitled *'Road to Senegal replenishment demands country political action'* on page 6 by Henry Malumo of the Global Campaign for Education). Civil society notes however, how these financing frameworks have ignored attention to the SDG 4 targets related to youth and adult literacy and non-formal education. There have likewise been concerns raised regarding an emerging reliance on increased debt to raise the resources needed for SDG4, as proposed by the International Commission on Financing Global Education Opportunity through the International Finance Facility for Education (IFFEd).

Donors do need to increase their efforts and live up to their commitments to allocate at least 0.7% of their gross national income to aid, and 10% of that to education. They must, likewise, ensure that their allocations are proportional to the financing gap that countries are facing so that aid to education goes where it is needed most.[9]

Stronger financing commitments are needed to address the needs of education in emergencies, noting that millions of children are currently living in crisis-affected countries where education systems have been disrupted as a result of conflicts, violence, natural disasters, and other catastrophes.[10] Humanitarian aid for education must be increased to the recommended target of 4%of the humanitarian aid budget (UNESCO, 2017).

Innovative financing strategies, including partnerships, must be oriented towards ensuring equity, promoting the right to education, and strengthening the public education system. Multi-stakeholder partnerships and business involvement in education must be transparent and regulated, with sufficient accountability mechanisms, to ensure consistency with the new education agenda. Governments must institute measures to curb the proliferation of the largely unregulated fee-paying private schools that target poor families and communities.

Finally, ASPBAE reiterates its call on governments to abide by the UN Human Rights Council resolutions on addressing education privatisation and regulating private actors engaged in education provisioning.[11] The UN Committee on the Rights of the Child (CRC) and the Committee on Economic, Social and Cultural Rights (CESCR) have, likewise, issued calls for State parties to improve and strengthen public education system, ensuring free and compulsory basic education without hidden cost; address segregation and discrimination in educational institutions; and to monitor, regulate, and evaluate the operation of private education providers[12] (see article entitled *'Keeping a track of state regulation of the private sector in education in the Philippines'* on page 10 by Addi Unsie of E-Net Philippines).

9 *GEMR Policy Paper 31 - Aid to education is stagnating and not going to countries most in need.*
10 *Financing Background Paper - Education 2030 Working Group on Financing.*
11 *Human Rights Council, 32nd session (13 June to 1 July and 8 July 2016) A/HRC/32/L.33.*
12 *Committee on Economic, Social and Cultural Rights. Concluding observations, Philippines*

EDITORIAL

Tax justice for education justice

By David Archer, Head of Programme Development, ActionAid

We need to talk about trillions of dollars, not just billions, if we are to achieve the education Sustainable Development Goal (SDG). The Education Finance Commission estimates that 97% of the funding required must come from domestic resources – and yet almost all efforts are focused on raising the 3% that should come from the international community in the form of aid. Clearly, replenishment of the Global Partnership for Education (GPE) is important – and we should all mobilise to ensure that GPE secures at least $2 billion a year by 2020. But aid is short term and unpredictable. Education, more than any other investment, needs long term sustainable financing to pay for the recurrent costs of qualified teachers that underpin all education budgets.

GPE has made some progress in recognising the importance of leveraging more domestic funding, making it a requirement that countries receiving funds are maintaining, or increasing, their share of the national budget being spent on education – towards a benchmark of 20%. That is a great start, but 20% of a small pie is a small amount and now is the time for us to be concerned with the size of the pie overall. This means that education activists need to start looking seriously at how to increase government revenues overall – and central to this is the question of the domestic tax base.

The renowned economist Thomas Piketty observes in *Capital in the 21st Century* that countries that have a 'Tax to GDP Ratio' under 20% are just "*regalian* States" – with some security and ceremonial functions but lacking the resources needed to be truly "Social States" that can deliver universal public services. At present, the average low income country has tax to GDP ratios of around 15% and some countries, like Bangladesh and Pakistan, have rates of just 10%. Action to expand the tax base in these countries is the single biggest factor that could lead to dramatic expansions in the financing of education and other public services.

In recent decades, countries seeking to expand their tax base have been advised by the International Monetary Fund (IMF) that the easiest way to do so is to increase VAT – as this is a tax that is relatively easy to collect. However, unless exemptions for basic goods are in place, VAT is an extremely regressive tax – meaning that poor people pay more as a share of their income than rich people. The real challenge is to find ways to increase revenues through progressive tax – so that those with the most pay the most.

There are many ways to raise taxes in a progressive way by looking at incomes, capital, property, land, or inheritance, but one of the most striking places to start is to look at the taxing of multinational corporations. In too many cases, the biggest companies pay the least tax and in some cases, they pay no tax. Sometimes this comes about from companies persuading governments to give them long tax holidays.

The IMF defines four different types of "tax incentives" that they consider to be harmful - but developing countries routinely provide these "incentives" in order to attract investment (when most research shows the investment would come regardless of the incentives offered). ActionAid's research shows that $139 billion is given away every year by developing countries in these forms of harmful tax incentives. Pakistan alone gives away $4 billion a year. If just 20% (a fair share) of that $4 billion was spent on education, then you could provide an education for every single one of the 5 million children out of school in the country – and you could employ 100,000 more qualified teachers.

Aggressive tax avoidance by multinational companies is also a major problem. Too often complex corporate structures allow highly paid accountants to magic away any profit made in developing countries – so that the money ends up in tax havens. Estimates of revenue lost to tax avoidance by developing countries range from $100 billion to $600 billion every year – and this is money that could transform public education systems in every country.

Some solutions cannot be found at the national level. Global tax rules work in

David Archer

the favour of multinational companies, partly because they are established by The Organisation for Economic Co-operation and Development (OECD) – the club of rich nations. There is a powerful case for global reform – for the creation of a new, inclusive, and empowered inter-governmental body that can set and enforce global tax rules. There is also a compelling case for global taxing of all deposits in tax havens, for a global tax on wealth, or for a financial transaction tax.

It is through tax at national and international levels that we will move from the billions to the trillions necessary to finance the SDG agenda. But to get there, we will need to form a powerful movement at national, regional, and global levels. The foundations for such a movement are emerging, with links being forged between the Global Campaign for Education (GCE) and the Global Alliance for Tax Justice.

Education activists at every level need to connect with those who are fighting for tax justice - as this is the key to sustainable financing of education for all. We need progressive tax that is progressively spent on education if we are to achieve the progressive realisation of rights.

Education needs long term sustainable financing to pay for the recurrent costs of qualified teachers that underpin all education budgets.

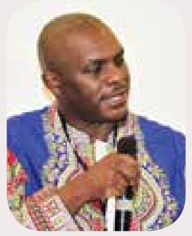
Road to Senegal replenishment demands country political action

By Henry Malumo, Education Financing Campaign Manager, Global Campaign for Education (GCE)

The value of education and its critical importance to the attainment of the Sustainable Development Goals (SDGs) by 2030 has become a slogan of almost every speech by world leaders. Mere speeches will no longer be enough, however. Real commitment will be more credibly demonstrated by increased levels of financing to education. Commitment through increased education expenditure is what will separate political statement from political action at the 2018 Global Partnership for Education (GPE) Replenishment Conference.

GPE is the only multilateral partnership and fund dedicated exclusively to education in the world's poorest countries. The partnership includes developing country partners, donor countries, multilateral agencies, civil society, teachers, philanthropic foundations, and the private sector. GPE brings together and amplifies the skills and mobilizes the resources of many to help developing countries to deliver results in education. GPE works to expand inclusive and equitable quality learning by helping low and lower middle income countries build stronger education systems. These are the goals of the 5-year strategic plan, GPE 2020. It includes a comprehensive results framework with 37 indicators, disaggregated by gender. The indicators also track comparative progress in countries affected by fragility and conflict. The results framework enables, for the first time, mutual accountability for all partners working in education.

The GPE replenishment marks the beginning of a new era in education financing to reverse the trend of declining aid for education. Experts and world leaders say that a significant increase in financing is needed to tackle the global education crisis. The International Commission on Financing Global Education Opportunity (Education Commission) recommends that GPE be scaled up to US$2 billion a year in 2020 and US$4 billion a year in 2030. This would introduce to the education sector a fund similar to those that have demonstrated large-scale success in the health sector. GPE endorses that vision. As a first step, GPE is seeking to replenish its finances for the three years, 2018 to 2020, with a goal of reaching US$2 billion a year by 2020. This will enable the partnership to deliver better learning and equity outcomes for 870 million children and youth in 89 countries. GPE's ambition over the following decade will require this amount to double to US$4 billion a year by 2030.



Henry Malumo

Achieving this level of financing will require strong leadership from the world's major donor countries and new nations to start making contributions. While the majority of the financing is expected to come from traditional and new donor governments, there is a clear role for other contributions, including philanthropic support.

With new donor investments from 2018 to 2020, GPE will support 89 developing countries to drive improved quality and access to education for 870 million children and youth; provide education plan implementation grants to 67 developing countries, covering 64% of out-of-school children; support 30 developing countries to develop new plans for education, covering 40% of out-of-school children; develop education sector investment cases to attract additional financing and align it behind education plans, initially in 10 countries and scaling up to all 89 countries; drive increased domestic resource mobilisation, building on the success to date; drive quality improvements through learning assessment support; and drive data improvements through strengthened education management systems.

GPE's support to developing country partners would result in

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The Global Partnership for Education (GPE) is the only multilateral partnership and fund dedicated exclusively to education in the world's poorest countries.

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The GPE replenishment marks the beginning of a new era in education financing to reverse the trend of declining aid for education.

the following gains - 19 million additional children completing primary school, including 9.4 million girls and over 10.8 million children in countries affected by fragility or conflict; 6.6 million additional children completing lower secondary school, including 3.9 million girls and 3.9 million children in countries affected by fragility and conflict; 1.7 million teachers trained; 23,800 classrooms built; 204 million textbooks distributed.

Achieving these outcomes will require all partners to increase their financing with donor governments providing US$3.1 billion over 2018–2020; developing country governments allocating 20% of government expenditure to education; and philanthropic foundations and private sector donors to step up their targeted contributions. These investments would see GPE operating at the recommended scale of US$2 billion a year by 2020 and start the scale-up of global education financing. It would bring new hope that the next generation of girls and boys will be equipped with the skills necessary to contribute to economic and social prosperity[1].

The Global Partnership for Education's Replenishment Conference will be held on 8 February 2018 in Dakar, Senegal. President Macky Sall of Senegal and President Emmanuel Macron of France made the announcement to co-host during the 2017 United Nations General Assembly. The news gives the Global Campaign for Education (GCE) community with three months to lobby national governments to make bold and credible pledges.

National education coalitions, regional national education networks, international NGOs, and GCE stand at the frontier of receiving credible pledges or broken promises in the fight against the global education crisis. National level mobilisation and political pressure on governments to increase and sustain financing to education must be scaled up in order to deliver the much needed funding to #Fundthefuture.

The Global Partnership for Education's (GPE) Replenishment Conference is an important event due to the financing commitments that will be made towards the attainment of SDG4 by 2030. It presents a great opportunity for national, regional, and global civil society actors to send a reminder to governments and leaders on the limited time remaining in preparing their credible pledge at the Dakar conference. The GCE call to action best summarises what needs to be done - Unless we urgently and significantly increase education financing now, we will not come close to achieving inclusive and equitable quality education and lifelong learning opportunities for all by 2030.

With new donor investments from 2018 to 2020, GPE will support 89 developing countries to drive improved quality and access to education for 870 million children and youth.

1 *Fund Education Shape the Future: Case for Investment (Global Partnership for Education)*

Privatisation of education and the need for effective regulation

ASPBAE, along with national education coalitions in the Asia Pacific region, has sustained the campaign on ensuring adequate financing for education.

ASPBAE, along with national education coalitions in the Asia Pacific region, have sustained the campaign on ensuring adequate financing for education, noting that countries are not investing enough in education, while donors have failed to abide by their ODA commitments made in Dakar during the World Education Forum in April 2000. Education coalitions challenge the drive towards privatisation of education, noting that the privatisation push has become more apparent in recent years. By 2014, private schools account for more than 31% of total enrolment at the pre-primary level, and 13% of total enrolment at the primary and secondary level. In South Asia, about a third of 6-18 year olds attend private schools.[1] The privatisation trend is further manifested in the proliferation of low-fee private schools, the persisting user fees, unregulated private tutoring, and the emergence of corporate low-fee for-profit private school chains in several developing countries in the region. Yet, there is practically no consistent evidence showing that private schools offer better education at affordable cost.

There is ample evidence showing that privatisation exacerbates inequality in education access and leads to segregation. It widens gender disparity, putting girls at a disadvantage, and undermines the public education system. The GMR 2015 noted that, "*wealthier and higher ability students and better-networked schools end up with the most benefits, while public schools increasingly serve disadvantaged populations.*" Regulations on the operation of private educational institutions are rather weak or practically non-existent in most countries in the region.[2]

In 2016, national education coalitions in Pakistan, Nepal, India, Philippines, and Mongolia submitted parallel reports to UN treaty bodies with favourable response in the cases cited in the reports. The Committee on the Rights of the Child (CRC) and the Committee on Economic, Social and Cultural Rights (CESCR) articulated serious concerns about the rising privatisation of education that resulted from the lack of public resources for education, the unregulated proliferation of low-fee private schools, and the high cost of private school that is not affordable to the poor. They have called the attention of State Parties to look into the discriminatory practices of private actors in education and the segregation of students and learners based on gender, economic status, and ethnicity.

They called on State parties to improve and strengthen public education systems, ensuring free and compulsory basic education without hidden costs; increase the education budget according to international benchmarks; address segregation and discrimination; promote class and ethnic diversity in all schools, public and private; and ensure transparency in admission policy, facilities, performance, and fees charged by private schools. They also called for stronger monitoring, regulation, and evaluation of the operation of private education providers. Similar recommendations on the adverse impact of privatisation and commercialisation of education and the need to regulate the operation of private schools were, likewise, articulated by UN treaty bodies in their review of several countries in Africa and Latin America.

ASPBAE and education coalitions see the importance of pursuing advocacy on issues around financing, privatisation, and regulation to meet all SDG4/Education 2030 targets and achieve inclusive, equitable, quality education and lifelong learning for all.

Education coalitions challenge the drive towards privatisation of education, noting that the privatisation push has become more apparent in recent years.

1 *UNESCO.2015 EFA Global Monitoring Report. Education For All 2000-2015: Achievements and Challenges.*
2 *UNESCO. 2015 EFA Global Monitoring Report Summary. Education For All 2000-2015: Achievements and Challenges.*

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Trends of privatisation and regulation challenges in Pakistan

By Nida Mushtaq, Pakistan Coalition for Education (PCE)

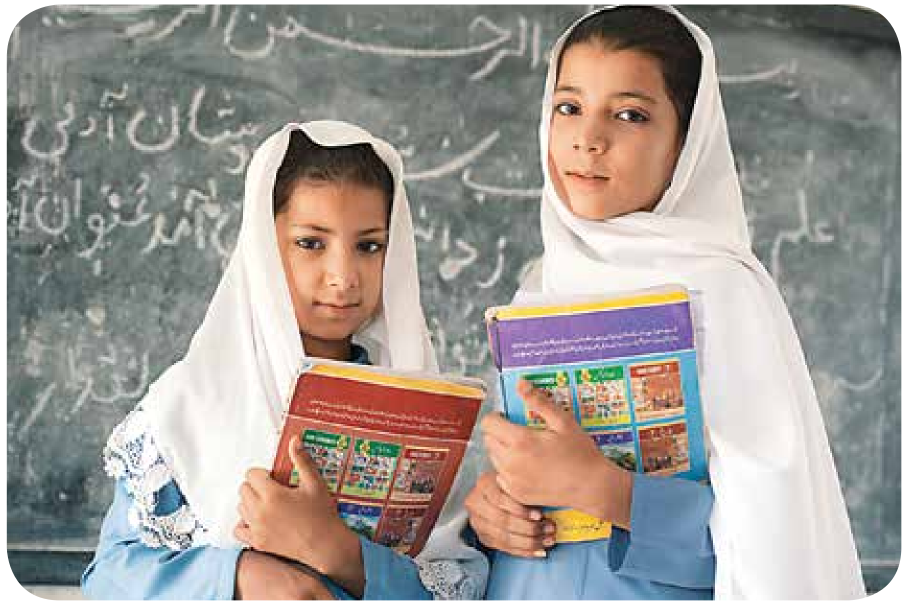
There are many reasons why privatisation of education has flourished with such vigor in Pakistan, one of them being the inadequate financing towards education, which currently stands at a paltry 2.2% of the GDP.

Pakistan is one of the countries in this region which has remarkably seen the expansion of privatisation of education in an unprecedented manner. A country where 58 million are under the age of 15, and 21 million children of school going age are out of school, the issue of privatisation in education presents a considerable challenge in making quality education accessible for every child.

There are multiple reasons why privatisation of education has flourished with such vigor in the country. One of the principal reasons is the inadequate financing towards education, which currently stands at a paltry 2.2% of the GDP, falling far short of Pakistan's longstanding target, reiterated by the current federal government, of spending 4% of GDP on education by 2018, the international target of 6% and even more of the National Education Policy (NEP) target of 7%. In 2016, there was an increase of 7-20% allocation in all provinces but this was not targeted against access or quality. In fact, 90% of the allocated budget was for teacher salaries. Privatised education, in this situation, has been a result of the flailing public education system in which the growth of unregulated private actors in education has resulted in a segregating effect in education, leading to systematic violations of the right to education.

In addition to the continued growth of private education, notably of Low Fee Private Schools (LFPS), there are concerns about the weak regulatory mechanisms of private schools and Public Private Partnership (PPP) arrangements. After the devolution of powers, which has placed education as a provincial responsibility, the regulation mechanisms also have to be updated accordingly. However, the prevalence of privatisation, especially the PPPs, in such a weak regulatory environment has considerable implications for the implementation of the Right to Education.

The UN Committee on the Rights of the Child (CRC) in 2016, during its review of Pakistan, voiced similar concerns when the committee urged Pakistan to - "*Prevent the privatisation of schools and establish mechanisms to monitor the compliance of private schools with minimum educational standards, curriculum requirements, and qualifications for teachers.*" It is observed that the regulatory mechanisms, or the lack thereof, has been a problem specific to some countries, including Pakistan. During the comparative presentations of regulatory frameworks for the countries of Pakistan, the Philippines, India, and Nepal, it was noted that the scale of privatisation



PCE Pakistan advocates for a substantive increase of the education budget and its effective utilisation towards promoting equity and inclusion in education.

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and regulatory mechanisms varied. Some had extensive regulatory frameworks around the private sector's involvement in education service delivery, such as India and the Philippines, but other countries, like Pakistan and Nepal, had rudimentary laws governing these private actors.

A comparative analysis such as this provided an important insight that, regardless of the extent of regulations, there was also a need to align the laws according to the principles of inclusivity, and non-segregation as per the international human rights standards.

In Pakistan, the preliminary overview of the regulatory frameworks in the provinces where there has been RTE legislation is inadequate to counter the magnitude and the speed at which the privatisation of education is occurring. Despite the focus of some governments at the sub-national level to rectify the education challenges faced, the situation has remained to be critical. It is because the interventions and efforts are not accompanied by the necessary governance reforms. Pakistan is one of the countries with the lowest domestic tax incidence and compliance, with less than 50% of the budget funded by domestic tax. In such adverse taxation outlook with a regressive tax regime, there is a need for reforms to generate more finances for education and health, and help in curbing privatisation and commercialisation of essential services.

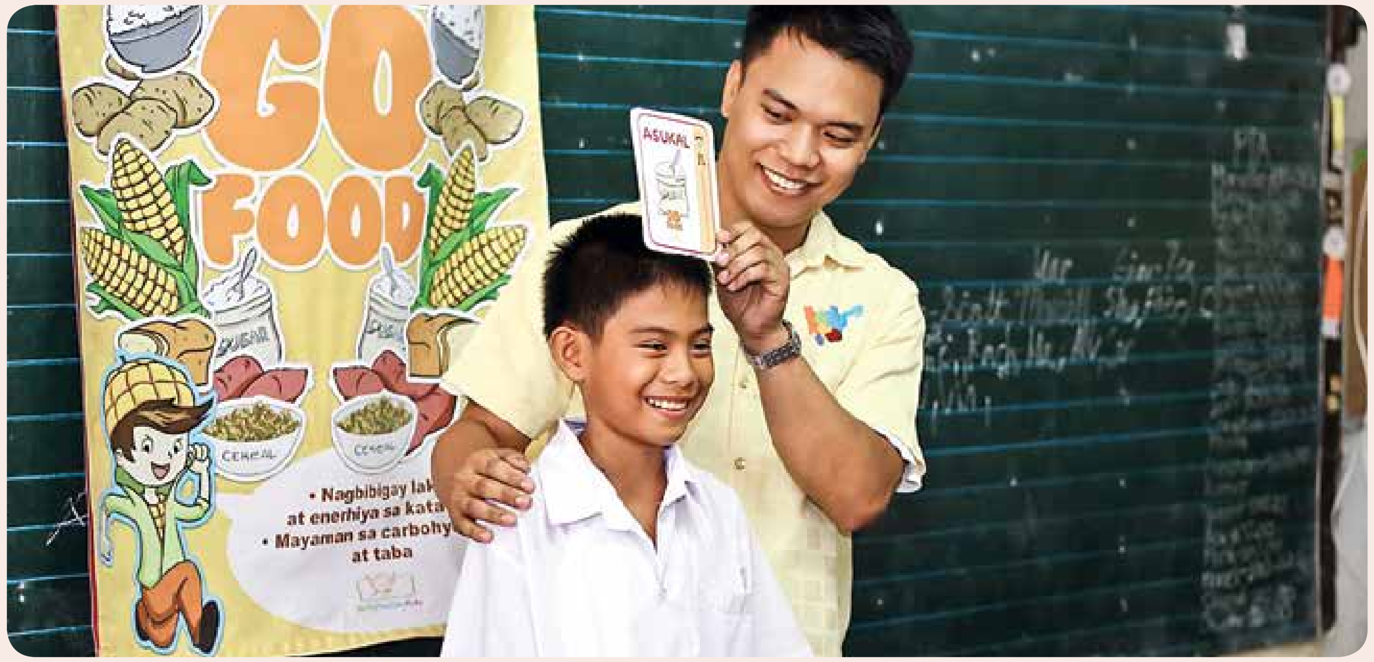
Privatisation is not the answer to the country's education crisis; rather it is a symptom of the systemic failure to secure the right to education for the country's 58 million children, including the 21 million out of school. As a network fighting for the Right to Education for all Pakistani children, the Pakistan Coalition for Education (PCE) advocates for a substantive increase of the education budget and its effective utilisation towards promoting equity and inclusion in education.

Echoing the recommendations of the Committee on Economic, Social and Cultural Rights (CESCR), the government of Pakistan should conduct a thorough and systematic evaluation of PPP programmes in education to ensure a human rights lens before adopting such initiatives on a large scale.

Keeping a track of state regulation of the private sector in education in the Philippines

By Addie Unsi, E-Net Philippines

The Philippines has a long history of private education going back to colonial times and is currently host to one of the largest and oldest public-private partnerships in education - education service contracting (ESC). The contracting scheme to private schools is the main modality of the Government



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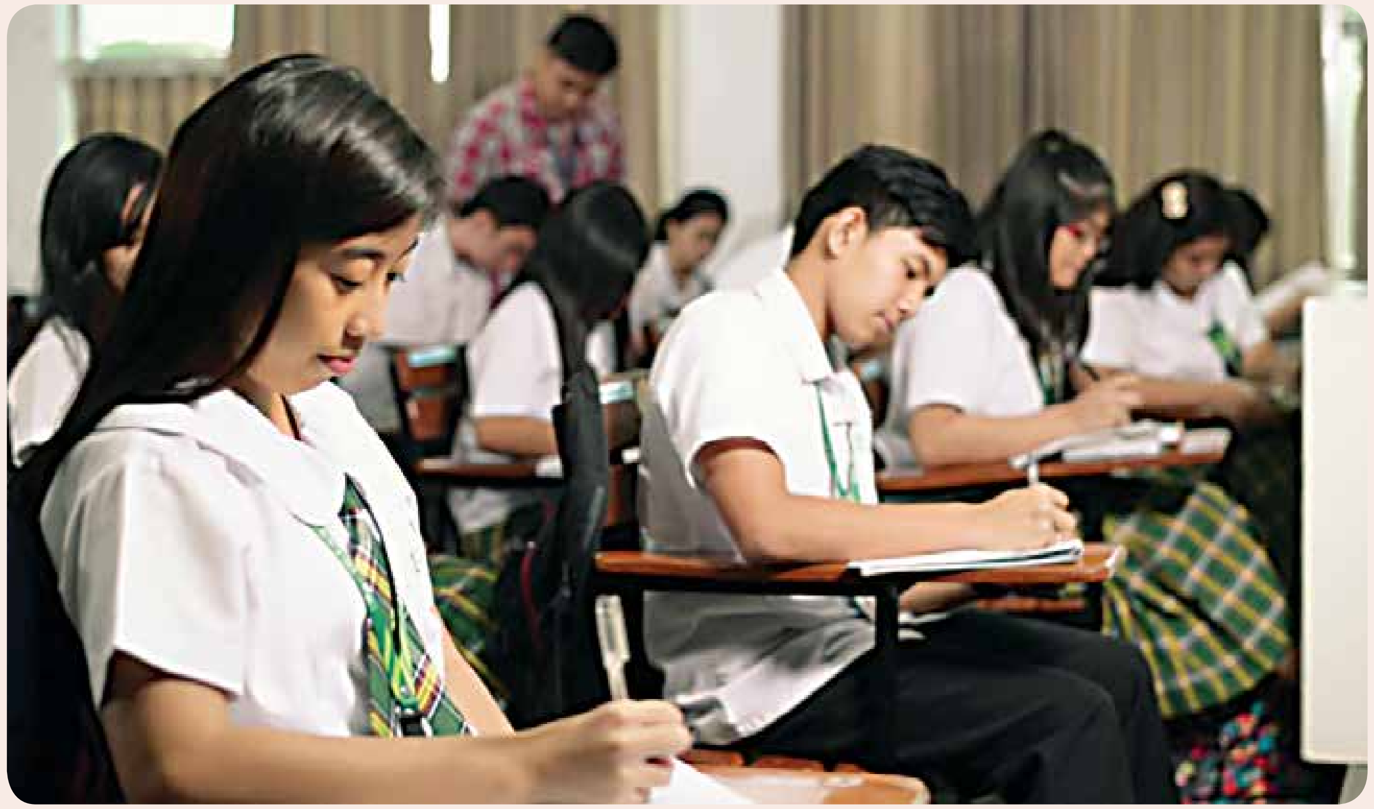

The UN Committee on Economic, Social and Cultural Rights (CESCR) stresses the need to strengthen the public education sector by increasing the education budget, improving access to quality education for all, and the closer regulation of private schools.

Assistance to Students and Teachers Private Education (GASTPE) which has been consistently expanding, with increasing coverage and government subsidies to private providers of educational services.

The UN Committee on Economic, Social and Cultural Rights (CESCR) noted the "segregation" arising from the privatisation drive, and the lack of access to quality education, particularly among the marginalised sectors, including indigenous people, children with disabilities, and the rural poor. This finding is noted in the most recent human rights review of the Philippines by CESCR in October 2016. Articulated in its Concluding Observations, CESCR further noted the "*discriminatory access to education, particularly for disadvantaged and marginalised children,*" arising from the imposition of top-up fees to cover the full cost of private education, and the "*lack of regulation by State authorities on these (private) schools.*" CESCR stresses the need to "*strengthen the public education sector*" by increasing the education budget, improving access to quality education for all "*without hidden costs,*" and the closer regulation of private schools.

As a follow up to the CESCR recommendation to strengthen the private education regulatory framework, E-Net Philippines has undertaken research on the state regulation of private actors in education. The research assesses policies and level of practice that will guide the advocacy for the adoption and implementation of effective regulatory and accountability mechanisms on the involvement of private actors in education. This includes regulation on the establishment, management, and operation of private educational institutions.

E-Net Philippines conducted a policy scan and is currently conducting a case study of two low-fee private schools to assess policies and level of practices on the regulation of private education. The scan revealed that the policy environment supporting and regulating private education has been clearly articulated in the 1987 Constitution of the Philippines and in a series of directives of the Department of Education.

The regulation policies and practices in schools was analysed using key components of regulatory measures obtained from international studies. The analysis shows five features of existing laws and policies supporting and regulating private basic education. They are - (1) recognition of the role of the private sector in the educational system; (2) setting minimum standards and guidelines in applying for a government permit, renewal of the permit, or recognition to operate as schools; (3) tax exemptions for private schools/institutions;

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(4) private schools determine the rate of tuition and other school fees; and (5) further government support to private institutions in basic education through various financial arrangements.

These features compare key components of regulatory measures found globally with the existing laws and policies regulating private basic education in the Philippines. A majority of the components are present in the Philippine regulation of private schools on paper, but are far from actual practice. Furthermore, four important components are not yet covered in the laws and policies related to governing private schools. They are -

1. Information disclosure.
2. Anti-corruption legal safeguards or highly enforced internal monitoring safeguards of private education providers.
3. Inspections regarding the quality of education delivered by private providers. In measuring the compliance in establishing a private school, site inspections are conducted but there is no clear mention of how the government measures the outcomes of learners from private schools.
4. Ensuring non-discrimination and inclusiveness.

E-Net Philippines will pursue its advocacy for higher budgets for education, while countering the drive towards commercialisation of education through stronger policies and strict enforcement of regulations of private actors involved in the delivery of education services. These are all in line with the findings of the UN Committee on Economic, Social and Cultural Rights and the coalition commits itself to monitor and ensure the implementation of the Committee recommendations.

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