



# Right to education

## SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES

Sri Lanka accepted all three recommendations made during the first and second cycle, relating to; promotion of women’s education, increased accessibility to education, and school reintegration of children who participated or were affected by the conflict. Sri Lanka pledged in the first cycle to continue investment in education and in the second cycle to enhance support to students with mid-day meals, uniforms and learning materials. It further pledged to introduce human rights content in education systems. In its latter pledge it informed that; child rights committees are being established in every school, ongoing island-wide recruitment of Tamil medium teachers and that national competency standards for vocational education were to be made available in all national languages.

## NATIONAL FRAMEWORK

Sri Lanka’s high literacy levels and universal access to primary-level schooling are the outcomes of a free public education system. However, right to education is not a constitutional right.

The Final Report of the Public Representations Committee on Constitutional Reforms (PRC) called for constitutional recognition of the right to education and further suggested “a right to primary, secondary and tertiary education at the cost of the state.

Latest available data show 34% of the schools across the country classified as ‘difficult’ or ‘very difficult’, with only 9 % of schools country-wide

offering Advanced (Secondary) Levels in all subject streams. Rural areas (70% of the population), Estates and war affected North and the East have the least number of well-resourced schools, with access further hindered by caste and ethnicity. The NHDR (2014) also shows that, nationally, 60 % of young people who dropped out or discontinued schooling identified cost of education as a barrier.

In 2017, the state cut over 100 billion rupees on education, ignoring demands to commit 6 % of GDP to education, and is pushing privatization, which may further erode access to education as a right.

## CHALLENGES

## IMPACT

High cost of Education

Despite public education being free, families have to shoulder a number of obvious and hidden financial costs—for school maintenance, extra-curricular activities, additional tuition classes and in particular donations for school admittance, which are essentially substantial bribes to the schools. Costs of boarding or hostels and everyday transport, in cases where schools or tuition classes are far, are additional cost barriers to low-income or underprivileged households.

Lack of facilities in schools

Inter- and intra-regional disparities in school infrastructure, trained staff, choice of subjects and transport have also led to unevenness in access to and quality of education. The latest available data reveals that 34% of the schools across the country are classified as ‘difficult’ or ‘very difficult’, with only 9% of schools (distributed unequally

### CHALLENGES

### IMPACT

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countrywide) offering A/Ls in all subject streams. Rural areas (70% of the population) have the least number of well-resourced schools. A 2012 school census indicates that 80% of schools in Mannar district, 75% of schools in Kilinochchi district and 53 percent of schools in Mullaithivu district were without electricity. The census further indicates that there are more than 10% of schools in 20 districts out of the 25 districts without access to water.

Privatisation of education

The state is inclined to permit private sector to open private education institutions. The recent case of *Suriarachchi v SLMC* (the *SAITM* case) indicates a regressive trend. In this case, the judiciary implicitly sanctioned the dire deficiencies in state regulation of private tertiary educational institutions.

### RECOMMENDATIONS

1. Eliminate all hidden costs in free public education.
2. Ensure adequate infrastructure, budgetary and human, including their equitable distribution across the country at all levels of the education system.
3. Ensure that the right to education is recognized as a fundamental right in the new constitution.
4. Ensure that education policies recognize the wider social purpose of education.
5. Allocate at least 6 % of GDP for education sector.