

ASPBAE and E-Net attend UN Committee on Economic, Social and Cultural Rights Review of the Philippines

26-28 September 2016, Geneva, Switzerland



UN CESCR, in its concluding observations, asked the Philippine government to look into the operation of the private sector in education and recommended a strong public education system.

The UN Committee on Economic, Social and Cultural Rights (CESCR), in its [Concluding Observations](#) on the periodic report on the Philippines, recommended key measures to strengthen the public education sector and ensure the right of all to quality education. The Committee asked the Philippine Government to - *“Strengthen its public education sector, through including increasing the budget allocated to primary and secondary education, with a view to improving access to and the quality of primary and secondary education for all, without hidden costs, particularly for children of low income families and children living in the rural areas.”*

The report, released on 11 October 2016, was adopted by the Committee during its 59th Session held in Geneva, following the constructive dialogue it held with Philippine government representatives from 28-29 September 2016.

Several NGOs and international organisations also attended the series of meetings and presented their respective alternative reports to the Committee. Rene Raya represented ASPBAE in the series of meetings convened by the UN CESCR while Addie Unsi, E-Net’s National Coordinator, represented the Philippine education coalition in these meetings. Lucy Mckernan of the Global Initiative for Economic, Social and Cultural Rights (GI-ESCR) supported the delegation in the lobby engagement with the UN committee.

In its concluding observations, the CESCR expressed concern about the *“insufficient level of resources dedicated by the Philippine government to finance school facilities and qualified teachers, and to ensuring the effective enjoyment of the right to free primary and secondary education for all.”* The Committee further notes the *“discriminatory access to education, particularly for disadvantaged and marginalized 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.”*



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In its recommendations, the Committee cited the need for regulation of private schools according to relevant guidelines. In particular, it asked the State party to *“review the Education Service Contracting scheme to address its adverse impacts on the right to education of disadvantaged and marginalised children and their parents”* and to *“improve access to inclusive education for children with disabilities.”*

The Committee further recommended the implementation of the 2030 Sustainable Development Agenda and the creation of “independent mechanisms” to monitor the SDG progress. It called for “participation, accountability, and non-discrimination” in the SDG implementation to ensure that “no one is left behind in the process.” Finally, the Committee *“encourages the State party to engage non-*

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E-Net Philippines and ASPBAE submitted a parallel report to the UN Committee discussing, amongst other things, gaps that infringe on the right to education, particularly on the huge number of out-of-school children and youth.

government organisations and other members of civil society in the follow up to the present concluding observations.”

E-Net Philippines and ASPBAE jointly submitted a parallel report to the UN Committee earlier this year. The report discussed the major gaps that infringe on the right to education, particularly on the huge number of out-of-school children and youth, the inadequate investment in education which tends to discriminate against the poor and excluded groups, and the rising privatisation and commercialisation of education in the country.

In his presentation to the Committee during the formal meeting with NGOs, Addie Unsi, National Coordinator of E-Net Philippines, expressed concern about *the “selective admission policies and practices of private education providers which discriminate against the poor, those with disabilities, the indigenous peoples, and low-performing students.”* He recommended the implementation of *“effective regulation and monitoring of private education providers in view of the potential wide-ranging impact of the commercialization of education on the enjoyment of the right to education.”*

Earlier in June 2016, the UN Human Rights Council adopted a landmark resolution during its 32nd regular session, urging all States to *“address any negative impacts of the commercialization of education,”* in particular, by putting in place a regulatory framework and by monitoring private education providers.

Citing this resolution, Rene Raya of ASPBAE reiterated to Committee members the adverse impact of commercialisation of education, noting that *“commercialisation is not just about profits. It cannibalizes and undermines the public education system and engenders segregation in society.”*

In the last three years, UN treaty bodies, including the CESCR and the Committee on the Rights of the Child (CRC), have articulated serious concern about the rising commercialisation of education in several countries in Africa, Latin America, and Asia. 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. The UN has also called the attention of development agencies and warned against providing financial aid to private schools in developing countries.



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Privatisation and commercialisation of education is a serious concern confronting many countries across Asia and the Pacific. ASPBAE has consistently taken up this challenge and asserts that

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education is a basic right that is mandated under international law and guaranteed by the national constitutions of many countries. The Sustainable Development Goals, particularly goal 4 on education, affirms this right and calls for a strong public education system to deliver on the key education targets that must be met by 2030.

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