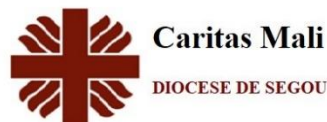




Joint contribution on access to education for children in street situations

As part of the Office of the High Commissioner for Human Rights' call for contributions on the rights to early childhood education, free pre-primary education and free secondary education

In collaboration with :



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I. Introduction

This joint report responds to the call for contributions issued by the Office of the High Commissioner for Human Rights concerning Human Rights Council Resolution 56/5 on the Open-ended Intergovernmental Working Group on an Optional Protocol to the Convention on the Rights of the Child on the Rights to Early Childhood Education, Free Pre-primary Education and Free Secondary Education.

Apprentis d'Auteuil, a Catholic foundation recognised as being in the public interest, was set up in 1866 to support children and young people in difficulty, by means of reception, education, training and integration programmes in France and abroad. For 30 years, Apprentis d'Auteuil has been working in partnership with local partners around the world to support children in highly vulnerable situations, particularly children in street situations. It has had special consultative status with the United Nations Economic and Social Council (ECOSOC) since 2014. It works with its international partners to develop holistic support that considers all the needs of children in street situations. Our support takes place in several stages, always starting with social work on the street, followed by care in centres aimed at reintegrating the children into their families, then into education and employment.

Based in Geneva, the Fondation Apprentis d'Auteuil International (FAAI) is a charitable foundation created in 2013 to support the international projects of Apprentis d'Auteuil. FAAI works with its local partners to protect, educate and integrate young people in difficulty and to support their families. With its local partners, FAAI advocates to international and national institutions in favour of children's rights, particularly those in street situations.

This report presents the findings on access to education for children in street situations, shared by our local partners in the following countries: Al Karam in **Morocco**, Les Sœurs du Bon Pasteur in **Lebanon**, the Plateforme de la Société Civile pour l'Enfance (PFSCE) in **Madagascar**, AET Ségou in **Mali**, the Réseau des Intervenants sur le Phénomène des Enfants en Rupture (REIPER) in the **Republic of Congo**, Vivre et Travailler Autrement (VTA) and the Communauté du Chemin-Neuf in the **Democratic Republic of Congo**, the Foyer de l'Espérance and the Chaîne des Foyer Saint Nicodème in **Cameroon** and the Association Qosqo Maki in **Peru**. This report follows the list of questions shared in the call for contributions of 18 March 2025.

II. Context

There are currently **244 million children** in the world who **do not attend school**¹. A significant proportion of these children are in street situations. Based on the definition given by the Committee on the Rights of the Child², the term "children in street situations" covers a range of situations: sleeping rough and having no contact with their family; living on the street with their family; alternating between the street and reception centres; working on the street or spending most of their time there and returning home in the evening. For these children with different life histories, the street plays a central role in their daily lives and largely "defines" their identity.

In **most countries, these children are left behind** and escape official statistics and state support. They are extremely marginalised, and their fundamental rights, including access to education, are not respected. The conditions for access to education, and in particular the costs involved, prevent these children from accessing their rights. These barriers even contribute to

¹ UNESCO. 2022. 244 million children miss the start of the school year.

² Committee on the Rights of the Child. 2017. General comment n°21 on children in street situations.

street situations. When children are excluded from school, they often end up on the streets, for lack of alternatives, and gradually become part of an environment characterised by informal and even dangerous activities, reinforcing their roots in street life. **The issue of free education, at all levels, and its effective implementation, is therefore central to** preventing disruption, promoting inclusion and guaranteeing the rights of these invisible children.

III. Answers

1. Obstacles to free pre-primary education - Legislative, policy and practical constraints, and impact on the rights of vulnerable children:

Generally speaking, in many countries, real access to pre-primary school, where it exists, and primary school remains extremely difficult for children in highly vulnerable situations, even when the law states that education is free. Children in street situations, or those at risk of being in a street situation, face numerous administrative and economic obstacles.

The **lack of free** education contributes directly to exclusion and the gradual entry into street situations or the maintenance of existing street situations. For vulnerable families, the choice is between school and meeting basic needs. In many countries, although public education is supposed to be free, there are many "hidden costs": registration fees, uniforms, supplies. In Madagascar, for example, only 56% of children complete primary education, and of these, only 18% are from the poorest households.³

Many organisations also deplore the lack of qualified teachers, the very high pupil/teacher ratio, the insufficient number of classrooms and the lack of teaching materials. This situation has a direct impact on the cost of education, as families are often responsible for paying the salaries of so-called "volunteer" or "community" teachers, in the absence of state funding. In the Republic of Congo, for example, 53% of teachers are unqualified⁴, forcing families to finance teachers themselves, sometimes without any pedagogical training. In Lebanon, low salaries have led many teachers to leave state education, causing breaks in the continuity of schooling, while the high cost of public schools makes them inaccessible to a large proportion of vulnerable or street families.

Added to this are **administrative barriers** which, in many countries, also represent an additional cost. Many schools require an official identity document to enrol a child in school. However, in many countries, registering a child with the civil registry represents an expense that many families cannot afford, especially if they have exceeded the initial legal deadlines. It requires complex administrative procedures that are sometimes costly and unfamiliar to parents living in poverty or isolation. It deprives children of legal recognition and prevents them from attending school. So, in addition to the official or hidden costs of education, there are the costs of registering a birth and obtaining or regularising an identity, making access to education even more difficult for the most vulnerable children.

To guarantee truly universal and inclusive access to education, **several measures need to be implemented in a coordinated fashion. It is essential to make the financing of education a national priority, by significantly increasing public investment in this sector.** This includes recruiting and training enough qualified teachers, offering a school canteen service to alleviate the economic burden on families, and improving basic school infrastructure to ensure quality

³ UNICEF. MICS Eagle Madagascar Report. 2022

⁴ Ministry of Education, Republic of Congo. Biometric census of teachers. 2023

education and a safe, accessible learning environment adapted to the needs of the most vulnerable children.

Support for families living in precarious conditions or on the streets, assistance with birth registration procedures, school enrolment and support (logistical and financial), particularly via the canteen system and extra-curricular support activities, help to get these children into school.

2. Obstacles to free secondary education - Legislative, policy and practical constraints, and impact on the rights of vulnerable children:

Free secondary education - and free education more generally - can only have an impact if it is accompanied by structural reforms to include the most vulnerable children, particularly those living on the streets.

This means relaxing the administrative requirements for enrolment in secondary school, so as not to penalise children who have dropped out of school. Children in street situations often **drop out of or drop out of school**. When they wish to return to school (usually with the support of civil society players), the education system generally does not have any facilities to help them catch up. A young person wishing to start or resume school has to join a class whose average age is much lower than his or her own, which often results in a refusal by the school or in the child dropping out.

To make up for this shortcoming, civil society is proposing **parallel remedial education** to enable children to return to public education. However, the **requirements** of many school systems are an **obstacle to the reintegration** of dropouts, particularly when it comes to enrolling in secondary education or vocational training. For example, even if young people have the required level, state schools often demand official certification, which civil society organisations are unable to provide because their educational programmes are not recognised by the state.

It is essential to adapt state school **enrolment procedures**, both in terms of age criteria and the documents required, to ensure real accessibility. It is also necessary to invest in **intermediate classes or refresher programmes**, based on appropriate teaching methods, which consider the specific background and needs of these children. The development of bridges between informal and formal education, in collaboration with civil society, is also a strategic lever for promoting their reintegration.

What's more, proclaiming that education is free, even when it is effectively implemented, is not enough to guarantee access for all, particularly children in street situations. For these children, education cannot be a priority until their basic needs - food, shelter and healthcare - are met. Many must work to support themselves or their families, making access to school difficult if not impossible. These specific realities are too rarely considered in education policies. It is therefore vital to **ensure that free education is accompanied by access to social assistance**, as the Human Rights Council pointed out in its resolution on the realisation of children's rights and inclusive social protection, which noted with concern that "multiple and intersecting forms of discrimination have disproportionate effects on access to inclusive social protection" for children in street situations.⁵

Finally, **vocational training is an effective means of integration for young people living on the streets**. This training must be made more inclusive: this means making the conditions of access

⁵ Human Rights Council. Rights of the child: realising children's rights and inclusive social protection. 55/29

more flexible and recognising the training and qualifications provided by other structures, in particular civil society organisations, which play an essential role in supporting these young people.

3. Innovative and sustainable financing - Examples of financial mechanisms to support free and effective education:

The organisations contributing to this report do not have concrete examples of truly effective public financial mechanisms for guaranteeing free, quality education. In most of the countries represented in this submission, education is still paid for de facto, with numerous contributions and hidden costs, as explained earlier in this report. However, one avenue worth exploring is collaboration between the public and private education sectors, in particular through the introduction of private sector sponsorship schemes to support the schooling of children in street situations. Programmes that combine school time with paid vocational training thanks to private sector sponsorship make it possible to ensure free and continuous school education for children living in extremely precarious conditions and on the streets.

4. Government action for free education - Measures put in place to remove obstacles and guarantee free education for all:

To guarantee effective access to free and inclusive education for children in street situations, governments must first and foremost invest in education and make it a national priority. The countries cited in this report invest little in education. In Madagascar, for example, the budget allocated to education for 2024 has increased very slightly compared to 2023, but it should be noted that only 12% of the State budget is devoted to education⁶. The organisations contributing to this report recommend increasing the national budget dedicated to the education sector to 20%, in line with the Jomtien Agreement, which recommends this proportion of 20% of the national budget.

Furthermore, as highlighted above, one of the major obstacles is often the absence of identity documents or proof of residence, which are generally required for enrolment in state schools. It is therefore essential to revise the admission criteria for all school levels to bring them into line with the reality of these children. This means doing away with bureaucratic requirements, putting in place reception arrangements without delay, and ensuring that free schooling really does come into effect as soon as children start school.

In France, for example, the right to education is guaranteed to all children, regardless of their administrative status or that of their parents. Official texts specify that the absence of identity papers, a residence permit or proof of address cannot constitute an obstacle to schooling⁷. Furthermore, the Education Code enshrines the right to education for all children in France. Town halls and schools are obliged to enrol all children and to make any necessary adjustments. This principle aims to guarantee universal access to education, in line with the fundamental rights of the child.

While there are few examples of government initiatives to provide free education, particularly for children in street situations, civil society is taking action and establishing partnerships with state schools to provide schooling for the children they support and sometimes succeeding in ensuring

⁶ Civil Society Platform for Children (PFSCE). 2024. Alternative Report to the Universal Periodic Review of Madagascar.

⁷ Circular no. 2002-063 of 20 March 2002 on the education of homeless pupils, and circular no. 2012-142 of 2 October 2012 on the education of newly arrived allophone pupils.

that these children receive free education. These partnerships are established on a case-by-case basis at the initiative of civil society organisations, which most of the time assume the costs associated with the education of the children in their care.

An example worth highlighting is the ASAMA programme, supported by UNESCO in Madagascar, which enabled children who had dropped out of school to catch up quickly thanks to an adapted methodology and teaching in Malagasy rather than French. After about a year, the children could join a public-school class. Although this programme is no longer active, several civil society organisations still use this methodology in their remedial classes for children in street situations and continue to demonstrate its effectiveness.

Collaboration and the establishment of partnerships between the various players involved in child protection, civil society and public education are therefore essential to ensure the practical implementation of free education for children in street situations.

IV. Conclusion

It is essential that the future protocol on free pre-primary and secondary education takes full account of the reality of children in street situations and the specific obstacles they face in accessing school. Without special attention to these children, the most marginalised will remain excluded from legal and political progress. In its General Comment No. 21, the Committee on the Rights of the Child stresses that "for many children, education represents the last link with society. States should take appropriate measures, including supporting parents, caregivers and families, to ensure that children living on the streets can continue their schooling and that their right to a quality education is fully protected". This is an imperative if we are to guarantee equal opportunities, prevent situations of breakdown and build truly inclusive societies.