

## Annex 2 – National Government policies

Main sources for this information include: Right to Education, UNESCO education profile site,<sup>1</sup> and stakeholder interviews.

<b>Somalia</b>	<p><b><u>Plans/policies/legislation</u></b></p> <p><b><u>Education</u></b></p> <ul style="list-style-type: none"><li>• National Education Act and Policy. Approved and passed 2020–1.</li><li>• Education Sector Analysis 2012–16. Evidence-based analysis, plus education sector goals over 2018–2022</li><li>• Education Sector Strategic Plan 2018–2020. Key features include education resilience in the face of emergencies, equity of access, inclusion, and improvement of quality.</li><li>• National Development Plan 2020–24. Education as a key sector, aiming to achieve universal primary education by 2030.</li><li>• Education Sector Analysis 2021 (draft – not yet published).</li><li>• Community Education Committee Policy 2019. A key community and school accountability mechanism.</li><li>• New accelerated basic education policy – in progress 2021.</li><li>• Special Education Needs and Inclusive Education Policy 2018.</li></ul> <p><b><u>Gender and education</u></b></p> <ul style="list-style-type: none"><li>• National Gender Policy 2016–2024 (<i>can only find draft versions of this policy</i>) – gender mainstreaming in state and state-building processes including education.</li><li>• Participation in UNGEI Gender Responsive Education Sector Plans (GRESPE) workshops 2017–19.</li></ul> <p><b><u>Supporting policies</u></b></p> <ul style="list-style-type: none"><li>• Somali’s Women’s Charter 2019. Includes a clause on zero tolerance for GBV.</li><li>• Draft Sexual Intercourse Related Crimes Bill 2020. Provoked international debate as it includes clauses which legitimise child marriage.<sup>2</sup></li><li>• National Youth Policy of the Federal Government of Somalia 2017. Seeing young people as potential peace builders.</li></ul>

<sup>1</sup> [https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE\\_Country\\_commitments\\_gender\\_equality\\_education\\_2018.pdf](https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE_Country_commitments_gender_equality_education_2018.pdf) and <https://education-profiles.org> and <https://www.right-to-education.org/page/united-nations-instruments>

<sup>2</sup> <https://news.un.org/en/story/2020/08/1070022>

	<ul style="list-style-type: none"> <li>• Policy banning FGM 2012.</li> </ul> <p><b><u>International conventions</u></b></p> <ul style="list-style-type: none"> <li>• State not party to CEDAW.</li> <li>• Not bound by ICESCR or CADE.<sup>3</sup></li> <li>• African Charter on Human and People’s Rights on the Rights of Women in Africa – ratified in 1985 (the Maputo Protocol). No reports submitted.<sup>4</sup></li> <li>• Signatory to Human Rights Council Resolution on child, early and forced marriage 2013.</li> <li>• African Charter on the Rights and Welfare of the Child – signed 1991, not ratified.</li> <li>• UN Convention on the Rights of Persons with Disabilities – ratified in 2019.</li> </ul> <p><b><u>Constitutional status of the right to education</u></b><sup>5</sup> Directive principle/aspirational right to education.</p>
Sudan	<p><b><u>Plans/policies/legislation</u></b></p> <p><b><u>Education</u></b></p> <ul style="list-style-type: none"> <li>• National constitution 2005. Recognises education as a right without discrimination. Includes commitment to free and compulsory primary education.</li> <li>• Education Law, Article 13. Children aged 6 have the right to basic education.</li> <li>• Child Act of 2010. Every child should have the right to general education free of charge. Includes a ban on “cruel penalties”, no explicit mention of corporal punishment.</li> <li>• General Education Sector Strategic Plan 2018–2023. Plan includes increasing access and equity in formal basic education and a framework for supporting learners with learning difficulties and special needs. Reducing urban/rural disparities. Gender-based intervention for girls including provision of sanitary towels for girls.</li> <li>• Education Sector analysis 2018 – draft.</li> </ul>

<sup>3</sup> CADE – UNESCO Convention Against Discrimination in Education. ICESCR – International Covenant on Economic, Social and Cultural Rights. These conventions prohibit all forms of discrimination in education on the basis of sex.

<sup>4</sup> This charter includes women’s right to education and training. Reports are due to the African Commission on Human and People’s Rights every two years.

<https://www.achpr.org/statepartiestotheafricancharter>

<sup>5</sup> [https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE\\_Accountability\\_from\\_a\\_human\\_rights\\_perspective\\_2017\\_en.pdf](https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE_Accountability_from_a_human_rights_perspective_2017_en.pdf)

	<p><b><u>Gender and education</u></b></p> <ul style="list-style-type: none"> <li>• National Policy for Girls’ Education 2007.</li> <li>• Girls Education Sub-Sector Strategy.</li> <li>• Girls Education Department established 2000.</li> </ul> <p><b><u>Supporting policies/plans</u></b></p> <ul style="list-style-type: none"> <li>• National Strategy on the Abandonment of FGM/C 2008–9. Criminalisation of FGM July 2020 and roadmap designed with UNICEF.</li> <li>• National Strategy and Action Plan for Ending Child Marriage (2020–2030).</li> <li>• Youth Policy development – being supported by UNESCO and UNFPA.</li> </ul> <p><b><u>International conventions</u></b></p> <ul style="list-style-type: none"> <li>• State not party to CEDAW.</li> <li>• Not bound by ICESCR or CADE.</li> <li>• African Charter on Human and People’s Rights on the Rights of Women in Africa – ratified in 1986 (the Maputo Protocol). Five reports overdue.</li> <li>• African Charter on the Rights and Welfare of the Child – ratified in 2005. Reservations on child marriage and pregnant girls’ access to education were lifted in November 2020.</li> <li>• UN Convention on the Rights of Persons with Disabilities – ratified in 2009.</li> </ul> <p><b><u>Constitutional status of the right to education</u></b> Justiciable right to education</p>
Kenya	<p><b><u>Plans/policies/legislation</u></b></p> <p><b><u>Education</u></b></p> <ul style="list-style-type: none"> <li>• Basic Education Act 2012.</li> <li>• Free Primary Education (2003), Free Day Secondary Education (2008).</li> <li>• National Education Sector Strategic Plan 2018–2022. Key themes include access and equity, quality, and relevance; governance and accountability.</li> <li>• Curriculum Reform Policy 2015. Establishment of the Kenya Institute of Curriculum Development looking at access to quality and relevant education including a competency-based curriculum. This policy acknowledges the gender disparities in secondary enrolment and STEM subjects.</li> </ul>

- National School Meals and Nutrition Strategy 2017–22.
- Special Needs Education Policy Framework 2009.
- Policy framework for nomadic education 2015. Includes focus on inclusion, gender, and vulnerability of nomadic communities. Calls for more mobile schools and more flexible education modalities.

#### **Gender and education**

- National Gender and Equality Commission Act 2011. Establishes a commission that coordinates advisory input into public education programmes, mainstreaming gender, and equality.
- Education and Training Sector Gender Policy 2013. Introduces a gender-responsive curriculum, gender-responsive teacher training and materials, and equitable participation in STEM including learners with special needs.
- Co-host of the Global Education Summit for GPE Replenishment 2021.
- Participation in UNGEI Gender Responsive Education Sector Plans (GRESPE) workshops 2017–19.

#### **Supporting policies**

- Prohibition of Female Genital Mutilation Act (No. 32) of 2011.
- National Prevention and Response Plan on Violence Against Children in Kenya 2019–2023.
- National Guidelines for School Re-entry in Early Learning and Basic Education 2020.
- Ministry of Education’s Menstrual Hygiene Initiative 2017.
- Youth Development Policy 2019. Includes promotion of civic participation and representation of young people.

#### **International conventions**

- State party to CEDAW, with reservations.
- Not bound by CADE.<sup>6</sup>
- State accession to ICESCR – 1972.<sup>7</sup>
- African Charter on Human and People’s Rights on the Rights of Women in Africa – ratified in 1992 (the Maputo Protocol). Reports up to date.
- Signatory to Human Rights Council Resolution on child, early and forced marriage 2013.

<sup>6</sup> [https://unesdoc.unesco.org/ark:/48223/pf0000378425\\_eng/PDF/378425eng.pdf.multi.page=11](https://unesdoc.unesco.org/ark:/48223/pf0000378425_eng/PDF/378425eng.pdf.multi.page=11) (accessed August 2021).

<sup>7</sup> [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsq\\_no=IV-3&chapter=4&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsq_no=IV-3&chapter=4&clang=en) (accessed August 2021).

	<ul style="list-style-type: none"> <li>• African Charter on the Rights and Welfare of the Child – ratified in 2000.</li> <li>• UN Convention on the Rights of Persons with Disabilities – ratified in 2008.</li> </ul> <p><b><u>Constitutional status of the right to education</u></b> Justiciable right to education.</p>
Ethiopia	<p><b><u>Plans/policies/legislation</u></b></p> <p><b><u>Education</u></b></p> <ul style="list-style-type: none"> <li>• Ethiopian Constitution – recognises education as a human right.</li> <li>• General Education Quality Improvement Plan – Equity (GEQIP-E) 2017–22.</li> <li>• Special Needs Education Program Strategy 2006 and Inclusive Education Strategy 2012.</li> <li>• The Inclusive Education Master Plan 2016–25.</li> <li>• Education and Training Policy 2002.</li> <li>• National School Health and Nutrition Strategy 2006.</li> </ul> <p><b><u>Gender and education</u></b></p> <ul style="list-style-type: none"> <li>• Gender and Equity Department opened in 1994. Mainstreams gender into MoE.</li> <li>• National Action Plan for Gender Equality 2006 – promoting equal access in education and training.</li> <li>• National Girls Summit 2015. Launched by Ministry of Women, Children and Youth Affairs to bring together stakeholders from ministries and civil society.</li> </ul> <p><b><u>Supporting policies</u></b></p> <ul style="list-style-type: none"> <li>• Ethiopian Constitution. Women have equal rights to men. Women entitled to affirmative actions to help compete on equal basis to men in public and private institutions.</li> <li>• Constitution: Family Code, Article 7 (2000): minimum age of marriage at 18.</li> <li>• Criminal Code, Article 648 (2005): criminalises Harmful Traditional Practices such as child marriage, FGM and domestic violence.</li> <li>• National Strategy and Action Plan on Harmful Traditional Practices. Launched 2013.</li> <li>• National Youth Policy 2004. Encourages youth participation in democracy, governance, and development.</li> </ul>

**International conventions**

- State party to CEDAW, with reservations.
- Not bound by CADE.<sup>8</sup>
- State accession to ICESCR – 1993.<sup>9</sup>
- African Charter on Human and Peoples’ Rights on the Rights of Women in Africa – ratified in 1998 (the Maputo Protocol). Four reports due.
- Signatory to Human Rights Council Resolution on child, early and forced marriage 2013.
- African Charter on the Rights and Welfare of the Child – ratified in 2002.
- Convention on the Rights of Persons with Disabilities – ratified in 2010.

**Constitutional status of the right to education**

Directive principle/aspirational right to education.

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<sup>8</sup> [https://unesdoc.unesco.org/ark:/48223/pf0000378425\\_eng/PDF/378425eng.pdf.multi.page=11](https://unesdoc.unesco.org/ark:/48223/pf0000378425_eng/PDF/378425eng.pdf.multi.page=11) (accessed August 2021).

<sup>9</sup> [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-3&chapter=4&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-3&chapter=4&clang=en) (accessed August 2021).