



Financing education in emergencies

The obligation of donor governments and the international community to uphold children's fundamental right to education

Introduction

All children have the right to quality education¹ and State parties have an obligation to “Make primary education compulsory and available free to all”². As with all human rights, the right to education is based on the principle of non-discrimination and indivisible from all other rights. Yet in reality children's enjoyment of their rights, including their right to education is based on a lottery determined in large part by their socio-economic background and where they live. A child's chances of having their right to education met is highly dependant on their identity, such as their gender, ethnicity, disability (which are often multiple and over lapping) and adversely affected by poverty.

It can also be negatively affected by where they live. 1 in 3³ children living in countries in the midst of, or recovering from an emergency⁴ do not enjoy their right to education. Children in these countries account for half the worlds out of school children, despite the fact the countries are home to only 13% of the world's population⁵. Of the 72 million children out of school, 37 million⁶ live in countries affected by conflict and emergencies. These children's right to education remains unfulfilled due to a lack of capacity and/or action of their own governments, exacerbated by donor neglect.

In September 2006, the International Save the Children Alliance launched a global campaign *Rewrite the Future* aimed at highlighting the neglect of education in emergencies and calling on the international community to take immediate action. We have highlighted the shocking violation of the right to education in emergencies and its impact; we have also drawn attention to the disproportionate lack of international aid for education in these contexts⁷. This paper summarises the lack of financing of education in emergencies, using data from our most recent report *Last in Line, Last in School 2008: How donors can support education for children affected by conflict and emergencies*⁸. The paper makes a series of recommendation for the action needed by donors to enable all children, including those in countries affected by an emergency to enjoy their fundamental human right to education.

Upholding the right to education, who is responsible?

In the context of an emergency, education systems may have been devastated by the catastrophic consequences of natural disasters (e.g. in recent months in Myanmar, China), or ravaged by years of conflict and crisis (e.g. Liberia, Afghanistan). Despite the challenges, States, as primary duty-bearers, are entrusted to respect, protect and fulfil the right to education. They must take every possible measure, including increased allocation of national budgets and the development of systems and policy to ensure

1 Articles 28 and 29 of the CRC; General Comment 1 on article 29 of the CRC

2 Article 28:1 (a) of the CRC

3 Last in Line, Last in School 2008: How donors can support education to children affected by conflict and emergencies, 2008, Save the Children Alliance.

4 For the purpose of this paper the term emergency refers to both rapid on-set emergencies and complex emergencies, to mirror the definition set out in the Annual report of the Special Rapportuer on the Right to Education, A/HRC/8/10 20 May 2008. Using this broader definition of emergency it also incorporates the countries which Save the Children identifies ‘Conflict-affected fragile states’ (CAFS). CAFS are a group of 28 countries which because of conflict and fragility have particular difficulty in fulfilling children's rights to education. The analysis presented in this paper draws from the Save the Children Last in Line, Last in School 2008: How donors can support education for children affected by conflict and emergencies, which analyses education aid commitments to CAFS and humanitarian spending in education. In order to work within the definitions being used by the Special Rapportuer on the Right to Education - education aid commitments in CAFS will be referred to as education aid commitments to countries affected by emergency.

5 Ibid: 1

6 Ibid

7 Last in Line, Last in School: How donors are failing children in conflict-affected fragile states, 2007, Save the Children Alliance; and Last in Line, Last in School 2008: How donors can support education for children affected by conflict and emergencies, 2008, Save the Children Alliance

8 All statistics referred to in this paper come from Last In Line, Last In School 2008 unless otherwise indicated.

quality education for all children, including marginalised children. While a number of governments of countries in, or recovering from, an emergency lack the political will necessary to make education a right for all, the many are willing, but lack the capacity and/or resources to do so. Yet these countries are the least likely to receive aid for education.

However, the obligation to ensure children's right to education, even those living in hardest to reach contexts - countries affected by an emergency – should and does not, end with individual States. The international community including the donors and UN agencies also have an obligation and/or a mandate to ensure the right to education is universally fulfilled. When States parties lack capacity then donor governments have an obligation to act

“Moreover, States have the primary responsibility in law for guaranteeing education, even if they lack the capacity needed to do so. This is why, since the international community's legal undertakings have been conceived to fully meet people's needs, these undertakings include the provision of educational cooperation, as provided for in article 28, paragraph 3, of the Convention on the Rights of the Child.”⁹

Education essential for children in emergencies

The impact of emergencies (which in the case of complex emergencies can last years or decade as countries slip in and out of conflict and crisis) on children can be enormous and extend beyond the violation of their right to education. At all times children's enjoyment of their right to education brings multiple benefits, in terms of personal, social and cognitive development. Education is, in the words of the late Katarina Tomasevski “ . . . a multiplier, enhancing the enjoyment of all individual rights and freedoms where education is effectively guaranteed . . .”¹⁰ and in emergency situations education can literally be a lifeline.

During emergencies children face an increased risk of exposure to other grave violations; hundred's of thousands are displaced, often separated from their parents; and witness to events that cause grief and trauma. Education must be a priority from the very beginning of any and all humanitarian responses because:

- it protects children immediately from death or bodily harm, for example, through awareness of landmines and the dangers of unexploded ordnance, HIV and AIDS information, and health and hygiene promotion
- safe areas for children's play and temporary learning centres can provide an effective way to identify and reunite separated children with their families
- children who attend school are less vulnerable to being recruited into armed groups, to abusive work and to being trafficked.

Donors and the international community must act to uphold the rights of children in emergencies, because: education is a fundamental, inalienable human right; it offers children increased protection from other grave human rights violations; there is a legal and moral obligation for them to do so.

Failure to fund education in emergencies

Despite the proven benefits of education in emergencies, the international community - humanitarian and development - have failed to meet their obligation to get all children into school. They have not taken the necessary action to ensure that Millennium Development Goal 2 or the Education for All Goals are met, even though they have freely signed up and committed themselves to achieving them.

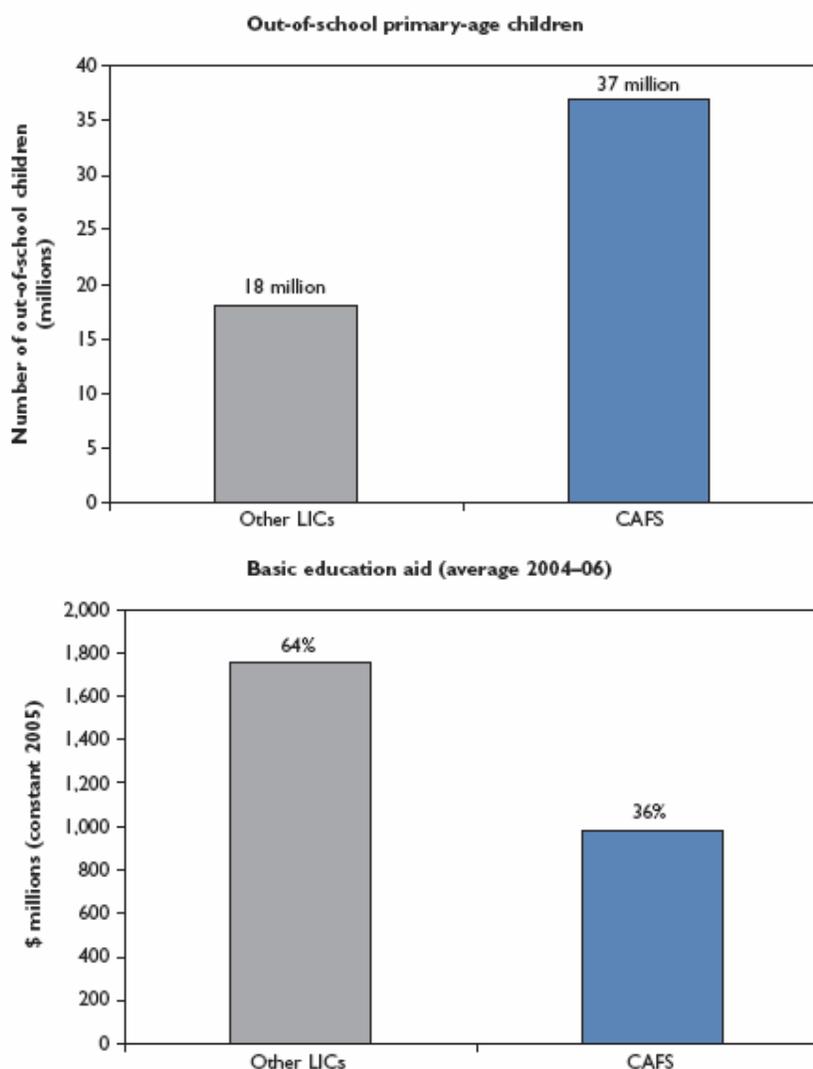
Countries affected by emergencies receive little development aid for education - less than a fifth of all education aid despite being home to half the world's out of school population – considered too risky for development donors to invest. As the Figure 1 below illustrates, even when comparing to other low-

9 Annual report of the Special Rapporteur on the right to education, Vernor Munoz, UN Doc: A/HRC/8/10 20 de mayo de 2008. Original: ESPAÑOL

10 Annual report of the Special Rapporteur on the right to education, Katerina Tomasevski, UN Doc: e/CN.4/2001/52, 9 January 2001, para 11.

income countries, (those not affected by emergencies), they receive only about half as much basic education aid despite having twice as many children out of school

Figure 1: Distribution of out-of-school children and basic education aid in low-income countries



Source: UNESCO, 2007, UIS 2005, UIS database, UNICEF unpublished data; OECD Creditor Reporting System (CRS) online database

Yet, the level of humanitarian aid allocated to education is also pitiful, amounting to only 1.7% in 2007 as donors continue to view education as a less fundamental right during times of emergency. Only just five¹¹ of the 22 major donors listed on Organisation for Economic Co-operation and Development, Development Assistance (OECD-DAC) database explicitly reference education in their humanitarian policy.

To date, the international community has failed to provide adequate support for the education of children in emergencies. It is failing to make one of the best possible investments in the future of a country, one which would help the country to break out of a cycle of poverty, conflict and fragility: “To achieve turnaround from being a failing state, a country is helped by having a critical mass of educated people”¹².

¹¹ Canada, Denmark, Japan, Norway and Sweden

¹² Collier, P (2007), *The Bottom Billion: Why the poorest countries are failing and what can be done about it*, OUP, Oxford: p. 94.

Since the commitment to the EFA goals and MDGs in 2000, there has been an ongoing drive to ensure that adequate resources are available to meet the goal of universal primary education (UPE) for all children by 2015. The formation of the EFA-FTI in 2002, the commitments at the G8 and the UN Summit in 2005, and the reaffirmation at the 2007 G8 meeting in Germany that “no country seriously committed to ‘Education for All’ will be thwarted in their achievement of this goal by lack of resources”¹³ show the international community’s rhetorical commitment to supporting education. However, the international community has repeatedly failed to provide the resources needed to make UPE a reality. Even when funds are committed, disbursements are often slow to materialise. Furthermore, the resources fail to reach the countries with the greatest needs: those furthest from achieving the MDGs and with the greatest numbers of children out of school – those countries affected by emergencies.

Too little education aid and inequity in distribution

Not enough resources are being made available to achieve UPE by 2015. And of the education aid there is, not enough is channelled to basic education. Furthermore huge disparities exist between the allocations to middle-income countries, other low income countries¹⁴ and countries in emergencies.

In 2006 a total of \$5bn was committed for basic education, a welcome increase on the \$3bn committed in 2005. However, this still falls far short of the estimated \$9bn needed each year for UPE to be achieved by 2015. More money is needed to ensure that all children get an opportunity to enjoy their right to education. In 2002 the Education for All–Fast Track Initiative (EFA–FTI) was launched as a global partnership between developing countries and donors to support progress in achieving the MDG of UPE by 2015. Despite being the key international mechanism for mobilising funds for education, the FTI remains under-funded and plagued by low disbursements. Donors must do more to meet their fair share¹⁵ and ensure that there are sufficient resources for all children to go to school. Currently only a few donors do so. The group of powerful G8 countries are among the worst performers, with five – France, Germany, Italy, Japan and the US giving less than 25% of their fair share.

They must also review their existing practices, and support reform to current aid architecture, which continues to work against countries in emergencies. Of that \$9bn needed each to achieve UPE, an estimated \$5.2bn is needed for countries in emergencies¹⁶, yet in 2006 they received only \$1.9bn.

Many donors claim that funding education in emergencies is too risky and differentiate considerably in their prioritisation of education depending on the country context. Despite recommendations that aid should be targeted to low-income countries, this is not what happens in practice. Shockingly, middle-income countries still receive the highest percentage of external education aid (37%), leaving the proportion of aid for other LICs (32%) and CAFS (18%) significantly lower (13% is unallocated¹⁷). Equally the FTI the endorsement process favours good performers, effectively excluding countries in emergency. Not only does this inherent bias against countries in emergency make a mockery of the EFA agenda, contributing to high numbers of out-of-school children in these countries, but it is short-sighted in failing to recognise the short- and long-term benefits of investing in education, including the link between levels of education, development, stability and good governance.

13 G8, 2007, p.12,

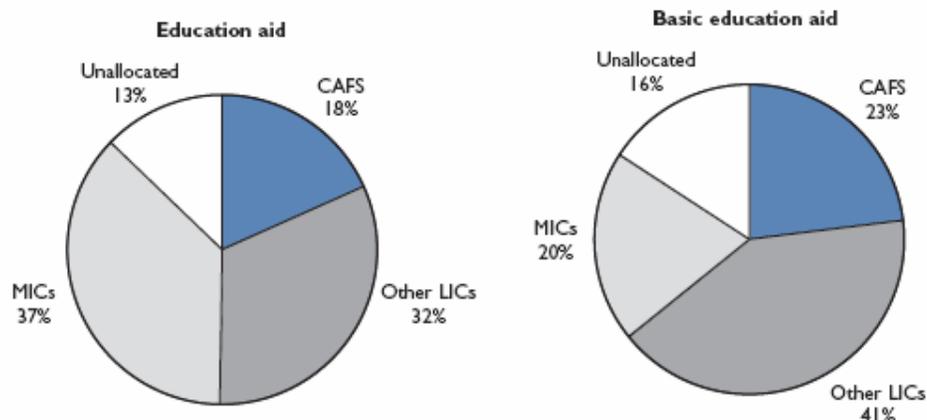
14 In Save the Children’s typology of countries as described in Last in Line, Last in School 2008, CAFS –referred to in this paper as countries in emergencies –are low income but distinguished by conflict, fragility, crisis. Other countries, not in crisis but low income are therefore referred to as ‘other low income’.

15 ‘Fair share’ is measured by the amount of basic education aid each donor should contribute to the external financing requirement for UPE, according to its gross national income (GNI) see Last in Line, Last in School, 2007:40

16 To estimate the proportion of the \$9bn financing requirement that is needed in countries affected by emergencies (or conflict-affected fragile states as termed by Save the Children), Save the Children returned to the original World Bank 47-country simulation exercise (Bruns et al, (2003) Achieving Universal Primary Education by 2015: A chance for every child, Washington, DC) finding that 58% of the external financing needs belonged to countries affected by emergencies. Scaling up according to UNESCO’s recommendations and a s a proportion of the \$9bn, the financing requirement in countries affected by emergencies is estimated to be \$5.2bn annually.

17 The term ‘unallocated’ is used for commitments to regions or where recipients are unspecified. For these commitments it is not possible to identify on the OECD CRS on-line database to which country they were finally allocated.

Figure 2: Distribution of education and basic education aid in developing countries (average 2004-06)



Source: OECD Creditor Reporting System (CRS) online database

While 2007 saw an increasing discussion at the highest level by politicians and policy-makers of the need to overcome the challenges facing countries in emergencies, little has changed. At the most recent FTI meetings in Tokyo (April 2008), despite the fact that education in emergencies featured highly throughout the various discussions, the meeting failed to endorse the creation of a new fund to support education in emergencies. The result of their inaction? Millions of children will continue to be denied the opportunity to go to school.

Humanitarian responses

Among donors and many in the humanitarian community, there is a belief that a hierarchy of rights exists in times of emergency – food, health and shelter are considered the most important rights, the right to education is seen as something which can be put on hold. Consequently, children in emergencies and crisis situations do not have access to education. Schools remain closed, teachers are unavailable, and systems and institutions are often largely destroyed and have to wait to be rebuilt when the ‘development’ actors move in, which may be years or decades later.

Humanitarian aid plays an important role not only in rapid-onset emergencies, but also in conflicts and chronic crises. These situations are common in many countries in the midst of or recovering from an emergency, making them particularly dependent on humanitarian aid. On average, between 2004 and 2006, 13% of aid to countries in emergencies was in the form of emergency assistance and reconstruction funding, compared with less than 3% in other LICs. All humanitarian needs are underfunded, but education has been one of the least funded in recent years. For example, in the Consolidated Appeals Process (CAP), in 2006 education was the second-least-funded sector, with only 26% of its needs being met. Encouragingly, in 2007, 38% of the education sector needs were met. In reality, though, only 1.7% of humanitarian aid was allocated to education in 2007, which means that there are still significant funding gaps for education – for example, in Chad:

“Agencies providing education are working on a shoestring. Of the \$287m that the UN and NGOs requested for all humanitarian operations in Chad for 2008, only \$15m was requested for education. And while donors funded 97% of the overall appeal, they gave only 12% of the amount requested for education.”¹⁸

Children in these countries are falling through the gap between development and humanitarian responses - as development actors refuse to work in emergencies and humanitarian community say ‘education is a development issue’ - denied their opportunity to go to school, to chance to lift themselves and their families out of the cycles of crisis-poverty- crisis. Donors must act now to change this.

¹⁸ (IRIN news report, 13 March 2008)29

Flexible approaches to provide education now and in the longer-term

Donors need to adopt a flexible approach to supporting education in contexts of emergencies. They need to support immediate needs while building for longer-term sustainability. Donors must help children access education now. Education can be provided straight away through innovative projects and programmes, which should be aligned with the government as much as possible. At the same time they will be building local-level capacity to ensure access to good quality education on a sustainable basis.

If donors focus on taking a longer route of accountability – for example, building national government capacity and democratic structure for state provision of education without also investing in service delivery and responding to children out of school today – then millions of children will miss their entire education, and their countries face the risk of continuing in poverty, conflict and crisis.

Using a flexible approach can work, and has been done, most notably in countries where donors have a political imperative to engage and overcome the challenges (such as Afghanistan). Even in the most difficult contexts, aid for education can make a difference, and can increase access to good quality education; progress can be made with or without the national government capacity and will.

Conclusion

“I’m very happy to be going to school – school saved me from hard work. The happiest day of my life was when I received my school equipment. I wanted everybody to see me on my way home, and to know that I go to school.”

Mungwakonkwa, 10 in Nyanguezi district, Democratic Republic of Congo¹

Children do not cause emergencies, yet they suffer the consequences. Simply living in a country in emergency diminishes a child’s life chances, significantly reducing their enjoyment of the right to education. This is simply unacceptable. The right to education is a fundamental human right, indivisible and inalienable. Those with the power to uphold it have a moral, as well as legal, obligation to do everything in their power to ensure it is fulfilled. Where State parties are unable to meet their obligations others must step in. Donor governments must support education in countries in emergencies.

If children in countries in emergency are to get the education they want, and have a right to, it is imperative that donors act now – they must support education in emergencies and commit the resources needed to make education for all children a reality.

This requires donors to:

1. Increase long-term predictable aid for education in emergencies

- **Ensure funding is equitable, with at least 50% of new basic education commitments going to countries affected by emergencies.**

Urgent action is needed by: Australia, Austria, Canada, Finland, France, Germany, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Spain, Switzerland and the UK, as well as the European Commission and the World Bank IDA.

- **Increase basic education aid to meet their fair share of the \$9 billion annual financing requirement.**

Urgent action is needed by: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, New Zealand, Portugal, Spain, Sweden, Switzerland, the UK and the USA.

- **Ensure that the EFA-FTI establishes and resources a fund to support countries in emergencies.**

Urgent action is needed by: All donors and the EFA-FTI Steering Committee.

- **Adopt a flexible, dual approach to funding education in countries in emergencies, supporting system-building while simultaneously supporting approaches to allow children to go to school now.**

Urgent action is needed by: All donors.

2. Include education as part of humanitarian policy and response

- **Include education in their humanitarian policies.**

Urgent action is needed by: Australia, Austria, Belgium, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, New Zealand, Portugal, Spain, Switzerland, the UK and the USA, as well as the European Commission.

- **Increase the allocation of education aid in humanitarian crises to a minimum of 4.2% of humanitarian assistance, in line with needs.**

Urgent action is needed by: Austria, Belgium, Canada, Finland, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, the UK and the USA.

- **Commit themselves to supporting the Global Education Cluster and ensure it is adequately funded.**

Urgent action is needed by: Australia, Austria, Belgium, Canada, Finland, France, Germany, Greece, Italy, Japan, Luxembourg, Netherlands, New Zealand, Portugal, Spain, Switzerland, the UK and the USA.