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# Rights-based Education in Cambodia

Final Report of  
the National Consultative Meeting on  
Rights-based Education in Cambodia

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3 – 4 February 2005



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# I. Introduction and background

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Government officials, development agencies and NGOs need greater assistance in ensuring that the provisions contained in the major international human rights treaties inform educational policies and are integrated into national education systems. Both the Dakar Framework for Action and core fundamental human rights obligations identify the need for free and compulsory education, of good quality, for *all* children. Under the various key international treaties, governmental legal obligations are to make education available, accessible, acceptable and adaptable.

However, to achieve this in practical terms has so far proved difficult. Indeed in Cambodia, if a strong growth in school enrolments has been noticed, with an increase of 14% in primary and 19% in secondary enrolments, and a 23% increase in Grade 6 girls between 2000/2001 and 2001/2002, however, there are still approximately 350,000 primary school aged children out of school.

The Ministry of Education, Youth and Sport, in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Office of the United Nations High Commissioner for Human Rights (UNOHCHR), are organizing National Consultative Meeting on Rights-based Education in Cambodia from 3 to 4 February 2005 at the Seminar Room of the Senate of the Kingdom of Cambodia.

The overall objective of the Meeting would be to learn about human rights obligations in Education and to share experiences on the best national practices used to put Rights-Based Education into operation in Cambodia.

About 60 participants attended the National Consultative Meeting, among others:

- High level representatives of the Senate
- High ranking officials from the Ministry of Education, Youth and Sport
- High ranking officials of the Ministry of Women and Veteran Affairs,
- Representatives of UNESCO and OHCHR,
- NGO practitioners from Phnom Penh and Provinces
- Representative from the donors (UN agencies, Bilateral donors, Development Banks).

The list of participants is annexed at the end of the document.

# II. The opening ceremony

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During the opening ceremony, Mr. Etienne Clément, Representative of the United Nations Education, Scientific and Cultural Organization (UNESCO), Ms. Margo Picken, Director of United Nations Cambodia Office of the High Commissioner for Human Rights, H.E. Dr. Kol Pheng, Senior Minister and Minister of Education, Youth and Sport, were successively given the floor to make opening address.

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In his opening address, Mr. Etienne Clément reminded that the Right to Education is a fundamental human right, contained in the Universal Declaration of Human Rights and the International Human Rights Covenants which have force in international law. The Right to Education has a central place among other Human Rights, as it is essential for the exercise of all other human rights, and for development. Education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty, and obtain the means to participate fully in their communities. None of the civil, political, economic and social rights can be exercised by individuals unless they have received a minimum of education. Without education – of good quality – people have very limited opportunities to create a better life. Providing education for all is therefore an obligation for all Governments.

The speaker stressed out that Governments were aware of the importance of this issue. At the World Education Forum, in Dakar in 2000, they adopted the Education For All Framework for Action. Two of the six Goals mentioned in the Education for All framework are particularly relevant. The first is to “ensure that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete free and compulsory primary education of good quality”. The second aims at “achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults”.

In spite of all these commitments for free and compulsory quality basic education, millions of children worldwide still remain deprived of educational opportunities, many of them on

account of poverty. If in Cambodia, a strong growth in school enrolments has been noticed, with an increase of 14% in primary, 19% in secondary enrolments, and a 23% increase in Grade 6 for girls between 2000/2001 and 2001/2002, Mr. Etienne Clément underlined that there are still approximately 350,000 primary school aged children who are out of school or who have dropped out.

Therefore, improving access and quality shall continue to be a priority of the Ministry of Education, Youth and Sports and of the donor community. The Representative of UNESCO in Cambodia reminded that in 2003, the Royal Government of Cambodia adopted the Education For All National Plan for 2003 -2015, whose fundamental thrust was to ensure that all Cambodia's children and youth have equal opportunity to access formal and non-formal education, independent of economic status, gender geography, physical disability, and ethnicity. In so doing, the Royal Government of Cambodia reaffirmed its strong commitment to its international obligations notably under the provisions of the United Nations Convention on the Rights of the Child and the recommendations of the World Education Forum.

In this perspective, this National Consultative Meeting on Rights-based Education was an important step forward to better identify the Government obligations, to promote the Right to Education and to share experiences on the best national practices used to put Rights-based Education into operation in Cambodia. Understanding of how the concepts of human rights relate to education is a prerequisite to translate human rights standards into guidelines for national education strategies.

Concluding his opening address, Mr. Etienne Clément called on the participants to join forces in this undertaking on Rights-based Education. This will pave the way for development in Cambodia, as strengthening education and training is critical for improving Cambodia's economic competitiveness in a global and regional economy. The speaker finished with a quotation from Mr. Koichiro Matsuura, Director-General of UNESCO, according to which "Investing in education is investing in success, it is building our future".

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Ms. Margo Picken, Director of United Nations Cambodia Office of the High Commissioner for Human Rights, started her opening address with the assertion that the Right to Education has a very special significance for Cambodia. She has been very impressed since she came here, by the passion and thirst for learning and for education at all level of society. Parents want to learn, want children to go to school to have a good education and a better life. Parents make great sacrifices for this to happen. Teachers work with enormous dedication, and often under very difficult circumstances and low salaries.

For the Director of United Nations Cambodia Office of the High Commissioner for Human Rights, the right to education has a very central place in international human rights law. It is provided for in 5 of the 6 main international human rights treaties that Cambodia is party to and acceded to in 1992. These treaties have also been incorporated into the Cambodian constitution of 1993. The realization of the right to education is crucial for the future of Cambodia and for the establishment of genuine democratic institutions in the country. She reiterated the definition of the right to education, which is providing equal access to education. Primary education is not a privileged but should be free and compulsory for all

Cambodian children. Secondary education should be available generally and accessible. Everyone should have to right to higher education without discrimination. The quality of education is also important. The international covenant which Cambodia is bound by on economic, social and cultural rights, also provides that education should strengthen respect for human rights, should enable everyone to participate effectively in society, and should promote understanding and tolerance within society.

Concluding her opening address, Ms. Margo Picken identified the task of the national consultative meeting. The national consultative meeting's mission is to propose solutions to make the right to education of everyone a reality. It should also identify difficulties to be overcome while coming up with feasible recommendations. The speaker finished with the assertion that the national consultative meeting was very timely. The government of Cambodia is right now finalizing its initial report on its compliance with the International Covenant on Economic, Social and Cultural rights.

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H.E. Dr. Kol Pheng, Senior Minister and Minister of Education, Youth and Sport started his opening address by expressing his sincere thank to the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Office of the High Commissioner for Human Rights (UNOHCHR), which provided the Ministry of Education, Youth and Sports their support not only during the organization of this event, but also to the overall education in Cambodia.

H.E. Dr. Kol Pheng highlighted that the fundamental nature of the Right to Education was clearly recognized by the Royal Government of Cambodia and is clearly stipulated in the Constitution. According to the chapter 6, article 68 of the Constitution "The State shall provide free primary and secondary education to all citizens in public schools. Citizens shall receive education at least 9 years. The right to education is the major right of human beings. Education enables every child and individual to have other rights in their life".

The right to education is at the central part of the development of the country. Strengthening the education and training systems is critical for improving the human resource base as part of enhancing Cambodia's economic competitiveness in an increasingly global and regional economy. Efficient development, utilization and management of human capital is critical in ensuring a robust economy.

The speaker expressed that the Royal Government of Cambodia was very much committed to the achievement of Education as a Right. Education is both a human right in itself and an indispensable means of realizing other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities. Education has a vital role in empowering women, safeguarding children from exploitative and hazardous labour and sexual exploitation, promoting human rights and democracy, protecting the environment, and controlling population growth. The Royal Government of Cambodia is promoting the development of the education sector by according the highest priority to the expansion of Basic Education and improvement in the quality within a broad

socio-economic development framework. With the long term Education for All (EFA) Plan, which is an important policy and strategy document adopted in 2003, Cambodia's supreme objective is to ensure that children and youth have equal opportunity to access formal and non-formal basic education, independent of economic status, gender, geography physical disability, and ethnicity.

The Royal Government of Cambodia is strongly dedicated in translating into practice the Right to Education, as stipulated in the Cambodian Constitution and in those international human rights conventions which Cambodia has ratified. Performance indicators and trends are in this respect revealing. Indeed from 2000 to 2004, Public pre-schools have increased from 952 to 1275 and the number of classes has increased from 1628 to 2249. The pupils aged from 3 to 5 have increased from 57867 to 77345, girls from 8391 to 41887. In 2003/04, pupils aged from 3 to 5 have increased 11% and pupils aged 5 increased 20%. Primary school enrolment has grown by 14% from 2.4 million to 2.7 million over the past four years, with the majority of growth being in rural areas. Primary enrolment in remote areas has grown from 54,000 to 81,000 over the same period. The overall primary net enrolment rate (NER) has grown from 83.8% to 90.1% since 2000, with an 8% growth in female NER. Lower secondary education enrolments have increased significantly since 2000, from around 284,000 to 460,000. The number of lower secondary schools has increased from 511 to 688, mainly in previously un-served rural and remote communes.

Taking this good opportunity when educational officials from all levels come to participate in this meeting, H.E. Dr. Kol Pheng expressed his deep thanks and gratitude to whom at all levels throughout the country, who have worked very hard and brought about great success in the past academic year in spite of much difficulty and challenges, mainly teachers with their low salaries.

The Senior Minister and Minister of Education, Youth and Sport mentioned the obligations of parents, educators, community leaders to protect young minds from the violence symptomatic of modern societies, as toy guns and electronic games. It is vital to give youths a dream and to work hard to achieve that dream. The best gift to children is a bright and hopeful future, a peaceful and enjoyable world. It is indeed the burden and responsibility of all the adult people to equip the young with a strong sense of self esteem, integrity and pride. Therefore, the speaker appealed community to join him in the fight against the destructive and devastating effect of violence of electronic games and toy guns which ruins and corrupts the mind of young.

At the end of his speech, H.E. Dr. Kol Pheng expressed its high appreciation and profound thanks to national and international organizations, NGOs as well as friendly countries all over the world who have made great contribution and given firm support for the sake of education, youth and sport, which is in conformity with the educational policy of the Ministry of Education and that of the Royal Government. In particular, he extended his deepest gratitude and thanks to UNESCO and UNOHCHR, who have greatly supported the Ministry in the organization of this National Consultative Meeting.

## III. General presentations

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After the opening ceremony, general presentations were made and discussions were held on these presentations.

The first Presentation was designed to tackle to The Situation of Education in Cambodia according to each of the six EFA Goal and MDGs. The second presentation tackled the concepts of Right to Education and Human Rights Education. Then, the third presentation aimed to give a brief overview of the international human rights framework for education in Cambodia and the existing UN monitoring mechanisms for the implementation of the right to education in Cambodia. Finally, the last presentation had for objective to identify Governmental obligations relevant to Education with a brief overview of the Manual on Rights Based Education.

First presentation

#### **The Situation of Education in Cambodia according to each of the six EFA Goal and MDGs**

*By H. E. Dr. Nath Bounvoeurn, Under Secretary of State of the Ministry of Education, Youth and Sport, and Ms. Kuy Phalla, Deputy Director, Planning Department of the Ministry of Education, Youth and Sport*

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Ms. Kuy Phalla started her presentation on the Situation of Education in Cambodia according to each of the six EFA Goal and MDGs with a brief description of the Cambodian education system.

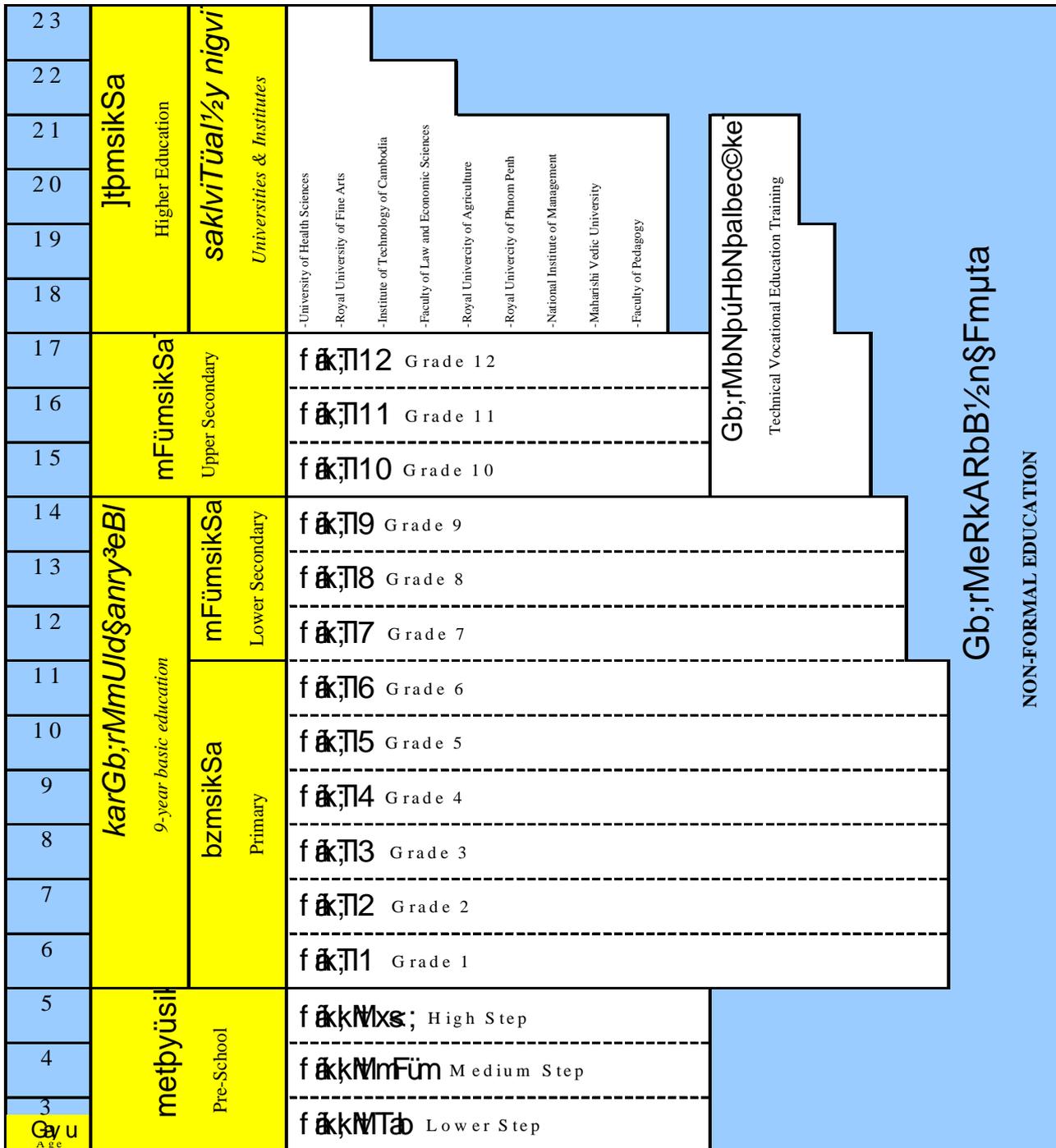
The objective of the Cambodian education system is to fully develop children in all aspects of qualities, mentally and physically. In order to achieve this objective, schools need to accomplish many tasks. They are obliged to develop in the students the spirit of self-confidence, self-reliance, responsibility, solidarity, national unity and patriotism. Schools must also instil in their students positive attitudes of paying respect to the law and human rights. Other responsibilities of schools are to nurture children to become good citizens, to live together peacefully, to be able to strengthen their responsibilities towards their families' happiness and to make a contribution to promoting social welfare. General education strives to meet the above-mentioned objective by delivering knowledge and skills, promoting the personal qualities of the students, and accumulating work experiences and various activities which are beneficial to students, their schoolmates and to society as a whole.

In consideration of their increasing age, the objective of primary education is to focus on the development of children's personalities by helping to upgrade their mental and psychological abilities. By doing so, children will be come capable of translating their basic knowledge (reading, writing, speaking, listening and arithmetic) to solving their immediate problems, and to cherishing a love of learning and doing labor. Through these efforts, they will become useful members of the community and be capable of acquiring simple skills or continuing their study to higher grades.

The prime objective of secondary education is to enhance the knowledge that the students have already acquired at the primary education level. This aims to ensure the development of their freedom of thought and expression, to build their attitude of tolerance, and, at the same time, to develop their talents, individual qualities, creativity, social ethics and skills in order to create a harmonious society.

# ROYAL GOVERNMENT OF CAMBODIA

## EDUCATION SYSTEM IN CAMBODIA



In the Cambodian Education System, children attend Pre-school from 3 to 5 year old. Children then attend the 9 year basic education which consists of the Primary and Lower Secondary school. They are supposed to start the grade 1 of Primary School at 6 year old.

After Lower Secondary school they reach the Upper secondary school which normally lasts 3 years, and at the age of 18 year old they can start the Higher Education.

Then, Ms. Kuy Phalla presented the Six EFA Goals, which are:

1. Expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children;
2. Ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to a complete free and compulsory primary education of good quality;
3. Ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life skills programmes;
4. Achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults;
5. Eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality;
6. Improving all aspects of the quality of education, and ensuring excellence of all so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy, and essential life skills.



From a Human Rights perspective, all individuals have full and equal access to education without anyone having more privileges.

The Deputy Director of the planning department of the Ministry of Education, Youth and Sport detailed the indicators used for the achievement of Education for All in Cambodia by 2015, and which are summarized in the following tables.

**Quantitative Targets for EFA, 2002/2015****Source: EFA Secretariat**

Indicators	Actual rate	Year	2005 - 2007 Targets	2010 Targets	2015 Targets
<b>ECCD (Enrolment Targets)</b>	6%	1999	30 %	75 %	100 %
<b>Basic Education</b>					
Enrolment and efficiency					
Primary NER/Total:	87%	2001	95%	100%	100%
Primary NER/female:	84%	2001	94%	100%	100%
Primary School Repetition Rate	11%	2001	9%	5%	0%
Primary School Drop Out Rate	12%	2001	4%	2%	0%
Completion rate Grades 1 - 5	45	2001	90	100%	100%
GPI for primary level enrolment	0.87	2001	1.0	1.0	1.0
Primary school PTR	53/1	2001	50/1	49/1	45/1
Lower secondary NER/Total	19%	2001	50%	TBD	TBD
Lower secondary NER/Female	16%	2001	49%	TBD	TBD
Lower secondary total transition rate	83%	2001	90%	TBD	TBD
Lower secondary female transition rate	78%	2001	88%	TBD	TBD
Lower secondary PTR	18/1	2002	30/1	45/1	45/1
<b>Literacy levels</b>					
Total literacy rate (15 – 24 year olds)	76%	1998	90%	TBD	TBD
Female literacy rate (15 – 24 year olds)	71%	1998	90%	TBD	TBD

<b>Budgetary allocations</b>					
Recurrent Education Budget as % of GDP	2.4%	2002	2.75%	3.2%	2.9%
National budgetary allocation to Education (recurrent only)	18.2%	2002	22.0%	23.6%	21.1%
Education budgetary allocation to Primary (recurrent only)	53%	2001	48%	34%	40%
Non salary Share of Recurrent Budget	38%	2002	47%	53%	51%

The speaker then focused on the Millennium Development Goals, and more specifically on the Goal 2 (CMDG2) which is to achieve universal nine year basic education.

### **Benchmark and target values for CMDG2 indicators at key time horizons**

**Source: EFA Secretariat**

<b>Indicators</b>	<b>Benchmarks</b>		<b>Targets</b>		
	<b>Value</b>	<b>Year</b>	<b>2005</b>	<b>2010</b>	<b>2015</b>
2.1 Net Admission rate	81	2001	95	100	100
2.2 Net Enrolment ratio in primary education	87	2001	95	100	100
1 . Male	90	2001	96	100	100
2 . Female	84	2001	94	100	100
2.3 Net Enrolment ratio in lower secondary education	19	2001	50	75	100
1 . Male	21	2001	51	75	100
2 . Female	16	2001	49	75	100
2.4 Proportion of 6-14 years old out of school	35	1999	22	11	0
2.5 Survival rate from grade 1 to 5	58	2001	77	100	100

The targeted objectives in the framework of the EFA and Cambodia Millennium development Goals have to be examined with the progress of Education's performance in Cambodia.

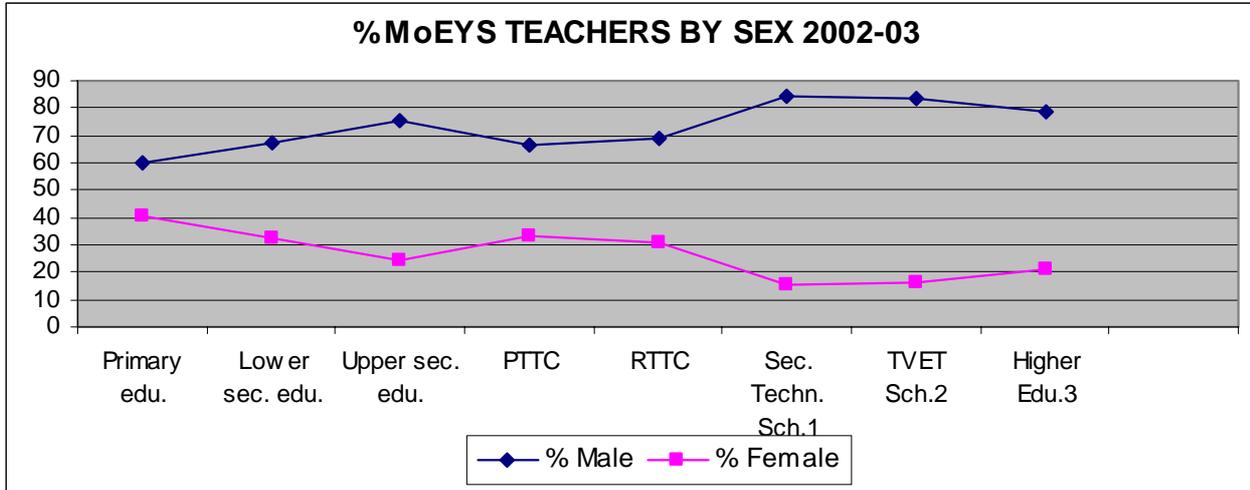
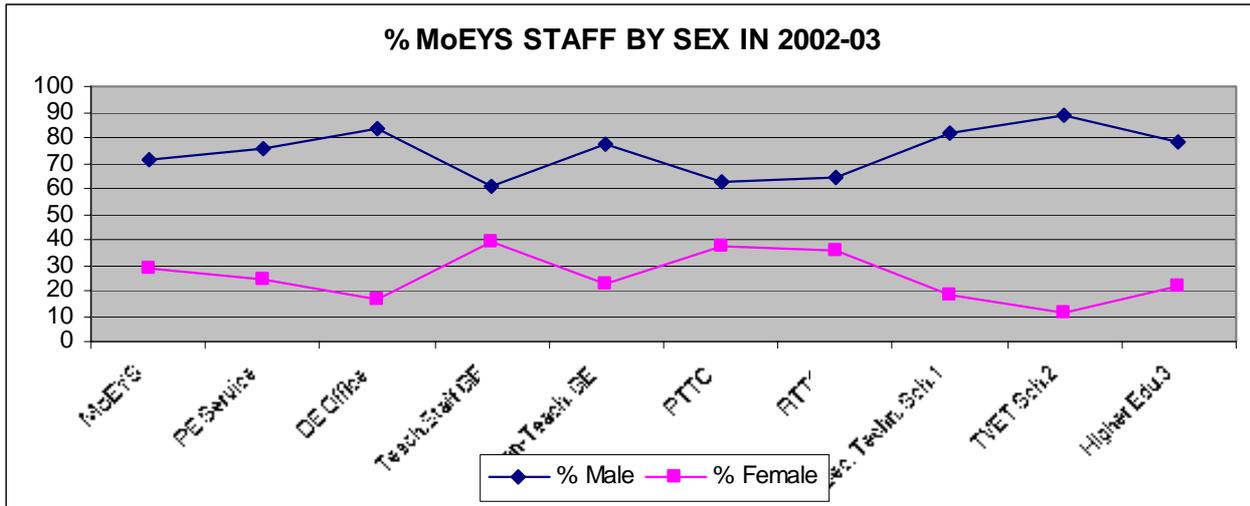
**General situation of education 2003-04****Source: EFA Secretariat**

Items	Preschool	Primary School	Junior High School	Senior High School	Lower Secondary School	Upper Secondary School	Total
Schools	1,238	6,063	486	212			7,999
Classes	2,205	60,985	4,957	7,774	9,566	3,165	75,921
Students	72,224	2,747,080	229,225	384,519	459,986	153,758	3,433,048
Teachers	2,528	49,603	9,404	14,815	18,589	5,630	76,350
Pupil-teacher Ratio	28.6	55.4	24.4	26.0	24.7	27.3	45.0
Pupil-class Ratio	32.8	45.00	46.2	49.5	48.1	48.6	45.2
Pupil-classroom Ratio	35.7	69.8	55.7	67.4	111.8	27.0	67.0
Teacher-class Ratio	1.15	0.81	1.89	1.91	1.94	1.78	1.01
Class-classrooms ratio	1.1	1.5	1.2	1.4	2.3	0.6	1.5
Gross admission rate			135.2				135.2
Net admission rate			78.7				78.7
Gross enrolment ratio			119.9		39.3	13.9	73.59
Net Enrolment ratio			90.1		21.3	8.1	52.61
<b>Flow Rate (2002-03)</b>							
Promotion Rate		71.49			58.66	62.15	<b>69.51</b>
Repetition Rate		10.62			4.68	6.39	<b>9.71</b>
Drop-out Rate		17.89			36.66	31.46	<b>20.78</b>

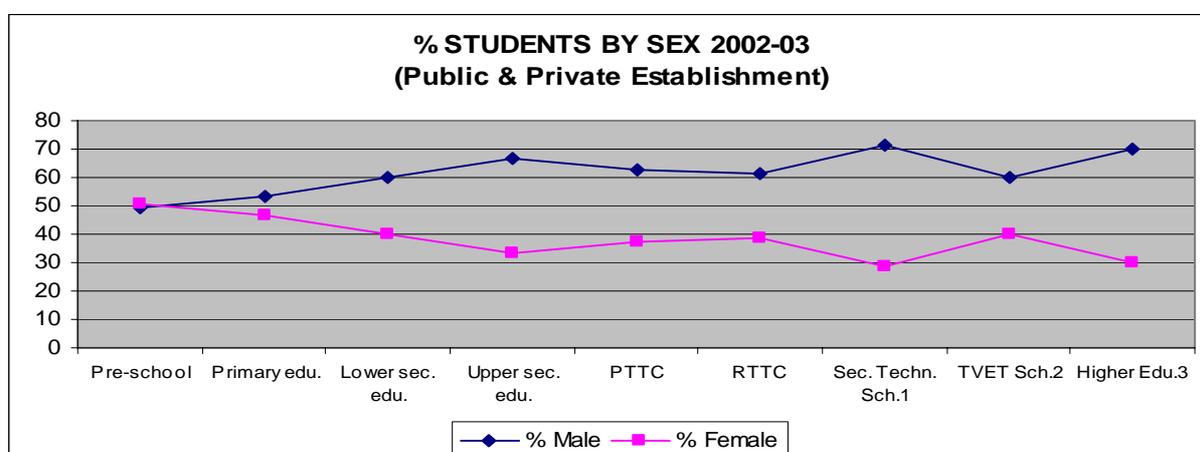
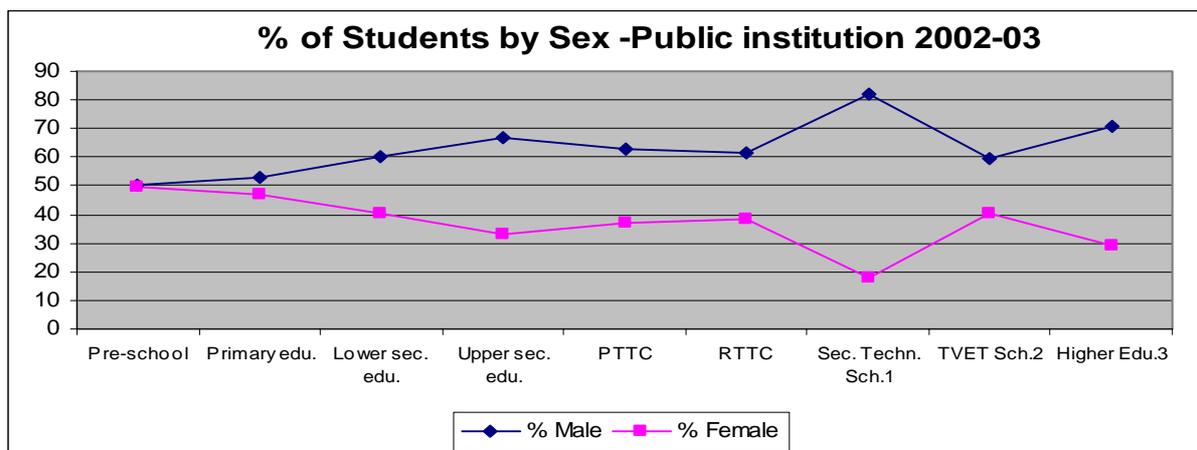
### III. General presentations

Items	Preschool	Primary School	Junior High School	Senior High School	Lower Secondary School	Upper Secondary School	Total
<b>Transition Rate to: (2002-03)</b>							
Lower Secondary education		82.7					82.7
Upper Secondary education					60.1		60.1
Number of Students graduated		207,496			68,615	14,360	290,471
<b>Gender</b>							
% of girl students	49.75	47.0	41.80	39.5	41.9	35.77	45.87
% of female teachers	98.97	40.72	30.97	31.64	33.23	25.26	39.68

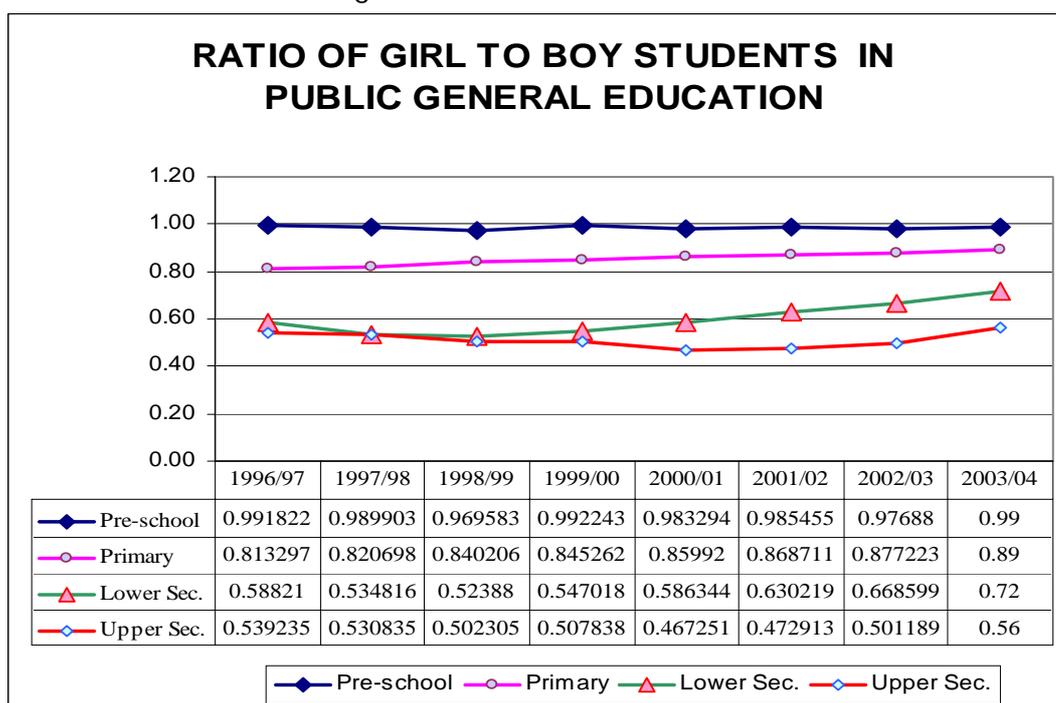
As underlined by Mrs. Kuy Phalla, with regard to the gender issue, the total percentage of schoolgirls is quite low. The percentage of schoolgirls in Lower Secondary school has decreased substantially, but this rate is better than the past years.



As Reflected on the graphic, the percentage of Male Staff of the Ministry of Education, Youth and Sport and of its different entities is particularly high especially at the Secondary Technical School and at the teacher Vocational and Educational Training School and in the Higher Education.



In primary school there is no gap, but there is a little gap in lower secondary school and wider gap in the upper secondary school and then a narrow gap in the regional teacher training centre, and the gap widens in the regional or provincial teacher training centre and technical and vocational training school.



Mrs. Kuy Phalla, finished her presentation on the achievement of the Ministry of Education, Youth and Sport. The ratio of girls to boy students in public general Education is quite stable and steady at the Pre-school level (between 0,991822 in 1996/1997 and 0,99 in 2003/2004). In primary school the ration of girl to boy students is slowly and progressively increasing (from 0,813297 in 1996/1997 to 0,89 in 2003/2004). In Lower Secondary School, in spite of a slight increase since 1998/1999, when the figure dropped to 0,52388 the ratio of girl to boy students is 0,72 in 2003/2004. The situation is worse in the Upper Secondary School, where the ratio of girl to boy students is 0,56 in 2003/2004.

At the end of the presentation, Mr. Nath Bounvoeurn shared two points.

First, he pointed out the progress and advances made at the World Education Forum, in Dakar in 2000. The first goal of the Education For All Framework for Action adopted at the World Education Forum, is to expand and improve comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children. This is a new approach for Cambodia, where early childhood is now used instead of the previously used terms of preschool or kindergarten, to designate children age from 0 to 9. Early childhood care and development (ECCD) is now focused on as much as Primary Education. The Education For All Framework for Action also introduce in the Goal 2 the idea of quality education for all for vulnerable children, whereas only the concept of education for all was before tackled. The Goal 6 aims at improving all aspects of the quality of education, and ensuring excellence of all, so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy, and essential life skills. In other words, quality in every areas and aspects of education is to be reached, not only in the formal education given in classrooms.

Secondly, the Education For All Framework for Action did not mention the percentage and specific targets to be reached regarding the expansion and improvement of comprehensive early childhood care and education. The Cambodia authorities made the commitment that by 2015, all the children between 0 and 5 will have access to schooling. Based on the chapter 6, article 68 of the Constitution "The State shall provide free primary and secondary education to all citizens in public schools. Citizens shall receive education at least 9 years." Indeed the objective of 100% of people to have access to a 9 year basic education is quite ambitious to realize in practice, but it is above all a commitment, an objective that should lead the action of everyone.

#### Second presentation

#### **The Right to Education and Human Rights Education**

*By Mr. Paolo Fontani, Programme Specialist, Section for Peace and Human Rights, UNESCO Paris*

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Mr. Paolo Fontani started his presentation by giving an idea of what the Right to Education was, based on the Article 26.1 of the Universal Declaration of Human Rights (1948), the Article 13 of the Covenant on Economic, Social and Cultural Rights (1966), and the Article 28 of the Convention on the Rights of the Child (1989). According to these instruments, the Right to Education implies Access to education for every child, free and compulsory primary education, School discipline consistent with the child's rights and dignity, and full development of the personality of the learner, with the strengthening of human rights.

Therefore, Education is viewed as both a human right in itself and a means for realising other human rights, as well as a vehicle for human, economic and social development, profiting both the individual and society. While there was increasing agreement on the central role of education as a tool for human and social development, there is a need to invest in a renewed vision of education perceived as a fundamental human right and directed towards the fulfilment of all other human rights.

The speaker pointed out the benefits of education which are usually described either in terms of monetary gains or lifetime earnings (rate of return analysis), Externalities, or non-monetary benefits/social benefits, or contribution to the building of trust and social cohesion. While the impact of education on economic growth and poverty reduction has been largely illustrated, recent research has shown that investment in education in the last forty years has had an impact on political stability, democratisation and respect for human rights.

There is however a gap between the legal obligations and the reality regarding the Right to Education. Inability to fulfil the right to education (lack of resources in developing countries, insufficient funding from donor countries and institutions) translates in more than 120 million children out of school, 46 million of whom are in Asia.

In Cambodia itself, despite the important progress, 350,000 children of primary school age are out of school, 35-38% of those enrolled drop out before the end of the primary cycle, and only 38% of girls complete four years of schooling.

Therefore a movement towards quality should also be initiated. Not only the issue of access to education should be addressed, but also the quality and relevance of education to the

needs of children. The World Forum on Education for All (Dakar, 2000), reaffirmed education as a fundamental human rights and "*a key to development*", and placed renewed emphasis on the need for an education of good quality. According to Mr. Paolo Fontani, the two aspects - rights and quality - are strongly linked, in that by improving quality we can fulfil the whole meaning of the right to education, with all its components and all its aspects. An education of quality can better enable each individual to fulfil all other civil, political, social, economic and cultural rights. There has been a great deal of discussions on the fact that education will solve many problems of society. Education is supposed to bring economic growth, stability, human rights, social and cultural development. For education to be able to bear all these fruits, it must be an education of quality, an education that is relevant to the life of the learners, an education that actually brings about all the potentialities of the learners and his contribution to Society.

The Dakar Framework for Action (2000) adds in its sixth goal the need to improve "all aspects of the quality of education...", that is, to improve the quality of the learning environment, of the teaching and learning processes, of the teaching and learning materials and of the learning outputs.

In this movement toward quality, Mr. Paolo Fontani underlined the fact that there was a need to redefine the parameters of education, and adjust them to the global processes taking place. According to the Ministerial round table on quality education in UNESCO in 2003, the concept of quality education is necessarily dynamic, rights-based, and entails democratic citizenship, values and solidarity as important outcomes. Education for human rights is an essential component of quality.

The right to human rights education is another aspect to be taken into account. Article 26.2 of the Universal Declaration, Article 13 of the 1966 Covenant and Article 29 of the Convention on the Rights of the Child underline that education shall aim to:

- develop the child's personality;
- develop the respect for human rights and fundamental freedoms [...];
- prepare of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance and equality of sexes;
- develop respect for the natural environment.

Then the speaker moved to the definition of the human rights education. Human rights education is an integral part of the right to education. It is about making the school a learning place, a place for the practice of rights. The knowledge and practice of the rights represents a fundamental tool to ensure respect of all rights for all. Human rights education is not only about knowledge and skills (cognitive learning), but necessarily entails promoting values, attitudes and behaviours (socio-emotional learning). Human rights education involves all educational processes, and should be implemented throughout the entire education system and in all learning environments, formal and non-formal

Mr. Paolo Fontani ended his presentation by addressing the Policy and Planning aspects. In order to include human rights in educational reform and move towards achieving the EFA goals, attention of policy makers and planners should focus on a number of issues:

- the inclusion of obligations relating to the right to education into national legislation;
- the review of education plans and policies, which should be consistent with human rights principles (i.e. equity, non-discrimination, participation, inclusion, accountability);

- the quality and relevance of curriculum, through an increased participation of stakeholders in its formulation;
- the revision of textbooks, to eliminate stereotypes and all forms of discrimination and intolerance;
- the reform of traditional teaching methods, moving from rote to active learning;
- the reform of teacher training, to ensure it is consistent with educational objectives;
- the democratisation of the school system and its management, enhancing participation of all stakeholders;
- the assessment of students' competencies should focus not only on cognitive, but equally on socio-emotional learning outcomes.

Third presentation

#### **The International Human Rights Framework for Education in Cambodia**

*By Laurent Meillan, Human Rights Officer, Office of the High Commissioner for Human Rights in Cambodia*

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The right to education is a fundamental human right. It occupies a central place in the international human rights framework as its exercise is instrumental for the enjoyment of many other human rights, such as the right to participation and related freedoms (expression, assembly and association), the right to health, the right to work, access to justice and the right to an adequate standard of living.

The presentation of Mr. Laurent Meillan aimed to give a brief overview of the international human rights framework for education in Cambodia (Part I) and the existing UN monitoring mechanisms for the implementation of the right to education in Cambodia (Part II).

#### **I. International human rights framework: A brief overview**

The right to education has a special significance in Cambodia as it is addressed in five of the six main international human rights treaties to which Cambodia acceded to, and that were incorporated into the 1993 Constitution.<sup>1</sup> The relevant provisions of international human rights law<sup>2</sup> provide a broad scope for the right to education. It can be summarized as follows.

In addition to providing free and compulsory primary education for all children, Cambodia has an obligation progressively to introduce free and equal secondary education (including vocational training) for all and equal access to free higher education on the basis of capacity.

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<sup>1</sup> The 1993 Constitution also defines in its chapter 6 the “people’s right to quality education at all levels” and the role of the State in the establishment of “a comprehensive and universal educational system throughout the country”. Educational freedom is guaranteed as is educational equality “so that all citizens have equal opportunity to earn a living”. Primary and secondary schooling are to be provided free of charge, and nine years of education are compulsory. Private schooling is allowed and Buddhist education promoted, subject to state control.

<sup>2</sup> Arts. 13 and 14 of the International Covenant on Economic, Social and Cultural Rights (see also General Comment 11 adopted by the Committee on Economic, Social and Cultural Rights); arts. 28 and 29 of the Convention on the Rights of the Child (see also General Comment 1 adopted by the Committee on the Rights of the Child); art. 5 (e) and (v) of the Convention of the Elimination of Racial Discrimination; and art. 10 of the Convention on the Elimination of all forms of Discrimination Against Women.

It also has an obligation to intensify fundamental (basic) education, leading above all to the elimination of illiteracy, for adults who have not satisfied their basic learning needs. Equality and non-discrimination are important aspects of the right to education, and Cambodia should give priority to equal access for the girl child and particularly vulnerable groups, such as children with disabilities, minorities and indigenous peoples.

As stated by the speaker, the quality of education should be directed to the development of the child's personality, talents and abilities to their fullest potential, and to preparation of the child for responsible life in a free society, in a spirit of tolerance and respect for human rights, the natural environment, the child's parents and cultural identity, and civilizations different from his or her own. School discipline should be administered in a manner consistent with the child's human dignity.

In principle, Cambodia can provide these rights in the context of both private and public educational institutions. Since private schools usually do not guarantee free primary education for all children, Cambodia is under an obligation to establish a sufficient number of public schools, hire the required number of qualified teachers and provide for the quality of education as laid down in international human rights law. As a first step, Cambodia as party to the International Covenant on Economic, Social and Cultural Rights should work out and adopt, within two years after ratification, a detailed plan of action for the progressive implementation of the principle of compulsory primary education free of charge for all.

In addition to these positive obligations to fulfill the right to education, Mr. Laurent Meillan highlighted the obligation of Cambodia to respect the liberty of parents to establish and direct their own educational institutions, to choose private schools for their children and to ensure the religious and moral education of their children in conformity with their own convictions.

## **II. The UN monitoring mechanisms for the implementation of the right to education in Cambodia**

Mainly, two forms of monitoring mechanisms exist within the United Nations system: (A) reporting to UN treaty bodies and (B) Special Procedures of the UN Commission on Human Rights.

### **A. Reporting to UN human rights treaty bodies**

Reporting to UN treaty bodies (Committees) and following up on their concluding observations and recommendations provide for systematic and regular dialogue and assessment of how States implement their commitments on human rights, and can provide valuable assistance in helping to overcome obstacles that stand in the way of compliance. It also provides a mechanism for dialogue at the national level.

However, Mr. Laurent Meillan mentioned that Cambodia faces considerable delays in meeting its reporting obligations.

Treaty reporting: due dates and actual submission (only for the five treaties relevant to the right to education)

Initial report	ICCPR	ICESCR	CERD	CEDAW	CRC
Due date	25/08/93	30/06/94	28/12/84	14/11/93	13/11/94
Submission	24/11/97	None	19/11/85	30/1/04	18/12/97

Periodic report	ICCPR	ICESCR	CERD	CEDAW	CRC
Due date	31/07/02		28/12/86		13/11/99
Submission	None		04/02/97		None

Periodic report	ICCPR	ICESCR	CERD	CEDAW	CRC
Due date			28/12/98		
Submission			None		

While Cambodia submitted its initial/periodic report under the Convention on the Elimination of all Forms of Discrimination Against Women at the end of last year and is currently finalizing its initial report under the International Covenant on Economic, Social and Cultural Rights, none Concluding Observations on Cambodia have been issued by the five UN treaty bodies (Committee) since 2001.

For Mr. Laurent Meillan, it is distressing as the previous Concluding Observations provided by the Committee on the Rights of the Child (CRC), Human Rights Committee (HRC) and Committee on the Elimination of Racial Discrimination (CERD) between 1998 and 2000 were extremely useful, and some are still relevant. The CRC<sup>3</sup> noted that primary education was not compulsory and although enrolment rates in primary school are relatively high, equal access to quality education was not ensured owing to a lack of schools in rural and remote areas. The Committee also noted the gender disparities in school attendance (The HRC<sup>4</sup> also emphasized the need to ensure greater access to education to women and girls). The CRC also observed the high repetition and drop-out rates and the a majority of children belonging to minority groups which do not have access to any form of education (the CERD<sup>5</sup> also expressed its concern over the limited educational facilities in the villages of ethnic Vietnamese).

<sup>3</sup> CRC/C/15/Add.128.

<sup>4</sup> CCPR/C/79/Add.108.

<sup>5</sup> CERD/C/304/Add.54.

The forthcoming observation of the Cambodia reports under the CEDAW and ICESCR will also give an important opportunity to address in details the situation of the right to education in Cambodia.

Among the recommendations made by CRC, CERD and HRC:

- 1) Undertake effective measures to make primary education free and compulsory for all children (CRC);
- 2) Increase the enrolment rates and decrease drop-out and repetition rates (CRC);
- 3) Increase access to schools, in particular for poor children, girls, children belonging to minority groups and children living in remote areas (CRC, CERD and HRC); and
- 4) Improve Cambodia's education system by increasing budget allocations for the education sector; providing training to upgrade teachers' skills; making the school curricula more relevant to children's needs; expanding opportunities for vocational training and non-formal education, including at pre-school and secondary levels; and establishing an evaluation system to measure the effectiveness of the education system (CRC).

Then Mr. Laurent Meillan moved to the second mechanism of monitoring, which is the special procedure of the UN commission on human rights.

#### **B. Special Representative of the Secretary-General for Human Rights in Cambodia**

The post of Special Representative of the Secretary-General (SRSG) was established in 1993. Pursuant to Commission on Human Rights resolution 1993/6 and General Assembly resolution 48/154, the tasks of the Special Representative include:

- (a) To maintain contact with the Government and people of Cambodia;
- (b) To guide and coordinate the United Nation human rights presence in Cambodia;
- (c) To assist the Government in the promotion and protection of human rights.

The SRSG reports to the General Assembly and the Commission on Human Rights.<sup>6</sup> The three SRSGs have been considering the right to education in the context of their mandates.

On 23 November 1993, the First Special Representative for Human Rights in Cambodia, Justice Michael Kirby (Australia) was appointed. Justice Kirby conducted seven missions to Cambodia, from 1993 to January 1996. He has paid a special attention to the right to education, addressing high repetition and drop-out rates, undertrained teaching staff, shortage of teachers, national budget for education, informal education for slum dwellers, legal education/training for judges.<sup>7</sup>

Ambassador Thomas Hammarberg (Sweden) was appointed the second Special Representative, and took up his functions on 1 May 1996. He conducted 16 missions from

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<sup>6</sup> Since the last session of the General Assembly (2003), the SRSG only reports now to the Commission on Human Rights.

<sup>7</sup> E/CN.4/1994/73, A/49/635, E/CN.4/1995/87/Add.1 and A/51/453.

June 1996 - October 1999. He also covered the scope of the right to education in Cambodia, including issues addressed by his predecessor and new issues, such as corruption, illiteracy, education for girls and women and through the rights of child.<sup>8</sup>

Professor Peter Leuprecht (Austria) was appointed the third Special Representative on 18 August 2000 and has conducted 11 missions from November 2000 to November 2004. He paid a special attention to the right to education, addressing the issue through the angle of discrimination, accessibility and poverty.<sup>9</sup>

Among recommendations made by Special Representatives:

- 1) Reinforce the infrastructure of the Cambodian educational system
- 2) Education in basic human rights principles facilitated by the monks
- 3) Give particular attention to the ways in which racial and ethnic prejudice may be tackled by appropriate means
- 4) Preparation of simplified videotapes, including dramas with human rights themes, should be explored
- 5) Increase of the budget of the Ministry of Education and monitor the effective disbursement of the budget
- 6) Increase of teachers' salaries
- 7) Improve access to education for traditionally marginalized groups, such as girls, ethnic minorities, indigenous peoples, inhabitants of remote areas and the poor
- 8) Promote informal education

In the conclusion of its presentation, the speaker reaffirmed that the right to education was one of the primary vehicles by which people living in Cambodia, especially the rural poor can lift themselves out of poverty. The relevance to poverty of the right to education is underlined by the fact that universal primary education is a Millennium Development Goal to be achieved worldwide by 2015.

Recommendations made by treaty bodies and Special Representatives for implementing the right to education in Cambodia represent an important tool for policy makers and development practitioners as they provide guidance for higher standards of qualitative education within an accountability framework. It is important for the Government and all development actors to follow-up these recommendations. They help to measure the political will, obstacles encountered and progress made, to identify new trends and innovative action, and to complement the efforts made by the Government and its development partners.

At the end, Mr. Laurent Meillan expressed the wish that during the National Consultative Meeting, some of the experiences shared will reveal that participants are already trained to implement some of these recommendations, and that participants will pick up some of these recommendations with the view to integrate them in their activities related to Education.

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<sup>8</sup> A/53/400, A/54/353 and E/CN.4/1999/101.

<sup>9</sup> E/CN.4/2002/118.

#### Fourth presentation

#### **Manual on Rights-Based Education Global Human Rights Requirements Made Simple**

*By Olof Sandkull, Associate Expert on Human Rights and Education, UNESCO Bangkok*

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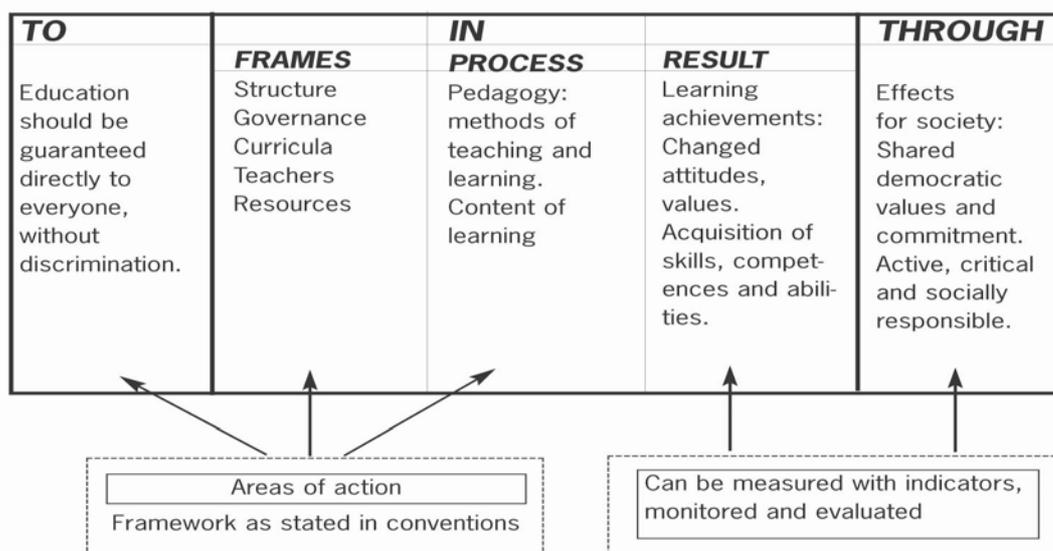
As an introduction, Mr. Olof Sandkull started his presentation with a quotation from Mr. Kofi Annan, Secretary General of the United Nations:

" As the Secretary-General of the United Nations I have made human rights a priority in every programme the United Nations launches and in every mission we embark on. I have done so because the promotion and defense of human rights is at the heart of every aspect of our work and every article of our Charter "

An analysis of the situation reveals a certain number of issues, among others:

- prevalence of goals of Universal Primary Education on international agenda for more than 50 years
- increase in access to education, but high repetition and drop-out rates and low completion rates
- achievement of the right to education for all not yet accomplished (girls, ethnic minorities, children with disabilities, working/street children among the excluded)
- lack of relevance, low quality, extra costs, violence, discriminatory attitudes etc. are reasons for exclusion
- restatement of education as a basic human right in the Dakar Framework for Action and the importance of rights-based actions, esp. among development agencies
- strong global trend for ratifying the major international human rights conventions

Mr. Olof Sandkull detailed the Analytical Framework of the Right *to, in* and *through* Education:



### Manual on Rights-Based Education

Then the speaker presented the Manual on Rights-Based Education, which was recently translated into Khmer (first translation in another language). This document, which is a collaborative project between the then UN Special Rapporteur on the Right to Education, Ms Katarina Tomasevski and UNESCO Bangkok, was published in Bangkok in 2004.

The Manual has for objectives to translate globally accepted human rights standards into guidelines for national education policies and strategies and to serve as a reference tool for policy-makers, planners and practitioners.

It is based on human rights law presented in tables and summaries, and describes the relevant human rights conventions and treaties related to the education sector. The Manual highlights how these conventions and treaties can be translated to education practice at the micro level such as the minimum age for employment and marriage. It also points out the key human rights questions that need to be addressed at the macro level such as mainstreaming human rights in education, globalization/localizing, inclusive education or separated education, and public or private education.

In so doing, the Publication uses country examples from Asia and the Pacific to highlight links between human rights and education, and uses a legal framework for cross-sectoral analysis of national and international education environments. Furthermore, it encompasses the range of components of quality and relevance of education, as defined in the Dakar

Framework for Action, that is well-being of learners, relevance of contents and outcomes, quality of teaching/learning processes and suitability of learning environments.

The Manual insists that rights-based education involves three main actors:

- *the government and its institutions, as duty-bearers*
- *the child, as rights-holders*
- *the parents, as representatives of the child*

No right could exist without corresponding governmental obligations: to respect, protect and fulfill the right to education. And more importantly, it presents the obligations relevant to the right to education in a 4-A scheme to make education: Available, Accessible, Acceptable, and Adaptable.

#### **Governmental Obligations Relevant to Education in a 4-A Scheme**

##### **Availability**

This term designates the right to the establishment of schools. It also refers to the right to free and compulsory education to all school-age children in the country up to at least the minimum age of employment. It implies the respect of parental freedom to choose education for their children, observing the principle of the best interest of the child.

##### **Accessibility**

This term means the progressive expansion of access to post-compulsory education as circumstances permit. This brings about the elimination of exclusion from education based on internationally prohibited grounds of discrimination (race, color, sex, language, religion, opinion, origin, birth or disability etc.), and the elimination of gender and racial discrimination by ensuring equal enjoyment of all human rights in practice.

##### **Acceptability**

This term refers to the obligation to improve the quality of education by ensuring that the entire education system conforms to all human rights. It also encompasses the creation of minimum standards for learning materials, methods of instruction and school discipline using human rights standards, as well as the respect for diversity, by ensuring inclusion and equal opportunities.

##### **Adaptability**

This implies the obligation to design and implement education for children excluded from formal schooling and the obligation to adapt education to the best interests of each child, especially those from disadvantaged groups, as well as the obligation to apply the principle of indivisibility of human rights as guidance to enhance all human rights through education

As stated by the speaker, the Manual's Reference Points are the principal conventions on education:

- Universal Declaration on Human Rights, 1948
- UNESCO Convention against Discrimination in Education, 1960

- International Convention on the Elimination of All Forms of Racial Discrimination, 1965
- International Covenant on Economic, Social and Cultural Rights, 1966
- International Covenant on Civil and Political Rights, 1966
- ILO Convention on the Minimum Age of Employment, 1973
- Convention on the Elimination of All Forms of Discrimination against Women, 1979
- Convention on the Rights of the Child, CRC, 1989
- ILO Convention concerning Indigenous and Tribal Peoples, 1989
- ILO Convention on the Worst Forms of Child Labor, 1999

As a conclusion to his presentation, Mr. Olof Sandkull underlined the fact that some questions are put in focus through a rights-based process, especially:

- Gives an universal value-base
- Broader and situation analysis
- Wider understanding of education: contents and processes of teaching/learning and planning
- Holistic view of education, not only regular schools
- Accountable systems of legislation and institutions
- Participation of all actors
- Focus on groups excluded from education

In this perspective, many challenges are facing Cambodia:

- Incomplete schools (PE 36.5%)
- Lack of secondary schools
- Curriculum and relevance (survival rate to G6: 48.2)
- Contract teachers (untrained teachers)
- Teacher qualifications
- Gender gaps at all levels
- Capacity-building of administrators
- Insufficient budgetary allocation

According to Mr. Olof Sandkull, the Guiding question following the presentations, and discussions should be the following: What would be the way forward to fully realizing the right to education for all in Cambodia?

#### Discussions and questions related to the four presentations

After the four presentations, a session of questions and discussions presided over by Mr. Nath Bounvoeurn, with the help of Dr. Supote Prasertsry, Education Specialist at the UNESCO Office in Phnom Penh, was held.

Mrs. Chou Bun Eng, Director General of Social Development at the Ministry of Women and Veteran Affairs shared two comments regarding the Education for All National Plan, for 2003 – 2015. First, the Statistics and indicators used by the Ministry of Education, Youth and Sports seem to be a little too ambitious and too high to be reached. Even in advanced countries, where human resources and structures are available, no one can guarantee that in ten years they will achieve the target of 95 or 100 %. Secondly, the responsibility to achieve Education for All is not only on the Ministry of Education, Youth and Sports but also on the other Ministries, and national authorities. A supportive environment is the key to the achievement of these ambitious goals.

Another participant mentioned that Education is not only about providing basic knowledge in terms of numeracy or literacy but also in term of physical education, life skills, and behavior change. Education is about shaping individuals. In this perspective where education is supposed to shape individuals, it might be quite difficult to ensure the quality of Education. Besides, given the human resources, it is not easy to find teachers for the remote areas, and it makes wonder how the Ministry of Education, Youth and Sports intend to face this situation in order to provide a quality education to the children living in these areas.

With regard to the EFA indicators, it is difficult to have correct statistics and accurate census about the actual age of a particular category of the population. Thus, without knowing the exact age of the children, it is almost impossible to know the number of children between 0 and 5.

In addition, kindergartens are facing a lot of difficulties, especially the lack of teachers. Contrary to primary school teachers, that might have only one shift in the morning or the afternoon and who therefore have another occupation to increase their income, preschool teachers have to be involved in full time in education to give a good general level of instruction. Besides, a lot of parents send directly their children to primary school. Most of the time, they do not know to read basic letters and without basic literacy, they drop out from school. Furthermore, the number of student in kindergarten is smaller than in primary school and as a result the teachers earn less than the primary school teachers. Only about 100 kindergarten teachers are recruited or selected a year. It is far from enough for the needs of the preschools.

Many researches have been conducted in Cambodia on the learning needs of the children, and it turned out that some teachings do not respond to the learning needs and interests of the students. This made one participant wonder how to adapt education to the best interests of the children. The Ministry of Education, Youth and Sports is revising the curriculum in order to meets the needs of the learners. One suggestion would be to have a unit within the

Ministry of Education, Youth and Sports in charge of conducting studies on learning needs of the children and students.

One participant commented that Right to Education is not a new concept in the Cambodian traditional culture. Indeed the Cambodian codes of conducts encourage parents to send their children to school and to pay attention to their children schooling. The Right to education is not unusual and is not so different and far away from the Cambodian traditional principles. Besides, if we want to focus on the quality of education, we should wonder about the visions we have regarding education. In other words, we should wonder about the kind of citizen we want our children to be.

Giving an inclusive answer to the different questions, Mr. Nath Bounvoeurn reminded that Education for All is "All for Education". It is not the sole task and responsibility of the Ministry of Education, Youth and Sports. Therefore, this National Consultative Meeting on Rights-based Education should bring about initiatives among everyone.

As to the accuracy of the statistics and indicators, Mr. Nath Bounvoeurn admitted that obviously, it is not realistic to achieve 100 % of enrolment. However these figures represent the ambition of the Cambodian authorities. There might be some errors, but what is needed is strong commitment to break the vicious circle of poverty and illiteracy, which are interrelated. Illiteracy is the cause of poverty, and vice versa, poverty is the cause of illiteracy. There is a close correlation between low levels of education and poverty, both individual and societal. It is very difficult to eliminate poverty, but nevertheless it is feasible to tackle the issue of illiteracy and to eliminate it. The Right to education is the most fundamental and is a necessity to achieve the other rights. But as reflected with the 100 % target, the most important is to have the political will at the top level to make the commitment. As long as commitments are made, donors and development banks will help. The political will and commitment have to be supported by the whole community and society. As already stated, Education for All is not only the business of the Ministry of Education, Youth and Sports, but the business of everyone. In addition priorities have to be made in order to manage financial and material capacities of the country to reach the Goals by 2015.

As to the definition of quality of education, based on the Delors Report, a quality education addresses all aspects of learning and allows for learning throughout life:

- 1 - Learning to know
- 2 - Learning to do
- 3 - Learning to be
- 4 - Learning to live together

According to the Under Secretary of State of the Ministry of Education, Youth and Sport, in addition to these aspects, quality education is also about teaching people about knowledge, skills and attitudes. Even children who are too young cannot be educated, their parents can be educated, and then they can educate back their children. The targets might be achieved before 2015, especially from the quantitative point of view of primary education. UNESCO is currently working with the Ministry of Education, Youth and Sports on inclusive Education. From 2005 to 2009, more primary schools will be built, with the supports of Belgium and of the World Bank. In the past, Cambodia received about \$100 millions in loans, but from 2005 to 2009, through EFA, Cambodia will borrow only \$8 millions will receive a grant of \$20 millions.

Efforts have to be made to find and identify the people in the region, at the country level and who live in specific areas where they can volunteer to work. Before teaching in their hometown, or home district, they should be trained in the national teacher training school in Phnom Penh. Regarding life skills education, the Ministry of Education, Youth and Sports has developed local life skills programmes which are different from one place to another. However, this initiative has not yet been expanded throughout the country.

Mr. Nath Bounvoeurn expressed his optimism, stating that if everyone has the will, the commitment, and desire to participate, something great will be done in Cambodia.

Laurent Meillan shared two comments in response to the questions.

Regarding the accuracy statistics, it is indeed quite difficult to cover remote areas, not only in education, but in almost all development issues. To remedy to this, two possibilities are offered. The first one is to mix quantitative data with qualitative data. For example, reports from the civil society, NGOs, research studies, can be used to complete quantitative data, and in that context remote areas can be covered, problems can be more clearly identified. The second possibility is to develop rights based indicators, which are indicators that allow to pay more attention to vulnerable groups and especially those living in remote areas.

As to the issue of the increase of salary and number of teachers, the stress should be laid on the question of budget execution. One way is to increase the national budget, but another way, more important, is with regard to the disbursement of the budget, and making sure the budget will be adequately disbursed. In this respect, the World Bank has been conducting a public expenditure tracking survey.

## IV. Discussions: Making education available, accessible, acceptable and adaptable in Cambodia

Following the general presentations, talks were held between the participants. The discussions were preside over by Mr. In The, Director of the Non Formal Education Department of the Ministry of Education, Youth and Sports, and Mrs. Nhim Vanchankan, Directorate of the Inspectorate of Education. The talks tackled the Governmental obligations relevant to the right to education in the 4-A scheme presented earlier by Mr. Olof Sandkull. Were thus talked and shared the experiences aiming at making education available, accessible, acceptable, and adaptable in Cambodia.

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Mrs. Iris Vyttersprott, from the Belgium Technical Cooperation started the discussions, by pointing out very concrete strategies that the basic education and teacher training project supported by the Belgium Technical Cooperation is applying, to improve access to Education.

In particular, the Belgium Technical Cooperation is developing a schools construction programme, whose main objective is to adopt a comprehensive approach to schools construction by including, for instance, gender issues in the building of schools like the separation of sanitation facilities for boys and girls or the promotion and improvement of access for wheelchair students with the installation of ramps in the school building.

The Belgium Technical Cooperation is also handling a system of scholarship, which is quite effective and relatively cheap with regard to operational funding. It is also very simple to transfer to local management communities, and it is not very costly in term of foreign technical assistance. The programme is at present giving out three categories of scholarships consisting of \$45, \$60 or \$90 per year and per student. Currently 1,200 students are covered, most of them falling in the second category (\$60 per year). The selection of beneficiaries is notably done in taking account their level of poverty. After half a year, this

programme has had quite a positive impact, and is seen as an easy instrument to improve access to Education, especially in remote areas.

Phare Ponleu Selpak is a non-governmental organization located outside the town of Battambang, in Anh Chanh Village, and is working in Battambang District and Battambang Province. Mr. Jean-Christophe Sidoit, Director of the Cultural and Artistic center of the organization, explained that before the creation of the organization, most of the children were not going at school. Phare Ponleu Selpak opened formal education for children from grade one to grade nine, with an agreement of the Ministry of Education, Youth and Sports. The school can welcome up to 830 children. Social workers from Phare Ponleu Selpak are following up the situation of families in order to identify children who cannot afford school. The curriculum and programmes of the school is also adapted to help above normal school age children to catch up. As to the issue of salary of teachers, the school of Phare Ponleu Selpak is a public school following national law and rules. Teachers cannot request fee from the students, but in reality, with the low level of salary they cannot live in dignity. In this respect, Phare Ponleu Selpak provides a complementary salary of \$15 USD per month. The school is also facing difficulties due to the violence inside and outside its premises. Families are not sending children to school because of the street violence. Children dropped out due to some violent teacher who beat them. To address this, trainings were organized with the support of Save the Children Cambodia - Norway, to empower teachers with other forms of disciplinary methods.

In parallel, Phare Ponleu Selpak is developing Cultural and Artistic, pedagogic and psychosocial activities for children in difficulty in order to improve their physical and mental development and to use games and as a tool for rehabilitation. Children are thus offered the possibilities to learn music. They get enough skills to provide the music service for traditional, religious ceremony, wedding party and other parties to customers. Drawing is another activity. Exhibitions are organized throughout the country, and children at 8 year old can register to learn the skills at any time. Children can also register to learn circus skills when they are at least 8 year old, according to their favourites, abilities and level. Shows are performed regularly throughout and outside the country. Shows are designed not only to show the technical abilities of the children but also to raise awareness about HIV/AIDS, the rights of disabled, child rights, drugs... The troop is travelling by train to target the populations and groups at risk. Phare Ponleu Selpak also proposes non-formal education with activities for children from 3 to 17 year old and a community library, which is open to everyone. A child care center has been opened to welcome children, orphans, and other children in difficulty, and to protect them against the street violence.

The cultural and artistic activities are aiming at promoting traditional Khmer culture and to facilitate its transmission and the transmission of traditional arts skills to the children in order to enable them and the community to rediscover their cultural patrimony and identity. 450 children come daily to receive artistic and/or non-formal education in Phare Ponleu Selpak cultural and artistic center: Children from the surrounding villages (returnees, displaced, vulnerable families), students from the public schools of Battambang (on their free time), Children from the other Youth Centres opened in Battambang in partnership with local organisations and institutions (public orphanage, public schools, local NGO).

Operation Enfant de Battambang is a local non-governmental organization which implements humanitarian activities to poor children and youth facing risks. As explained by Mrs. Tith Davy, Director, the Organization focuses on home base care and rehabilitation for children with disabilities in Battambang. Operation Enfant de Battambang is developing activities of Rehabilitation for children aged 0 to 18 as physiotherapy and surgery. Activities also include primary school for children aged from 6 to 12 and life skills aiming at income generation for children aged from 13 to 18. The organization is also focusing on education and promotion on reproductive health and AIDS awareness in Battambang, Sangker, and Ek Phnom districts and has some non-formal basic education for people in remote areas in Mong Russey district in liaison with the Provincial Education Department.

Mrs. Tith Davy mentioned the difficulties faced by the organization, especially the incomprehension of the villagers, when implementing programmes for rural handicapped children. Members of the community wonder why attention is paid to disabled children instead of the other children who are out of school. Mrs. Tith Davy suggested that the government should focus on the area where no education is available, before focusing on the quality of education where it was available.

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Mr. Keo Sarath presented the activities and programmes of the Cambodia Office of Save the Children Norway. The organization is working in Cambodia to improve the well being of children, to ensure children's rights to survival, development, protection and participation. In its first ten years, Save the Children Norway's principal tools for improving the situation of children were, on one hand, village-based community development, and, on the other, institutional upgrading and personnel training in the fields of education, health and child development. Nowadays, partnership, advocacy for child rights and a focus on the most vulnerable groups of children are identified as the organization's new core values. Activities include basic education policy development, aiming at training teachers to use the textbooks and to develop teacher manual. With the Ministry of Education, Youth and Sports, Save the Children Norway is also developing early childhood development policy. Another important range of activities is related to basic education. With the Municipal and Provincial Office of Education, Youth and Sports, Save the Children Norway is working to promote access for all primary children to education and improving teaching and learning quality of primary education and preschool education.

According to Mr. Keo Sarath, no school is available in many hidden and inaccessible villages. They, however, manage to develop their own education. The Ministry of Education, Youth and Sports should focus on these communities and involve them in the process of providing education by integrating the many experiences existing at the local to have a framework of action. In remote areas, among ethnic communities, there is a crucial need for school teachers, and in this aspect, it is very important that targeted people and communities are

asked the first on what they need. Mr. Keo Sarath underlined that successful implementation relies on interaction and communication between the implementer and the targeted community.

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Mr. Nauch Thoeun, Chief of the education office in Chhouk district of Kampot, presented the achievement realized in the framework of the large-scale project on peace and development through non-formal education. The target is the population of Koh Sla, in Kampot Province, a former Khmer rouge stronghold and which was the last region to achieve peace in Cambodia. The project is aimed at building a culture of peace through education, and is in partnership with UNESCO and implemented by the Ministry of Education, Youth and Sports, through its non-formal education network from the central NFE Department to the provincial, district, commune and village levels. The project has for objective to provide basic education to the population living in the Koh Sla region who have never been to school or who have been previously excluded from the formal education system, and activities will include literacy and numeracy, peace building characters and their values (such as problem solving and conflict resolution), vocational skill training (including agriculture, sericulture, animal raising and weaving) and finally small business training and small loans and saving schemes. These activities are in line with the National Poverty Reduction Strategy of the Royal Government of Cambodia, and are, thus, directly contributing to poverty reduction, human resource development peace and stability through education in the country

As mentioned by Mr. Nauch Thoeun, solutions for enabling children to have access to education can be simple as non formal education and literacy programmes for children and parents, or identification of local people who are teachers in their family and understand the local context. However, the project will have to be sustained when UNESCO finishes its support to the project, that's why they are seeking for other partners. In this respect, Mr. Nauch Thoeun highlighted the need to collect accurate data and information in the perspective of the presentation and negotiation of the different aspects of the project to be developed.

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Street Children Assistance and Development Programme (SCADP) is a Cambodian non-governmental organization in Phnom Penh, which strives to provide extracurricular education to street children. Mrs. Yim Sokhary, founder and director of the organization, explained that they began their activities in 1992 as a group of volunteers to teach 16 street children some basic literacy and to provide basic health care. They now focus on children out of school or who have never been to school. Are targeted orphaned/non-guardian children, Children working to support families, children unable to afford education, drug-abused children, trafficking-affected children, violence and abused-affected children, children of families under poverty lines. SCADP's mission is to create opportunity for disadvantaged children to grow

physically, socially, emotionally, intellectually, culturally, vocationally and in terms of economic and environmental security without any discrimination. Children are collected from the street. They are given non formal education, which is designed to help to formal school integration. Vocational training, credit and saving teachings as well as life skills are also offered to them. SCADP is working with 23 non-formal education centres, and is member of networks working on the issues of the street children. The organization is working with the charitable support of the donors and individuals, and to face with the poverty of the families, used materials are kept and given. The organization is not affiliated to any political parties, and sometimes political issues from the local authorities have to be coped with.

Mrs. Yim Sokhary mentioned that SCADP has been extending its projects and is now working not only in Phnom Penh but also in Prey Veng Province and Preah Vihear Province among remote communities.

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For Mr. Ngy San, acting director of the Disability Action Council, disabled children were facing a lot of difficulties in Cambodia. The Disability Action Council (DAC) is a permanent body made up of representatives from the Cambodian Government as well as from non-governmental aid organizations who are committed to working for the well-being of Cambodia's people with disabilities. The mission of the Disability Action Council is to initiate, secure and coordinate the services necessary for people with disabilities, and to enable them to enjoy the same rights to opportunities for employment and quality of life as others in society.

Mr. Ngy San, reminded that most disabled children didn't go to school, despite the fact that many of them didn't have serious disabilities. The UN Convention on the Rights of the Child states that children with a disability, no matter how severe, have a right to an education that promotes their fullest potential and their inclusion in society. In Cambodia, a basic education is a luxury that many parents cannot afford for their children. Children with disabilities are particularly marginalized. There are a small number of special schools run by charitable organizations and an unquantifiable number of children with disabilities are attending local regular schools but there is currently no specific support provided to them or their teachers. However the vast majority of children with disabilities are not receiving any education at all.

The Ministry of Education, Youth and Sport has recognized the needs of children with disabilities and seeks to develop appropriate education opportunities for them. However the Ministry recognizes that its staff has only a very limited understanding of the issues and seeks support for significant capacity building. Formal training opportunities and awareness raising visits to see disability programmes can go some way to fill this capacity deficit. Teachers require basic formal training along with ongoing follow up support, so that they can learn by doing. DAC has been developing this model of capacity building in its Inclusive Education pilot site in Svay Rieng.

The Ministry of Education, Youth and Sports has set itself the goal of achieving Education for All by 2010-15 and has adopted Inclusive Education as its vision. In this respect, the Disability Action Council has been carrying out activities and projects to support the Ministry to achieve its objectives with regard to children with disabilities. Access to education for

children with disabilities is a vital means of empowerment and self help. Children with disabilities face the same difficulties as other educationally marginalized groups such as girls and ethnic minorities; however they have their own unique needs. Access to education is not enough if a child with a disability is not fully integrated into the school environment and if their special educational needs are not accommodated. Some children will require rehabilitation services and assistive devices to enable them participate in mainstream schools. A minority of children with severe and multiple disabilities will never be able to attend regular schools. These children require special facilities where they can learn and develop to their potential.

Since September 1999 the DAC has been coordinating the Project to Develop Education Opportunities to Meet the Specific Needs of Children with Disabilities. The Project's objectives of awareness raising and training, development of teaching and training materials and national policy development have succeeded in laying the foundations of education for children with disabilities. The Ministry of Education, Youth and Sport has fully recognized the rights of children with disabilities to education but this is still a new area for the Ministry and they require further support. That is why the DAC is in the process of conducting a Project whose goal is to develop appropriate, high quality, coordinated and sustainable education services for children with disabilities in Cambodia and which aims to set Cambodia along the path towards inclusive education for all children with disabilities

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During the discussions, some participants questioned whether there was a difference between needs-based Education and rights-based Education.

According to Mr. Olof Sandkull, in a Needs-based education, if you don't have a school, there is a need for education, and therefore the first thing to do is to build a school, to train the teachers and to print the textbooks. Then education can be provided. In a rights-based education, the need is also recognized, but the goal is to fulfil the right to education immediately. Therefore, education has to be provided instantly, whatever the place of the condition of teaching, under a tree or in a pagoda, or in any facility available. Later on, to improve the situation of education, the school can be built. In a needs-based education, it is a service delivery: the recipients wait for the service to be delivered and then they can take part in the education process. In a rights-based education, the right to education is fulfilled when the beneficiaries can be immediately take part and participate to the education process.

Mr. Paolo Fontani stated that the basic difference was that, putting education as a basic human right is a way to make it accessible for every single person. In this approach, the Government has the obligation to provide education, and everyone can correspondingly claim the achievement of this obligation.

Ms. Upala Devi Banerjee, Regional Project Coordinator - Lessons Learnt Project, at the Office of the High Commissioner for Human Rights of Bangkok, reminded that behind a Rights-based approach to education, were the underlying principles of participation, empowerment, accountability, transparency, and sustainability. Sustaining the means to education is beyond

just providing basic education to someone and involves the participation of the learners, community and teachers in the process of education. A needs-based education is a service delivery, and doesn't imply the participation of everyone. Children are just passive recipient of the process.

Ms. Upala Devi Banerjee pointed out that in some countries, parents are allowed to be fined if they don't send children to school for a variety of reasons. Under a rights-based approach to education, both the duty bearer and claims holder have corresponding obligation. The government can be held accountable for not delivering education, and can be taken to court if education is not available. For example in India, the right to education is written in the Constitution. Parents can be fined, but in return, they can bring the Government to court, if free, fair and quality primary education is not provided to children.

A needs-based education is about what you don't have, a rights-based Education is what you are entitled to have, for Mr. Laurent Meillan. Rights-based Education is not only about privileges, it is more about entitlement. In this approach, individuals have rights which are leading to obligation from others, and this brings about accountability. A rights-based education is a way to provide a compelling framework that aims to balance the control of educational and cultural resources. It is somehow a tool to equalise power between individuals and the group, a means to a special attention to vulnerable groups.

Dr. Supote Prasertsri raised that everyone is entitled to education, but disabled have special needs, for example schools with facilities. In this respect, teachers need special training and methods for teaching to children with special needs (blind or deaf children for instance). Needs are different whereas the right is the same.

For Mr. In The, the goal of education is not to discriminate against or in favour of anyone. Anyone who lives on the Cambodian soil should have the same access to education. Even children of the ethnic minorities of north eastern Cambodia, should have opportunities to learn, for example through bilingual education. There is a special education office within the Ministry of Education, Youth and Sports, but experience and knowledge are lacking and therefore capacity building is crucial in this area. As to the issue of forcing the children to go to school, based on the social and economic status of Cambodia, it is very difficult to impose and ensure compulsory education. There should be some punishments of fines, but taking into account that 36 % of Cambodians live below the poverty line, compulsory education will have for only consequences to make things worst for them. The intention of Ministry of Education, Youth and Sports is to provide scholarship and financial supports to the children who are poor.

Replying to the remarks of Ms. Upala Devi Banerjee, Mr. In The made clear that the Cambodian legislation doesn't have a law fining parents who do not send children to school. An education law is currently under process, and one of the points debated is, whether there should be fines for parents who do not send children to school.

Responding to another question, Mr. In The explained that the government doesn't have a ban on the enrolment of immigrant children. If in some cases, local schools don't accept children, it might be because parents don't have enough papers or documents as birth or health certificate.

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Mr. Choeung Choeun, presented the activities of the Association for Supporting Disabled People (ASDP), whose vision is to help to integrate disabled people into the society. Despite the many obstacles and difficulties faced by the organization, as the lack of financial and human resources, the organization has been conducting many activities.

During 2003 and 2004 the Association for Supporting Disabled People has implemented a project, "Integrative Community Development", with the support of UNESCO. Activities in the framework of this project included promotion of education, basic class of Non-Formal Education, income generation skills in the field of agriculture and computer training. Many reasons are preventing disabled children to have access to school as the poverty of the families, or the material difficulties to access some locations. But one of the biggest impediments to their schooling is the fact that parents do not frequently value education for handicapped children, and use to think that they should stay at home. The project, which targets Banteay Meanchey province and Battambang Province, is now focusing not only on children with disabilities but also children coming from poor family.

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Mrs. Dor Soma, from the non-governmental organization Wathanakpheap, shared two points regarding their implemented activities. Wathanakpheap is devoted to furthering community development and implementation of children's rights in Cambodia. Wathanakpheap has a project related to income generation. The organization is dispensing technical and agricultural training. In order to generate income, micro and financial services (credits and loans) are provided to the poor so they can send their children to school. In addition, the organization has developed a community owned education and skill training programs, in particular to address the children who dropped out school (preschool, primary school and literacy). Lot of girls are attending the training offered. Wathanakpheap also propose activities to raise awareness on child right to education.

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Mith Samlanh/Friends is a non-governmental organization whose mission is to ensure the social reintegration of street children through family (when possible and appropriate, employment, public school and culture. As explained by Mr. Oun Monileap, the organization is running 12 programs (including 9 centers) for street children, their families and their communities. The main activities are based in Phnom Penh, but it runs programs in 6

provinces (mainly Kampong Speu and Kampong Cham). Mith Samlanh is currently providing extensive and comprehensive services to an average of 1,600 children per day.

Through its outreach programme, Mith Samlanh/Friends has for objective to link with children and provide them with services allowing them to leave the streets or get involved in non-harmful income generating activities. Teams are working directly in the streets, day and night, and provide basic health care, street education, including a mobile library that encourages children to read and attend school, sports and games, life skills information and awareness (HIV/AIDS prevention, substance misuse prevention, Child Rights and child protection information). Children on the streets are taught to protect themselves and explore safe income generating activities. Alternatives and options to street life are explored with the children and life plans are designed supporting children to move away from street life

The training Center provides vocational training to street youth, building improving their self-confidence and allowing them to access gainful employment. 350 students over the age of 14 years, have access to vocational training that includes the choice between mechanics (motorcycle and car), electronics (radio and TV repair), electricity (repairing electric appliances and setting up the electrical systems), sewing, hairdressing for men, cooking (Khmer and Western style), commerce, beautician, farming (animal husbandry, vegetable growing) and welding. Training is self-paced designed as a modular system and is built around hands-on experience through businesses open to the public. Students have also access to literacy, language and life skills classes. All graduates receive a diploma recognized by the Government.

The educational Center is designed to provide children with literacy classes as well as remedial classes allowing them to reintegrate the public school system. Specifically trained teachers teach up to 250 children under the age of 14 years in the remedial Primary School. Non formal education methods and material are developed in collaboration with the Faculty of Pedagogy and implemented from pre-school level to grade 5 of Primary. Additional activities include a library, an arts class, sports, culture and field trips. This system supports children to catch up many levels allowing them to rapidly reintegrate the public school system.

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Mr. Glenn Miles, Children at Risk facilitator from Tearfund, a relief and development organization, pointed out the need to address violence in school. According to him, 68 % of children have ever seen another child beaten by a teacher. 24 % of girls and 35 % of boys have ever been beaten by a teacher. Regulations have been issues by the Ministry of Education, Youth and Sports about the discipline issues in school, but they seem to be insufficient. What is really needed is a real child protection policy, which addresses the methods of teachers inappropriately using violence. The Ministry of Education, Youth and Sports should be in the position to train teachers in alternative effective non violent forms of discipline.

Tearfund is also developing training for children and would like to a certain extent make it available as a form of non-formal education. This training is using karaoke for medium of

instruction. Interest has been showing in kind of instruction but secure funding is needed to make it available for non-governmental organizations working in the non-formal sector.

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Mr. Mey Sovannara, project officer at the Cambodian League for the Promotion and Defense of Human Rights (LICADHO), stressed the point that if education requires participation from everyone, non-governmental organizations are frequently working in financial hardship, leading sometimes to bankruptcy. Organizations working with disabled students should organize a committee and prepare a panel project aiming at integrating into curriculum of the National Institute of Pedagogy, trainings for the teachers who are going to work with handicapped children.

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Mrs. Chan Ratanak Ubol, from the Cambodian Women Development Association (CWDA), highlighted that the delicate situation of women and children from the disadvantaged families, which should be specifically taken into consideration. The Cambodian Women Development Association's philosophy is to promote self-sufficiency and self-reliance in Cambodian communities and the advancement of women's economic and social rights. It seeks to address the socio-economic and psychological problems resulting from Cambodia's two decades of civil war and political instability by empowering women in both their productive and reproductive capacities through education, organisation, self-development, access to resources, advocacy and cooperation. To increase access to education for women, the organization is implementing a certain number of programs. In addition to non-formal education to women and girls, the Cambodian Women Development Association is having literacy class and is focusing on income generation with a program in saving and credit. To Mrs. Chan Ratanak Ubol, the active participation of the community is indispensable to make education accessible.

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In response to a question raised by Ms. Upala Devi Banerjee, Mr. In The underscored that the Ministry of Education, Youth and Sports has an office dealing with the special needs of the children in term of education. Besides, the Cambodian Government is willing to collaborate with non-governmental organizations which have available programmes targeting children. There is a close cooperation and these organizations which are working in the field

of education, are integrated together into a network, NGO Education Partnership (NEP) which is working closely as a main partner with the Ministry of Education, Youth and Sports. In some cases, the Ministry of Education, Youth and Sports, takes over projects which were previously handled by non-governmental organizations, when external sponsorships from donors are not anymore available, in order to sustain the project.

Mr. Olof Sandkull made clear that accessibility is about the elimination of exclusion or discrimination. One area to focus on is the collection of data: very few data on each group and to what extent they are excluded are available. In many cases, they are invisible. We need to know first who is excluded, then we can work on the measures to bring the people involved back to school, and on the removal of the barriers to education. Buildings have also to be made available. It is something to take into account at the stage of the construction of the new schools. Curriculum and textbooks have to be reviewed to ensure that they are not negative to people with disabilities and minority groups.

Dr. Supote Prasertstri, shared two comments. First, he drew attention on the fact that Cambodia is one of the only countries to have more soldiers than teachers. Donors, and in particular the World Bank, have approved large funding to the country. The grants and loans would allow the Government to construct more school infrastructures, in more communes and sub-districts. Then, Dr. Supote Prasertstri emphasized the capacity and experience of non-governmental organization concerning education to learners in special need. The vicious circle of poverty and illiteracy can be broken through education, associated with good governance. In this respect, the Rectangular Strategy of the Royal Government of Cambodia is an important step toward that direction.

For Mr. In The, initiatives should focus on maintaining and retaining children in school. One cause of the high rate of dropping out is the distance of school. It especially happens when there is transition from one educational level to another and in consequence children have to change educational level and schools. The Ministry of Education, Youth and Sports has therefore strived for the establishment of lower and upper secondary school in most the communes. Another important way to bring schools closed to children is through the development and improvement of means of transportation to school. The Ministry of Education, Youth and Sports has also requested local authorities not to increase age of the children to permit them to work in the factory.

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Venerable Muny Van Saveth, who heads the Wat Norea Pagoda in Battambang, indicated that resources of the community shouldn't be neglected and could be an important factor in the development of the Country. According to him, values and beliefs of Buddhism are relevant to the country's effort to deal with illiteracy and the HIV/AIDS epidemic. In 1992, he established Norea Peaceful Children at Wat Norea, which has since cared for over 400 orphans and children in need. It guided orphans (children aged 4-14 years old) to attain stable lives and become good citizens. The Pagoda provided shelter, food, basic health care, training, and education based on Buddhist principals, traditional culture, social values and

language training. The Pagoda has also provided care to over 60 adults living with HIV/AIDS. Where possible, children living at NPC are reintegrated into their local community, whether through their immediate or extended family, or through other community members. A peer educator project for “monks teaching monks” was also set up. As far as the meager funds allow, monks from Norea Pagoda visit other temples to educate other monks.

Venerable Muny Van Saveth expressed his wish to expand the project nationwide. The country should reduce its reliance on donors and external help. Resources of the community could be locally mobilized and maximized. In this perspective the potential to be taken advantage of is substantial, with about 6,000 pagodas in Cambodia which could be turned into classrooms, with trained monks as teachers. The availability of Education throughout the country could be greatly increased.

Emphasizing the fact that Cambodia should draw on existing networks and community ties, Mr. In The said he was favourable to the organization of a consultative meeting with monks and to the preparation of a project proposal, which will promote the use of pagodas as community learning center.

Mrs. Sieng Sovathana, Director of the Preschool Education Department at the Ministry of Education, Youth and Sport, explained how the Ministry was working with the non-governmental and international organization to strengthen the quality of Education. The Ministry is developing, with the support of non-governmental organizations (Care International, Disability Action Council, Save the Children Norway) and international organizations (UNESCO, UNICEF), a number of pilot programmes and projects, which should be largely expanded and extended throughout the country after appraisal.

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Some participants, as Mrs. Nhim Vanchankan, Directorate of the Inspectorate of Education, brought up the fact that quality of education depends not only upon resources but also and above all on creativity. Alternative forms of schooling should be envisaged. Methodologies don't need to be the same. Solutions can be combined to make the most of formal and non-formal education. Entertainment activities should be included alongside academic activities to make the process of learning more effective. The learner desires have to be paid attention to.

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Mrs. Meg Endo, from the Girl Education Unit of Care International in Cambodia, explained that her organization was in the process of introducing rights-based approach, not only in the field of Education but in all the projects and programmes linked to development. If the

organization was historically seen as a great implementer, Care International is progressively moving to a role of facilitator. The organization is currently leading a project on girls education in the Province of Prey Veng, which is designed to improve the environment for girls access to education, through scholarships, literacy classes and non-formal education, raising awareness of the community and collaborative meeting with the community council.

Mrs. Meg Endo indicated that in its initiative, the organization was facing numerous challenges as the requirement to meet the immediate needs of the population (short term) and to realize the right to education (long term) at the same time. Usually donors provide funds for short term, and that is absolutely not enough to achieve the rights to education. It is also sometimes very difficult to get the motivation from the community people to carry out the invisible asset which the right to education. Although Care International is in contact with multiple actors, the organization is working mostly at the community level, and has introduced a new aspect in the implementation of the projects, which is the accountability to the community. At the end of each project, reflection workshops with the community are organized to get the perceptions, to ask the people what they felt, what they learnt through the activities carried out.i

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Replying to the participants concerns and interrogation of the feasibility of the quality of education, Mr. Paolo Fontani quoted the Dakar Framework of Action adopted in 2000:

“Governments and all other EFA partners must to work together to ensure basic education of quality for all, regardless of gender, wealth, location, language or ethnic origin. Successful education programmes require:

- (1) healthy, well-nourished and motivated students;
- (2) well-trained teachers and active learning techniques;
- (3) adequate facilities and learning materials;
- (4) a relevant curriculum that can be taught and learned in a local language and builds upon the knowledge and experience of the teachers and learners;
- (5) an environment that not only encourages learning but is welcoming, gender-sensitive, healthy and safe;
- (6) a clear definition and accurate assessment of learning outcomes, including knowledge, skills, attitudes and, values;
- (7) participatory governance and management; and
- (8) respect for and engagement with local communities and cultures”

Mr. Paolo Fontani drew attention to the fact that all the elements pertaining to quality of education are related to the implementation of human rights. For example, a gender-sensitive environment implies equality. Well-nourished students designate the respect of the right to food. A healthy and safe environment for children implicates that schooling has to follow human dignity of children, and brings about the issue of corporal punishment. Therefore, quality of education for all cannot be seen as the only increase of material inputs into the schooling system. The concept is moving towards other considerations relying upon the aims, the final goal of education.

Mr. Leang Nguonly, Deputy Director General of the General Department of Education, raised that the quality of education evolves with the changing needs of society and of the world. In his opinion, the difference between the action of the Ministry of Education, Youth and Sports and the action of the non-governmental and international organization lies in the fact that the Ministry addresses education in a very systemic and general way whereas non-governmental and international organizations tackle education under particular angles with a specific target. It is thus easier to see the tangible benefits of their actions, in contrast with public schools, which provide general education and knowledge. Students don't however know how to link the skills and their livelihood. The Ministry of Education, Youth and Sports is working on that, and has developed new public education curriculum, which include life skills that are locally or area oriented to meet individual needs.

Mr. Leang Nguonly added that the Ministry of Education, Youth and Sports has never instructed teachers to get or extort money from students, and this is completely against the policy of the Government. Efforts of the Ministry are oriented towards the construction of more schools, encouragement to parents to send their children to school, and help to poor families and students regarding the tuitions through scholarships for instance. The Ministry cannot nonetheless address all the poor families, and has to take into account the type of poverty to solve problems.

Some participants asserted that the most important aspect of quality of education is "learning to be", and based on this idea, core values of society should be included in education like trustfulness, respect, accountability or responsibility, friendship and citizenship. In addition to the acquisition of morals, Children have to be prepared to face society and compete. Notwithstanding, it was brought forward that examinations and tests can only take into account the process of learning to know, not the other parts of the process of learning, like learning to be.

## V. Recommendations and outcomes of the meeting

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The National Consultative Meeting was successful insofar as it facilitated the dissemination among Cambodian authorities (policy level) as well as among non-governmental organizations (grassroots level) of the concept of Rights-based Education. The sharing of experiences show to a large extent that, although they were not really aware of the concept of Right-based Education, participants were daily working in order to make education more available, accessible, adaptable and acceptable in Cambodia, or in other words, they were putting into practice and implementing the idea of Right-based Education.

The National Consultative Meeting followed a series of meeting organized on the issue of Rights-based Education, as the Regional workshop on Universalizing the Right to Education of Good Quality: A Rights-based Approach to Achieving Education for All, in Manila, Philippines, from 29 to 31 October 2002. Although there is a raising awareness of the subject, the concept was totally unknown and unfamiliar in Cambodia. The next step to go further in the process is to develop follow-up actions on each component (accessibility, availability, adaptability and acceptability). It will be appropriate to expand and go further into the dissemination of the concept of Rights-based Education, not only to Cambodian authorities and non-governmental organizations, but also to formal schools practitioners.

After the discussions, the participants agreed on the adoption recommendations, on the policy and grassroots levels.

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The participants in the National Consultative Meeting on Rights-based Education in Cambodia recommended that the government, and particularly the education authorities:

- ❖ Consider the right to education as a fundamental human right that enables the realisation of all other human rights;
- ❖ Include all aspects of rights-based education in the new education law soon to be discussed in the Parliament, and namely ensuring the principles of equity, non-discrimination, participation, inclusiveness, accountability;
- ❖ Ensure that the new educational law and policy provide a definition of quality education that is rights-based and clearly spells out and adapt to the Cambodian

education system the four pillars of education: learning to know, learning to do, learning to be and learning to live together;

- ❖ Ensure that the new education law provides for the needs of most disadvantaged families, and *does not* contain any provision that could penalise them even further with fines for non attendance;
- ❖ Increase national budget allocation for education and mobilize local available resources (e.g. pagodas, Buddhist monks, community classrooms)
- ❖ Widely disseminate information on right-based education within the communities
- ❖ Take into account, in their work to ensure the right to education for all, the observations of the different United Nations treaty-monitoring bodies related to the realisation of the right to education in Cambodia. The government is encouraged to engage in a dialogue with such bodies in order to seek support of UN agencies and donors to address the priorities identified.
- ❖ Take all necessary measures to prevent teachers from charging tuition fees from the students during the public hours of instruction, as increase of the education budget and raise in the teacher salary
- ❖ Expand the contents of the early childhood education in education law with financial and technical supports from the related institutions.
- ❖ Develop efficient teacher trainings (initial as continuous) which should be field oriented and based on active teaching methods taking into account experiences of learners and
- ❖ Promote formal and non-formal education in marginalized and remote areas where education is not adequately available and accessible, as well as inclusive education policies aiming minorities, disadvantaged and disabled children.
- ❖ Increase the roles of media such as TV, radios, or magazines to serve educational purposes
- ❖ Materially and spiritually support poor children in order for them to finish the secondary education and reduce the dropout rates
- ❖ Prepare a series of training workshops on mainstreaming rights-based education for education officials at all levels and education practitioners,
- ❖ Organise another consultative meeting to monitor the implementation of the recommendations adopted after the discussions.

## VI. The closing ceremony

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During the closing ceremony that marked the end of the National Consultative Meeting on Rights-based Education in Cambodia, Mr. Etienne Clément, Representative of UNESCO in Cambodia, Mrs. Upala Devi Banerjee, Regional Project Coordinator at the Office of the High Commissioner for Human Rights in Bangkok, and Mr. Leang Nguonly, Deputy Director General of the General Department of Education, successively made closing addresses.

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On behalf of the United Nations Cambodia Office of the High Commissioner for Human Rights, Mrs. Upala Devi Banerjee expressed her pleasure to support and to be a participant of this National Consultative Meeting on Rights-based Education in Cambodia. Cambodia has been through a post conflict situation, and the country is now in process of rebuilding and reconstructing. Examples from all around the world show that education has been a key in putting the national agenda for development forward. But what is envisaged is not only Education, but a Rights-based Education which is free, fair, equitable, of quality, and of access to all without discrimination.

Mrs. Upala Devi Banerjee mentioned that participants did succeed in the adoption of recommendations at the end of this two-day meeting. Nevertheless, according to her, the process has just taken root and there is a long way forward. The meeting is a step taken in the right direction, in putting together a forum that could play a major role in the participation and collaboration of all stakeholders.

Mr. Etienne Clément first expressed his deepest thanks to the Ministry of Education, Youth and Sport and the Office of the United Nations High Commissioner for Human Rights for

organizing this National Consultative Meeting which is an important step in the full implementations of the obligations subscribed by the Government to integrate Human Rights within the Education policy. The discussion on the recommendations was a very interesting process, and shows the enthusiasm of the participants.

According to Mr. Etienne Clément, it is an obligation to make education more available. Primary education is to be free and compulsory. It is affirmed by all of the key international treaties, including the Universal Declaration of Human Rights and the Convention on the Rights of the Child. There is a close correlation between lack or low levels of education and poverty, both individual and societal. Poverty feeds lack or low level of Education and vice versa.

In terms of access to education, all forms of discrimination should be eliminated. Education for All must take into account of the need of the poor and the most disadvantaged, including working children, remote rural dwellers and nomads, ethnic and linguistic minorities, children, young people and adults affected by HIV/AIDS, hunger and poor health, and those disabled, with special learning needs.

Building on efforts to achieve greater and more equitable access to education, we should also work to ensure the quality and relevance of children's learning experience. Indicators should be developed to assess progress toward quality education for all. In this perspective, every child can be offered the chance to develop to his or her own full potential.

Finally, Mr. Etienne Clément stressed that Education and Schools systems must necessarily adapt to the various needs of individual students, rather to expect children to fit in with a prescribed syllabus or manage with whatever facilities are in place. Education is vital in the transmission of core values from one generation to the next, and to help in the elimination not only of poverty, but also of racism, religious intolerance and other reasons for social disharmony.

Representative of UNESCO in Cambodia concluded by stating that the requirements and challenges of achieving the right to education for all are standing before us. But the discussions that took place during this National Consultative Meeting, will feed all the other processes at the policy level, as well as the work at the grassroots level.

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Mr. Leang Nguonly, expressed his profound thanks to UNESCO which has been supporting the Ministry of Education, Youth and Sports for the past years and which has made this National Consultative Meeting on Rights-based Education possible. The results of the meeting will contribute largely to the development of the Education law that should benefit everyone.

The speaker underlined that this National Consultative Meeting was a very good opportunity for implementers of education activities, to share ideas and experiences. This initiative will contribute to make education develop to a satisfactory extent. The Deputy Director General of the General Department of Education expressed his gratefulness to all the non-governmental organizations which made presentation the activities implemented in various

places. He recognized the excellent quality of the work and activities conducted by the organizations in the field on the grassroots level. They however should, as far as possible, work closely in cooperation with the Ministry of Education, Youth and Sports by notably informing the Ministry leadership of what is actually being done. In this way, they can be provided with support by the Ministry of Education, Youth and Sports which can disseminate information to other institutions. Mr. Leang Nguonly highlighted the various principles of partnerships linking the governmental action to the activities of the non-governmental and international organizations. It is step by step, with the support of everyone that the Government is progressively implementing Rights-based Education in Cambodia.

Then, Mr. Leang Nguonly officially declared the closing of the National Consultative Meeting on Rights-based Education in Cambodia.

## Appendix 1: Agenda

### Thursday, 3 February 2005

- 7.30-8.00      **Registration of Participants**
- 8.00-8.15      **Arrival of the Guests of honor**
- 8.15-8.40      **Opening Ceremony**
- 8.15            **National Anthem**
- 8.20            **Opening Speeches:**
- Mr. Etienne Clément, Representative of UNESCO in Cambodia
  - Representative of the United Nations Office of the High Commissioner for Human Rights
  - H.E. Dr. Kol Pheng, Senior Minister and Minister of Education, Youth and Sport
- 8.40-9.00      **The Situation of Education in Cambodia according to each of the six EFA Goals and MDGs**  
 H. E. Dr. Nouth Bounvoeurn, Under Secretary of State of the Ministry of Education, Youth and Sport and Secretary General of the EFA Secretariat  
 Ms. Kuy Phalla, Deputy Director, Planning Department of the Ministry of Education, Youth and Sport
- 9.00-9.30      **Open Discussion**
- 9.30-10.00     Tea Break
- 10.00-10.15   **Presentation of the Right to Education and Human Rights Education**  
 Mr. Paolo Fontani, Programme Specialist, Section for Peace and Human Rights, UNESCO Paris

- 10.15-10.30     **Integrating Human Right in Education: Conceptual and Legal Framework**  
Mr. Laurent Meillan, Human Rights Officer, UNOHCHR Cambodia
- 10.30-10.45     **Presentation of the Manual on Rights-Based Education  
Governmental obligations making Education Available, Accessible,  
Acceptable, and Adaptable**  
Mr. Olof Sandkull, Associate Expert on Human Rights and Education, UNESCO  
Bangkok
- 10.45-12.00     **Open Discussion**
- 12.00-1.30     Lunch Break
- 1.30-3.15     **Making Education Available in Cambodia: Sharing National Experiences**  
Free and compulsory primary education for all children  
*Discussion among the participants on the relevant projects*
- 3.15-3.45     Tea Break
- 3.45-5.30     **Making Education Accessible in Cambodia: Sharing National Experiences**  
Elimination of all forms of discrimination in access to education  
*Discussion among the participants on the relevant projects*

### **Friday, 4 February 2005**

- 8.00-9.45     **Making Education Acceptable in Cambodia: Sharing National Experiences**  
Quality and relevance of children's learning experiences  
*Discussion among the participants on the relevant projects*
- 9.45-10.15     Tea Break
- 10.15-12.00     **Making Education Adaptable in Cambodia: Sharing National Experiences**

Education adapted to the best interests and various needs of each child

*Discussion among the participants on the relevant projects*

12.00-1.30 Lunch Break

1.30-2.15 **Discussion and Feedbacks from Stakeholders**

2.15-3.45 **Summary and Adoption of the recommendations**

3.45-4.15 Tea Break

4.15-4.45 **Closing Ceremony**

- Mr. Etienne Clément, Representative of UNESCO in Cambodia
- Representative of the United Nations Office of the High Commissioner for Human Rights
- Representative of the Ministry of Education, Youth and Sport

## Appendix 2: List of participants

### Senate

1. **H.E. Mrs. Men Maly**, Chairperson, Commission of Human Rights and Reception of Complaints
2. **H.E. Mr. Kong Korm**, Chairman, Commission of Education, Religious Affairs, Culture and Tourism
3. **H.E. Norodom Diyath**,

### Cambodian National Commission to UNESCO

4. **Mrs. Tan Theany**, Secretary General
5. **Mr. Yos Eang**, Deputy Secretary General

### National Commission for Human Rights

6. **Mr. Pon Pisedh**, Member

### The Council for Legal and Judicial Reform

7. **Mr. Suong Leanghay**, Deputy Director

### UNESCO

8. **Mr. Etienne Clément**, Representative of UNESCO in Cambodia
9. **Dr. Supote Prasertsri**, Education Programme Specialist, UNESCO Phnom Penh
10. **Mrs. Tey Sambo**, Programme Officer, UNESCO Phnom Penh
11. **Mr. Olof Sandkull**, Associate Expert on Human Rights and Education, UNESCO Bangkok
12. **Mr. Paolo Fontani**, Programme Specialist, Section for Peace and Human Rights, UNESCO Paris
13. **Mr. Khieu Vicheanon**, Project Officer, UNESCO Phnom Penh
14. **Mrs. Leena Kuorelathi**, Project Officer, UNESCO Phnom Penh
15. **Mrs. Sue Fox**, Project Officer, UNESCO Phnom Penh
16. **Mr. Farice Quinio**, Consultant, UNESCO Phnom
17. **Mr. Krishna K.C.** Project Coordinator, Koh Sla
18. **Kong Sambon**, Koh Sla Project
19. **Mr. Min Maly**, Koh Sla Project, Kampot Provincial Office
20. **Mr. Nouch Thoeun**, Koh Sla Project, Chhouk District Office
21. **Mr. Tan Don**, UNESCO
22. **Mrs. Heng Sothavy**, UNESCO
23. **Mr. Suos Chanthul**, UNESCO

### UNOHCHR

24. **Mrs. Margaret Picken**, Director of the UNOHCHR in Cambodia
25. **Mr. Laurent Meillan**, Human Rights Officer, UNOHCHR in Cambodia

26. **Ms. Upala Devi Banerjee**, Regional Project Coordinator - Lessons Learnt Project, OHCHR Bangkok

Ministry of Education, Youth and Sport

27. **H.E. Dr. Kol Pheng**, Senior Minister and Minister of Education, Youth and Sport  
 28. **Mr. Leang Gnuon Ly**, Deputy Director General, General Department of Education  
 29. **Mr. In The**, Director, Non-Formal Education Department  
 30. **Mrs. Sieng Sovathana**, Director, Pre-school Education Department  
 31. **Mr. Chhun Son**, Vice Director department of Training and retraining  
 32. **Mr. On Sa Im**, Head of Administration Department  
 33. **H.E. Dr. Nath Bouroeun**, Under Secretary of State, Ministry of Education, Youth and Sport  
 34. **Mr. Kong Chamroeun**, Vice Head, NFE Office, Siem Reap, Provincial Education, youth and Sport Department  
 35. **Ms. Kuy Phalla**, Deputy Director, Planning Department  
 36. **Mr. Ou Eng**, Coordinator, EQIP Project  
 37. **Mr. Eung Borath**, Director of Provincial Education Office, Uhdor Meanchey  
 38. **Dr. Nhim Vanchankan**, Director of the Inspectorate  
 39. **Mr. Nhem Thim**, Department of Non Formal Education  
 40. **Mr. Mok Pheoun**, Department of Non Formal Education  
 41. **Mr. Yin Sokha**, Department of Non Formal Education  
 42. **Mr. Sieng Sorvathana**

Universities and schools

43. **Mr. Te Chan Sokunthy**, Regional Pedagogical Teacher Training School, Kandall Province  
 44. **Mr. Ly Chung Theng**, Director, Inspection Department, Kandal Provincial Education Office  
 45. **Mr. Nou Chan Sophy**, Rector, Khemarak University  
 46. **Mr. Lav Tea Sorng**, Deputy Director, Preah Sisowath High School  
 47. **Mr. Seng Lim**, Director, Preah Sisowath High School  
 48. **Kheur Rumni**, Professor, Preah Sisowath High School  
 49. **Mr. Yim Sophorm** RUPP  
 50. **Mr. Rath Chhang**, RUPP

Ministry of Women and Veteran Affairs

51. **H.E. Mrs. San Sarun**, Under Secretary Ministry of Women's Affairs  
 52. **Mrs Chou Bun Eng**, Director General of Social Development

Ministry of Economy and Finance

53. **Mr. Ker Chantheaborirak**

## NGO Practitioners from Phnom Penh and Provinces

54. **H.E. Mr. Lao Mong Hay**, Legal Unit, Center for Social Development
55. **Mr. Choeung Sovannarith**, Pour Un Sourire d'Enfant
56. **Mrs. Yim Sokhary**, Director, Street Children Assistance and Development Programme (SCADP)
57. **Ms. Ly Sophat**, Director, Mith Samlanh-Friends
58. **Mr Chan Ratanak Ubol**, Cambodia Women's Development Agency (CWDA)
59. **Mrs. Ny Sorphonneary** ADHOC
60. **Mr. Mey Sovannara** Project Officer, LICADHO
61. **Mrs. Por Tieng**, Director, Development Association of Cambodia
62. **Mr. Hem Phang**, Director, Khmer Association for Vocational Training and Vocation
63. **Ms. Dor Soma**, Deputy Director, Wathanakpheap, Phnom Penh
64. **Ms. Marie-Noelle Laforest**, Wathanakpheap, Phnom Penh
65. **Mr. Kim Meng Lim**, Aide et Action
66. **Ms. Lena Richter**, Resident Representative, Save the Children Norway
67. **Mr. Keo Sarath**, Save the Children Norway
68. **Mr. Ngy San**, Acting Director, Disability Action Council (DAC)
69. **Mr. Kong Vichetra**, Disability Action Council (DAC)
70. **Mr. Glenn Miles**, Tearfund
71. **Mr. Chan Sok Ieng**, Krousar Thmey
72. **Ms Meg Endo**, Girl Education Unit, CARE Cambodia, Prey Veng
73. **Mr. Sok Ratanak**, Deputy Director (PKKO), Kandal Province
74. **Mrs. Tith Davy**, Executive Director, Operations Enfant De Battambang (OEB), Battambang
75. **Mr. Sok Sophea**, Co- Director, Organization for Peace and Development of Cambodia, Kampot
76. **Ms. Valérie Magneux**, Organization for Peace and Development of Cambodia, Kampot
77. **Mrs. Nou Neath**, Director, Provincial Training Center, Kampot Province
78. **Mr. Choeung Choeun**, Association Supporting Disabled People, Banteay Meanchey
79. **Mr. Jean Christophe Sidoit**, Director, Phare Ponleu Selpak, Cultural and Artistic center, Battambang
80. **Mr. Saing Sopheap**, Phare Ponleu Selpak, Cultural and Artistic center, Battambang
81. **Mr. Prum Vonn**, WCRD, Kratie
82. **Ven Muny Van Savath**, Wat Norea, Battambang
83. **Mr. Thong Sarun** Director, Vocational Training for Alleviation of Poverty and Social Development, Pursat

## UN Agency

84. **Ms. Perseveranda So**, Head of Education Section, UNICEF
85. **Ms. Chea Channdy**, Gender Advocacy UNFPA

## Bilateral Donors

86. **Mr. Slaes Leigon**, Counselor, SIDA / Embassy of Sweden
87. **Mr. Sok Narom**, SIDA /Embassy of Sweden
88. **Ms. Vittersprot Iris**, Belgian Technical Cooperation
89. **Mr. Men Nimmith**, European Union
90. **Mr. Louis Arsac**, Ambassade de France
91. **Mrs. Ai Miura**, JICA