

Introduction

The right to education is a universal human right and indispensable for the exercise of other human rights. Education is a public good and constitutional right. Article 25 A of the Constitution of Pakistan guarantees free and compulsory education to children between the ages of 5 to 16 in Pakistan. Nevertheless, getting children to school has proven to be a consistent challenge for the state. According to United Nations International Children's Emergency Fund (UNICEF), an estimated 22.8 million children between the ages 5 to 16 (44% of the total children in Pakistan) are out of school.¹ This is the second highest number in the world after Nigeria. At the primary level, 5.06 million children of primary-school age are out of school. At the middle, high and higher secondary level, the out of school children are 6.51 million, 4.97 million and 6.29 million respectively. An estimated 22.84 million Pakistani children - nearly half of school-age children- do not go to school. Girls are not learning as much as boys. Of the Pakistani children, who are out of school, 12.16 million (53 percent) are girls while 10.68 million (47 percent) are boys. Disparities based on gender, socio-economic status, and geography are significant².

In Pakistan, millions of children are forced to drop out of school at an early stage of their schooling for a number of reasons. There is a set of barriers and bottlenecks which include: the sheer scarcity of public schools in the country, particularly the secondary and tertiary-level institutions; long distances to schools, especially for girls; inadequate infrastructure within the schools such as bathrooms and running water; the lingering problem of 'ghost teachers' who do not show up to perform their duties but still collect their salaries; corporal punishment, bullying and the abuse of power that those in authority abet or turn a blind eye to; and an array of added expenses ranging from uniforms to stationery and transport which can prove to be a burden for many parents, especially those with several children.

¹https://www.unicef.org/pakistan/education#:~:text=Currently%2C%20Pakist an%20has%20the%20world's,population%20in%20this%20age%20group.

² UNICEF, Every Child Learns report 2019

According to the United Nations Development Programme (UNDP), Pakistan is ranked 152 out of 189 countries in the Human Development Index (HDI) 2019 ranking. Pakistan lags behind its neighboring countries in key indicators, such as literacy rate (57%), gross enrolment ratio (pre-primary 80%, primary 96%, secondary 45%, tertiary 10%), and expenditure on education (2.8%).³

In the Annual Status of Education Report (ASER) 2019⁴, despite government efforts to increase enrolment in educational institutions, 17 percent children are still out-of-school. Children enrolled in grade 3 continue to struggle due to low grasp of foundational skills in basic literacy and numeracy, despite trends in learning levels in language and arithmetic from 2014 to 2019 showing an improvement from 13% to 17% for grade 5. About Early Childhood Education (ECE), the report said that from 2014, when ECE enrolment stood at 39 per cent, it has not registered significant improvement (39% in 2019), although ECE is critical for foundational learning readiness in literacy and numeracy.

Learnings from SPARC's work in prisons of Sindh and KPK reveal that out of school youth is more prone to crimes and violent extremism.

National Commitments

Article 25-A:Constitution of Islamic Republic of Pakistan 1973, Article 25-A⁵, safeguards the citizen's right to education. The article outlines that "The State shall provide free and compulsory education to all children of the age of five to sixteen years in such manner as may be determined by law."

Article 37-B: The Article $37-B^6$, 'Promotion of social justice and eradication of social evils' mentions "The State shall remove

³http://hdr.undp.org/en/countries/profiles/PAK

⁴http://aserpakistan.org/report

⁵http://www.na.gov.pk/uploads/documents/1333523681_951.pdf Page 15

⁶http://www.na.gov.pk/uploads/documents/1333523681 951.pdf Page 18

illiteracy and provide free and compulsory Secondary Education within minimum possible period."

18thConstitutional Amendment: Education became a provincial subject after the 18thConstitutional Amendment⁷. In 18th amendment, parliament and provincial assemblies were given the mandate to ensure compulsory education in their respective jurisdictions. At the federal level, 'Right to Free and Compulsory Education Act, 2012'8. Sindh was the first province to pass a local legislation in form of 'Right of Children to free and Compulsory Education Act, 2013⁹. Balochistan followed it with 'The Balochistan Compulsory Education, 2014 Act' 10 and Punjab with 'The Punjab Free and Compulsory Education, Act 2014¹¹. Khyber Pakhtunkhwa was the last province to pass 'The Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act, 2017¹².

International Commitments

Pakistan is a signatory to several international conventions and treaties which bound it to ensure provision of equal and quality education to its children and youth. Pakistan has also committed to ensure access to education for disadvantaged groups such as girls, disabled and minorities. The conventions include:

⁷http://www.na.gov.pk/uploads/documents/report constitutional 18th amend bill2010 020410 .pdf

⁸http://aserpakistan.org/document/learning resources/2017/Right-to-Education-Provincial- Legistlation/Islamabad-Free-and-compulsory-Education-Act-2012.pdf

⁹http://www.sindheducation.gov.pk/Contents/Menu/Sindh Bill RTFE.pdf ¹⁰https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/96221/113658/F-

^{955909891/}PAK96221.pdf

¹¹http://punjablaws.gov.pk/laws/2580.html

¹²http://www.pakp.gov.pk/2013/acts/the-khyber-pakhtunkhwafreecompulsory-primary-and-secondary-education-act2017/

- The UN Convention on the Rights of the Child (CRC): Article 28^{13}
- Universal Declaration on Human Rights (UDHR): Article 26¹⁴ •
- International Covenant on Economic, Social and Cultural Rights (ICESCR): Article 13 and 14¹⁵
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)¹⁶
- Convention on the Rights of Persons with Disabilities $(CRPD)^{17}$
- UNESCO Convention against Discrimination in Education: Article 4¹⁸
- ILO Convention 182 on Worst Forms of Child Labour: • Preamble, Articles 7 and 8¹⁹

Pakistan also signed the Education for All Movement²⁰ and Millennium Development Goals (MDGs)²¹, both ensuring commitment to improve access to education for children by 2015.

Pakistan made some inroads towards MDG 2: 'Achieve Universal Primary Education' but overall, it failed to achieve the required targets in all indicators.²² Pakistan lagged behind in literacy rate, enrollment ratio and competition ratio. The country also failed to close the urban/rural and gender disparities in access to education. Sustainable Development Goal (SDG) 4Quality Education:

¹³https://www.ohchr.org/en/professionalinterest/pages/crc.aspx

¹⁴https://www.un.org/en/universal-declaration-human-rights/

¹⁵https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx

¹⁶https://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx

¹⁷https://www.un.org/disabilities/documents/convention/convoptprote.Pdf ¹⁸http://portal.unesco.org/en/ev.php-

URL ID=12949&URL DO=DO TOPIC&URL SECTION=201.html ¹⁹https://www.ilo.org/wcmsp5/groups/public/---ed norm/--

declaration/documents/publication/wcms decl fs 46 en.pdf

²⁰https://en.unesco.org/gem-report/report/2015/education-all-2000-2015achievements-and-challenges

²¹https://www.un.org/millenniumgoals/

²²http://www.aserpakistan.org/document/learning_resources/2014/Post_2015

Agenda/MDGs%20&%20EFA%20Goals.pdf

In September 2015, United Nations established Sustainable Development Goals (SDGs) which are logical continuation of the Millennium Development Goals. Goal no. 4 Quality Education²³ is dedicated to achieving quality, free and equal education for children around the globe by 2030. The targets of this goal are:

Code	Target
4.1	Free primary and secondary education
4.2	Equal access to quality pre-primary education
4.3	Equal access to affordable technical, vocational and
	higher education
4.4	Increase the number of people with relevant skills
	for financial success
4.5	Eliminate all discrimination in education
4.6	Universal literacy and numeracy
4.7	Education for sustainable development and global
	citizenship
4. a	Build and upgrade inclusive and safe schools
4.b	Expand higher education scholarships for
	developing countries
4.c	Increase the supply of qualified teachers in
	developing countries

Pakistan was among the first countries to adopt SDGs and government²⁴ has mentioned it as a priority agenda. A dedicated SDGs Section has been established at the federal level in the Ministry of Planning, Development & Special Initiatives (MoP&SI) to track and to synchronize the progress throughout the country.

²³<u>https://www.undp.org/content/undp/en/home/sustainable-development-goals/goal-4-quality-education.html</u>
²⁴<u>https://www.sdgpakistan.pk/</u>

Pakistan has also signed Incheon Declaration and Framework for Action for the implementation of SDG 4^{25} in 2015. As per this declaration, the member states have committed to spend4 to 6% of their Gross Domestic Product (GDP) or 15 to 20% of their annual public expenditure on education.

Pandemic and Education:

In Pakistan, the first case of coronavirus (COVID-19 Pandemic) was reported on February 26, 2020. A month later on March 24, 2020, the country went intolockdown, which remained intact till May, 2020. However, given the sensitivity of the situation, educational institutions remained closed till mid of September. The decision to reopen middle and primary schools was postponed for another week as cases resurfaced.

The biggest impact caused by the lockdown for Pakistani students is access to education. Most of the private institutions shifted to online teaching mode. The students were asked to attend video conference sessions where the teachers delivered the lectures and Q&A option were also available. However, students, parents and educational experts have criticized the quality of these sessions.²⁶

Furthermore, access to high-speed and stable internet is still a luxury for majority of the citizen in Pakistan. According to 2020 report by Hootsuite, a global social media management platform, 35% of the population in Pakistan has access to internet. In comparison, 59% of population in world has access to internet.²⁷ Only 23% of Pakistan's internet users access the internet from laptop or computer, the devices mainly used for online education. This takes the online education

²⁵http://uis.unesco.org/sites/default/files/documents/education-2030-incheon-framework-for-action-implementation-of-sdg4-2016-en_2.pdf

²⁶https://dailytimes.com.pk/587446/students-disappointed-with-online-teaching-system-amid-covid-19/

²⁷https://datareportal.com/reports/digital-2020-pakistan

away from the middle and poor-income households. Even the students who have decent internet connection suffer due to power cuts or overload (as their siblings and parents also used internet at the same time).

The lockdown also had an impact on the examination system. In Pakistan, most of the institutions use the traditional method of paperbased exams and ask the students to come to the campus to take their examinations. Federal Government announced promotion of students without examinations. However, this created confusion as there wasn't any provision for such policy in education laws.²⁸²⁹ Education departments and universities also faced criticism for their inability to conduct online examinations.³⁰³¹

During discussions with SPARC, teachers also highlighted the psychological impact of lockdown on students. The students in educational institutions are engaged in extra-curricular activities, such as, sports, cultural events, debates, and club activities. All these have come to a halt and the classroom environment which enables the friendly competition and drive to excel in children has also been taken away from them. This situation can stunt the educational and mental growth of children.

Experts have asked the government to work with educational institutions in devising better system for delivery of education and assessment. The model of Virtual University of Pakistan is a good starting example for this. This university established in 2002 follows the 'Digital' mode rather than 'Online'. Teachers record their lectures and put them on university website and YouTube. The students can

²⁸https://www.dawn.com/news/1561013

²⁹https://www.technologytimes.pk/2020/06/21/boards-of-education-are-inconundrum-state-over-promotion-of-students-without-examination/

³⁰https://dailytimes.com.pk/663589/students-call-online-classes-exams-feasible/

³¹https://www.dawn.com/news/1542331

access them during any time of the day. Messages boards and emails are available for question and answers. The assignments are made on computer, but there is a grace period to submit them. Furthermore, the students can select their own time to give the exam. According to experts, such a system although won't reach out to all students, but it will ensure that those with internet can attain better education.

The lockdown also halted the admission process. This means that many children have to wait for more months to start their schooling. In addition, the slowing down of the economy, the unemployment, loss in businesses, inflated education fees in private institutions, and van fees have increased financial burden on parents which made it difficult for parents to support their children's education. In April, Sindh High Court rejected the petition of private schools' association which requested lifting of the 20% fee concession rule due to pandemic. However³², the schools remained steadfast on this demand and this matter dragged on till June, 2020.³³

Government Initiatives:

On April 13, 2020, Prime Minister Imran Khan inaugurated a national broadcast education channel **'Teleschool'** on Pakistan Television 'PTV' to lessen the loss met by the students due to the closure of educational institutions in coronavirus pandemic.³⁴ This channel airs school curriculum from Grade 1 to 12 on designated time slots from 8 AM to 6 PM. The government also attempted to address the issue of adult literacy and out of school children through this initiative.

³²https://www.dawn.com/news/1559206

³³https://www.dawn.com/news/1561116

³⁴http://www.mofept.gov.pk/Detail/ZjcxNzllM2QtMmIwNC00ZjhiLWE5NT gtNmM5MzM1MjM0OWQw

Gallup survey has estimated that 7-8 million children are introduced to Teleschool reaching the viewership of 4 million households in a short period³⁵. Overall, Teleschool shows strong performance on a scale of awareness, viewership, quality content, and strong loyalty among viewers. However, the Center for Global Development, in collaboration with other organizations found that in those households where students watched Teleschool only 35% had television³⁶. The technology divide across households, income levels geographical locations are impeding the scale of outreach of Teleschools.

On August 31, 2020, Higher Education Commission (HEC) started the second phase of Ehsaas Undergraduate Scholarship Project. This initiative launched in November 2019, has been formed for the students who cannot afford higher education.³⁷The program aims to help them overcome the poverty and uneven distribution of education by applying for admission in any 125 HEC recognized public sector universities of Pakistan.

Education Financing:

After the COVID-19 pandemic, all eyes were turned to Pakistan's federal and provincial governments to see how much priority governments give to education.

Federal Education Budget FY2020-21³⁸

The federal government announced PKR 7.13 trillion annual budget for the fiscal year 2020-21. This includes PKR 83.363 billion for Education Affairs and Services. In the budget, PKR 2.931 billion have been allocated for pre-Primary & Primary Education affairs.

³⁵ https://gallup.com.pk/wp/wp-content/uploads/2020/08/Report-on-Teleschool-Initiative-Gallup-Pakistan.pdf

³⁶ https://www.cerp.org.pk/news/three-lessons-from-a-new-phone-survey-inpakistan ³⁷https://www.pass.gov.pk/Detail92a7fc95-647d-43bd-a86c-477897e596e2

³⁸http://www.finance.gov.pk/fb 2020 21.html

PKR 7.344 billion have been allocated for Secondary Education whereas PKR 70.741 billion have been reserved for Tertiary Education which amounts to 84.9% of the total amount reserved in this category. The government allocated PKR 64 billion for Higher Education Commission (HEC) which includes PKR 29.470 billion for developmental activities.

Provincial Budgets

Punjab Education Budget FY2020-21³⁹:

Punjab government announced PKR 391 billion budget for education which includes developmental budget of PKR 34.5 billion. Although, the overall budget increased by PKR 8 billion compared to fiscal year 2019-20, the developmental budget was reduced by PKR 12 billion. The noticeable inclusion in this is a cut of PKR 4 billion in development budget of School Education, PKR 3.4 billion in higher education and PKR 445 million in special education. A major portion of the budget is reserved for School Education Department for upgrading schools. Funds have been allocated for seven new universities across the province. Merit based scholarships will also be provided according to the budget document.

Sindh Education Budget FY2020-21⁴⁰:

Sindh government total budget for education is 243.14 billion which includes developmental budget of PKR 21.082 billion for education. The overall budget is increased by 15.11% from fiscal year 2019-20. However, the development budget has been cut down by 38%. The development budget of schools has decreased from PKR 15 billion to PKR 13.2 billion whereas allocation for colleges has been reduced from PKR 4 billion to PKR 3.71 billion. The development budget for

³⁹https://finance.punjab.gov.pk/annual_budget

⁴⁰ https://fd.sindh.gov.pk/budget-books

higher education, that is universities, has been reserved at PKR 3 billion compared to PKR 3.3 billion last year.

Majority of the budget of School Education Department is reserved for upgrading existing primary level government schools to secondary level, renovation (improvement in building, furniture and installation of basic facilities). On the other side, the budget for College Education Department is focused on improving the facilities of colleges. The public sector universities will also receive budget for improving existing infrastructure and building new facilities. The budget also includes PRK 480 million for Emergent Need Fund for delivering new initiatives under COVID-19.

Khyber Pakhtunkhwa Education Budget FY2020-21⁴¹:

Khyber Pakhtunkhwa announced education budget of PKR 208.36 billion which includes developmental budget of PKR 39.3 billion. This is the highest ever allocation of development budget for education in province's history.

In settled districts, the school budget is focused on establishing 300 new schools and upgrading/uplifting approximately 1700 more schools. Funds have also been allocated for establishment of 74 colleges and a university in SWAT. In merged districts, funds have been reserved for upgrading middle schools to high schools, high schools to colleges, stipends and scholarships for teachers and construction of government colleges in FR Kohat, Bajaur, and Khyber Agency.

⁴¹<u>https://www.finance.gkp.pk/articles/budget/budget-estimates/budget-estimates-2020-21</u>

Balochistan Education Budget FY2020-21⁴²

Balochistan announced education budget of PKR 72.81 billion including PKR 9.164 developmental budget. The overall budget for education increased by 3% but the developmental budget decreased by 27%. The highlights include Boarding Schools for girls in Loralai and Turbat, PRK 1750 million for public universities, functionalization of 36 bachelor hostels in colleges, and upgrading of primary, middle, secondary and high schools.

Azad Jammu and Kashmir(AJK) Education Budget FY2020-21⁴³:

Azad Jammu and Kashmir (AJK) announced education budget of 28.88 billion including developmental budget of PKR 2.578 billion. The development budget decreased slightly from the figure of PKR 2.67 billion from previous year.

Gilgit Baltistan Education Budget FY2020-21⁴⁴:

Gilgit Baltistan government announced education budget PKR 1.335 billion in its annual developmental plan. This is an increase from previous year's allocation of PKR 1.26 billion.

SPARC's Work:

SPARC is partnering with Commonwealth of Learning (COL) for **GIRLS Inspire project** with the funding from government of Australia and Canada. The aim of this project is to strengthen community-based organizations to deliver education and vocational skills to girls and women in marginalized communities. The centers are being operated in Karachi (Memon Goth, Baldia Town and Lyari), Hyderabad, Multan, Rawalpindi, and Peshawar. The sessions also engage community elders and male population to deliver sessions on harms of ill practices of domestic violence, child labour,

⁴²https://balochistan.gov.pk/budget-categories/2020-2021/

⁴³ https://www.financeajk.gok.pk/budgets/budget-2018-2019/

⁴⁴ http://www.gilgitbaltistan.gov.pk/

early child and forced marriages, and importance of girls' education, employment and birth registration.

In 2020, Reaching The Unreached (RTU) project has ended. It was 3 years project under the umbrella of GIRLS inspire. The project aimed to ameliorate the socio-economic conditions of young girls and women. It covered 12 thousand recipients across 7 cities of Pakistan. From the provision of skills training to internship, from microfinance loans to home-based loans, the project took a multi-dimensional, cross-sectional and inclusive approach in improving the living standards of the underprivileged girls. RTU provided a platform to young girls where they learned new skills, exhibited their potential in the market, and started independent ventures; thus, attaining the original purpose of the project.

SPARC's **project for the welfare of Youthful Offenders Karachi:** SPARC, in collaboration with United Nations Development Programme (UNDP), implemented a project that focused on improving social welfare, attaining economic reintegration, and ensuring rehabilitation of juveniles in selected prisons of Karachi. The six months project, from December 2019 to July 2020, designed a targeted intervention consisted of market informed skills training, career counseling, critical life skills, psychological counseling, nonformal education, and provision of legal aid. It covered 20 juveniles in 2019 and 17 juveniles in 2020. To gain comprehensive results, SPARC also organized a separate training and consultation with caregivers (prison, probation, and police staff), the business sector, and government officials to ensure long-term support for juvenile prisoners. The intervention carefully followed the lessons learned by SPARC in the previous interventions.

SPARC is operating **Center for Street Children** in Pakistan which along with focusing on protecting needs of these neglected children, focus on their educational needs to improve their quality of life. These centers are being operated in Peshawar, Hyderabad, Islamabad, Rawalpindi and Multan. These centers provide basic non-formal education to the children with an aim at enrollment in mainstream education. Technical skills and vocational trainings are provided to older children, especially girls. SPARC also conducts awareness sessions in communities on importance of girls' education. The centers are linked with Child Protection and Welfare Bureaus, Technical Boards and Government Schools to ensure smooth reintegration in mainstream education. The centers also provide uniform, school bags and stationery to the children.

Conclusion:

The prosperity of a country depends on the education of people; it's the educated people that drives the country from a developing to developed nation. To survive in 21stcentury, education has become a basic necessity. The children, if given the right direction, can putthe country and the nation ona right path. Unless and until the stakeholders realize these challenges and show their full commitment in safeguarding this fundamental right, the 47% population of Pakistan will continue to suffer and will be forced to resort to extremist activities to ensure their survival.

Recommendations:

Following recommendations must be considered in order to provide fair and inclusive education to youth of Pakistan:

I. Budgetary allocation must be consistently and substantially increased each year. The Federal and Provincial governments must ensure that the education budget is released in time and are not subjected to random cuts. Budget allocations should also include a higher proportion of non-salaried rather than salaried expenditure, and there should be increased focus on development budget in order to overcome the educational challenges in Pakistan.

- II. Effective monitoring and accountability mechanisms need to be in place to protect against under-utilization of allocated budgets and to ensure optimum resource allocation and utilization. It is equally important that Federal and Provincial governments must regularly share information regarding education budgets, allocation, utilization, educational indicators and learning outcomes to encourage transparency and a participatory form of governance. The demand for transparency and accountability can't be brushed aside by saying that education is a provincial subject.
- III. The rise in poverty is directly proportional to the downfall of the education of children. Many Parents are forced to put their children into labor for the fulfillment of their basic needs. If Government is able to curb poverty, then definitely, parents will be able to send their child to schools.
- IV. After COVID-19 pandemic, there's a need of improving the infrastructure and enhancing the capacity of staff to ensure that education is delivered in safer environment without compromising on the quality.
- V. As per statistics, 22.8 million children are Out of School in Pakistan. The province that suffers the most is Baluchistan where 70% of children are Out of School. The former FATA and the newly merged tribal areas have 57% Out of School children. In KP,the percentage of out of school children is 34. In Sindh it is 52%, in GB the number is 47%. The number of out of school children in Punjab is 34%. Special attention is required to bring these out of children into school system. The voucher scheme in KP Province didn't fulfil its promise and hence half of the children enrolled under this scheme

quitschooling in 2019.⁴⁵ Such failures should be avoided in future.KP government also needs to effectively implement its decision of bringing street children to schools. Other provinces should follow this practice as well.

- VI. Massive efforts are required to improve the status of education in tribal and far-flung areas of Baluchistan, Sindh and Southern Punjab. Pakistan has thousands of ghost schools which are a burden on our economy whereas on the other hand, we have areas where we have school buildings but no teaching staff. The Government of Pakistan should monitor both issues together ⁴⁶. There are simply not enough government schools in the country to accommodate everyone. Many children have to travel long distances to get to school, particularly in the rural parts of the country. If transport is not provided by the school to children and parents do not have time to drop them or there are no other means of commutation, families see no other choice but to pull their children out of school.
- VII. Out of 22.8 million children who are out of school, majority are girls. According to Human Rights Watch, 32% of primary school age girls are out of school as compared to 21% of boys⁴⁷. There is a lot of discrimination in society and in institutions, where educating a girl is considered as curse. Quotas must be applied in schools where education of girls is on decline and government should monitor it for equitable quality learning.

⁴⁵https://www.dawn.com/news/1525198

⁴⁶https://www.thenews.com.pk/print/309132-no-action-against-becs-officialsrunning-2-350-ghost-schools

⁴⁷https://www.dawn.com/news/1445470

- VIII. Keeping in consideration the low income of households, the government must allocate funds for provision of uniforms, bags, stationery, etc.
 - IX. Educational institutions especially universities need to upgrade their internet systems to be able to conduct online examinations.
 - X. Sindh government needs to effectively implement its decision of registration of Madrassas as educational institutions. Other provinces should follow this practice as well.
 - XI. More technical and vocational institutes should be established in the country to increase the capabilities of the disadvantaged population who have either dropped out or never attended school.
- XII. Step should be taken to ensure that children with disabilities have easy access to public service buildings including schools and recreational facilities.
- XIII. Teachers recruitment, training and development procedures are vital in improving the overall education system of the country.
- XIV. Increase monitoring of schools to expose ghost schools, combat teacher absenteeism and decrease abuse and assault.