

**Oral Statement made by the Global Initiative for Economic Social and Cultural Rights
to the pre-sessional working group of the
UN Committee on Economic, Social & Cultural Rights
1 December 2014 - Chile**

This Statement is made on behalf of the Global Initiative for ESCR, the Sciences Po Law School Clinic and is supported by 8 national, regional and international NGOs working on education.

During the 1980s Chile undertook a dramatic policy shift towards privatisation of its education system. As a result, Chile became one of the most privatised education systems in the world, with the highest share (40%) of private expenditure in education at all levels of education, amongst countries in the OECD Program for International Student Assessment (PISA).¹ Many of the private schools, including those receiving public funding, are 'for profit'. Before 1973 80% students were enrolled in public schools; by 2014 at least 60% of students are enrolled in private schools.

Analysis of the Chilean education system shows that privatisation creates or deepens inequalities between socio-economic groups and creates a strongly segregated society, in violation of the right to education. This nullifies the potential for education to power socio-economic mobility and end intergenerational poverty.

Chile has the most socio-economically segregated education system of all PISA countries.² The degree of socioeconomic integration, which measures the socio-economic diversity of students within schools, is less than 50% in Chile, while the average for OECD member countries is 74%. In Chile 23.1% of the difference in pupil's performance in mathematics can be attributed to socio-economic status (OECD average is 14.8%). Thus students from disadvantaged families in Chile are less likely to achieve high levels of performance.

Chile has a 2-track education system: elite high fee paying schools with high-performing students; and free and cheaper schools with lowest performing students.

Some of the causes of discrimination and stratification are:

- **Low regulation** of school fees, and tax incentives to families to send their children to fee paying schools.
- **Myth of 'school choice'** – poorer families' school choice is constrained by affordability and geographic location and the poor quality of the public system.
- **Entry tests and requirements for socio-economic information** - used by private schools to select the best academic students thereby reinforcing segregation.

Contrary to the Chilean system, the highest performing education systems across the OECD are those that combine quality with equity.³

¹ OECD, *Education at a glance 2014: OECD indicators* (2014), p. 245.

² The OECD Program for International Student Assessment (PISA) is undertaken by 65 OECD countries.

³ OECD, *Equity and Quality in Education: Supporting Disadvantaged Students and Schools*, OECD Publishing (2012).

Clearly this level of inequality and systemic discrimination violates the rights to education and to non-discrimination protected under the Covenant.

Discontent with the inequalities in the education system led to huge public protests in 2006 and 2011. The government has now initiated a package of reforms to address these issues:

- banning for-profit education, eliminating shared payment and banning economic, social, academic and behavioral selection at all levels.

It is urgent these reforms be adopted and implemented as a matter of priority.

These same issues were raised by the Committee in its 2003 review of Chile and by the Committee on the Rights of the Child (CRC) in 2007.

Conclusion

We recommend the CESCR raise the following issues:

- Is the State party planning to rebuild a public system of quality schools and move away from the voucher system in the near future?
- What is the timeline for addressing segregation and discrimination in the education system?
- How will the government ensure that schools receiving public funds do not practice any form of entrance selection, do not charge additional fees, and do not make profit?

Thank you

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