

LEARNING THE LESSON: WHY THE EU SHOULD DEFEND AN ALTERNATIVE MODEL TO THE PRIVATISATION OF EDUCATION¹

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The last 15 years have been characterised by a large-scale movement towards the private provision of education, partly with the support of some international institutional donors. This situation led the UN Special Rapporteur on the right to education, Kishore Singh (2014, para. 38), to write ‘soon, it may not be an exaggeration to say that privatisation is supplanting public education instead of supplementing it.’ The question is to assess whether this growth of private involvement in education is positive or negative. The debate is complex particularly as there are many different types of private schools, ranging from non-governmental organisation (NGO) schools to large-scale commercial chains, which all have different impacts. Amongst those actors, the growth of low-quality low-cost private schools, including commercial chains, have raised major concerns. This chapter reviews these concerns from the point of view of the realisation of governmental human rights obligations under international laws, and states’ commitments to the Sustainable Development Goals (SDGs). It argues, drawing from the conclusions of

authoritative human rights bodies, that support for, or the lack of regulation of, low-cost private schools can violate human rights, therefore requiring a high level of caution from institutional actors involved. It then looks at the specific responsibility and obligations of institutional donors. Taking the example of the United Kingdom, whose funding policy in support of commercial low-cost private schools has recently been analysed by various bodies, it seeks to demonstrate that state support for low-cost private schools can constitute a violation of international law. Lastly, this chapter reviews the development aid policies of the European Union (EU) for the last 15 years against this framework, and it concludes that while the EU is traditionally supportive of public and non-profit education actors, it is growing increasingly ambiguous in its funding of private actors in education. This could lead to violate its international obligations, EU law, and its SDG commitments. Some recommendations are made for the EU to develop a development aid approach that, while it is cognisant of the increasingly complex reality and multiplicity of stakeholders in the countries which it serves, it is firmly embodied in the respect for human dignity, the rule of law, and a commitment to develop good quality, free education systems.

1. Introduction

The Millennium Development Goals (MDGs) have been described by the UN as ‘the most successful anti-poverty movement in history’ (UN, 2015, p. 3). Significant progress has been made under MDG 2² which sought to achieve universal primary education,

and primary school net enrolment has increased from 83% in 2000 to 91% in 2015 (UN, 2015). However, a less known phenomenon since the beginning of the millennium has been the massive increase in the private provision of education at the basic level (primary and lower secondary). Since World War II, education has traditionally been delivered by the state. However, the last 15 years have been characterised by a large-scale movement towards private provision of education. The Global Monitoring Report (GMR) 2015, which is the reference annual report on the state of education - since renamed Global Education Monitoring (GEM) report - considered in its overview of the progress achieved in education between 2000 and 2015 that 'private schooling has proliferated since [the MDGs declaration in] Dakar' (2015, p. 216). The authors added: 'A wide range of private schools, catering for various income groups, has emerged [...] often hidden from government view' (2015, p. 216). The scale of the phenomenon has led the UN Special Rapporteur on the right to education, Kishore Singh (2014, 2015a, 2015b), to dedicate three reports to the topic in 2014 and 2015, and to write in his report (2014, para. 38) that 'one can observe the growth of private providers in the field of basic education, although such education is a core responsibility of governments [...]. Soon, it may not be an exaggeration to say that privatisation is supplanting public education instead of supplementing it.'

The scale and pace of the changes at stake in developing countries' education systems is unprecedented. For instance, in Kenya the number of private schools increased by 2,216.10% between 1998 and 2013, from 385 to 8,917 schools (Economic and Social Rights Centre, 2015, p. 8). In Morocco, the share of private primary school enrolment more than tripled from 4% in 1999 to 12% in 2013 (*Coalition Marocaine pour l'Éducation pour Tous* and Global Initiative for Economic, Social and Economic Rights (GI-ESCR), 2013). This phenomenon has various causes,

but a crucial element has been the growing support of institutional development actors to the various forms of private schools, including commercial private schools. Both bilateral donors, such as the United Kingdom (UK) (Right to Education Project et al., 2015a, 2015b) and the United States (USA), and multilateral donors have funded private schooling in developing countries in the last decade. Multilateral donors include the World Bank (Mundy and Menashy, 2014a, 2014b) and the Global Partnership for Education (GPE) (Menashy, 2015, p. 10), a multi-stakeholder partnership and funding platform supporting education in developing countries,

This rapid *de facto* privatisation in developing countries and the support provided to it by northern countries has raised many concerns, both in terms of the achievement of the successor of the MDGs (the Sustainable Development Goals), and, crucially, in terms of respect for international human rights law. In recent years, there have been several analyses and criticisms of donors' support for privatisation, some arguing that this could violate international law (e.g. the Right to Education Project, 2015a, 2015b).

Nevertheless, some donors remain tempted to support the involvement of private actors in education. The SDGs themselves derive from a narrative of a crisis in public funding. In their 'Goal 17' they ambiguously call for 'a revitalised and enhanced global partnership that brings together governments, civil society, the private sector, the United Nations system and other actors, and mobilises all available resources'³; which could be understood as opening the door for support for involving the private sector in the realisation of all the SDGs, including SDG 4 on quality education. In this context, while the European Union has so far been largely neutral on (or absent from) the debate regarding the private provision of education (focusing its development efforts on building recipient countries' public education systems), the re-

peated calls for partnership with the private sector and pressure from various groups has increasingly led to the EU changing its position. This new position could mean the EU risks violating its international obligations, EU law, and its SDG commitments.

This article seeks to provide a critical overview of the available evidence about the impact of privatisation in education in developing countries and the role of donors in supporting this phenomenon, in order to inform a reflection on what can be learnt when the EU considers its development aid action for the education sector. The analysis is conducted by reviewing the human rights obligations and the SDG commitments of donor governments and the EU. It concentrates on formal primary education, which is the most documented area, and the domain where the obligations and commitments of governments are the strongest. It starts by providing an overview of both the privatisation of education and the existing analysis against SDG commitments and human rights obligations. It then reviews the evidence available about donor support for the privatisation of education, questioning its legality under international law, citing the case of the UK as an example. Finally, the third part reviews the evolution of EU development aid policies and it analyses how human rights standards and SDG commitments apply to this evolution.

2 A 'human rights and SDG' analysis of privatisation in education

The privatisation and the commercialisation of education in the new Millennium

In many countries, the rapid growth of private schools has meant dramatic changes in education systems. However, these changes hide a wide disparity of situations. David Archer (2016) proposed a typology of private schools that includes eleven types of non-

state provision. Private schools are thus very diverse: they may be for-profit or charitable, fee charging or free, driven by companies and entrepreneurs or by communities and non-governmental organisations, formal or informal, supported by the state or totally independent. These parameters can be combined in various ways to form the eleven categories described by Archer. The privatisation of education commonly refers to the growth of any of these types of non-state provision as a share of the education system (Ball and Youdell, 2008). However, the diversity of private schools that privatisation may theoretically involve makes the debate particularly complex.

In order to narrow and specify the scope of the discussion, the term commercialisation is often used. Commercialisation in education refers to the growth of a particular form of private schools: the commercial schools. What the concept of commercial schools exactly entails however still needs further clarification. A group of organisations proposed a definition in the 'Call of francophone civil society organisations against commercialisation of education' (*Appel de la société civile francophone contre la marchandisation de l'éducation*). In their definition, commercial schools are 'educational institutions for which one of the primary goals (although not the only goal) is to develop trade in educational services and to protect their own interest rather than serving the common good. They view education as a commodity, which results in a notable willingness to expand their activities and their model by competing with other institutions, increasing their bottom line, and growing their profits'⁴ (Coalition Éducation et al., 2016, p. 2). Importantly, commercial schools are defined by their commercial interest, by their practice, rather than their formal legal structure.

In practice, both the privatisation of education, and its sub-category, the commercialisation of education, have increased in the last fifteen years. However, the majority of the growth of

private schools has been among so-called 'low-fee' or 'low-cost' private schools. Srivastava (2006, p. 498) defines these schools as targeting disadvantaged groups, self-financing through fees and charging one day's earnings of a daily wage labourer as the monthly tuition fee at the basic level of education, or two days' earnings at the secondary level. Low-fee private schools may be either non-commercial or commercial schools.

The privatisation of education has evolved over time to increasingly promote commercial forms of private schools, in particular commercial low-cost private schools. During what Srivastava (2016) described as the 'first wave' of low-fee private schooling development, small, individually-owned and operated schools emerged from the 1990s to the early 2000s. More recently, since the mid-2000s, low-fee private schooling is experiencing a 'second wave' (Srivastava, 2016) in which corporate-backed school chains and service providers are capitalising on this still-nascent space in the market place. This second wave comprises part of what is described as the burgeoning 'global education industry' (Verger, Lubienski and Steiner-Khamsi, 2016). At the core of this second wave of low-fee private schooling is the growth of commercial large-scale private primary school providers, the most well-known include Bridge International Academies (BIA or Bridge) (see e.g. Machacek and Riep, 2016) and Omega Schools (Riep, 2014).

Chains of schools such as BIA⁵ and Omega Schools⁶ claim that they can use scale, foreign investment and foreign technology, and standardisation to deliver better quality at a similar or lower price. Of the chains of 'for-profit' private companies that target low-income households, Bridge is a good illustration of these parameters. It operates over 500 schools in India, Kenya, Liberia, Nigeria, and Uganda, with ambitions to reach 10 million pupils by 2025 (BIA, 2013a). It has received investments from major international investors including Mark Zuckerberg, Pierre Omidyar,

the United Kingdom government, the United States government, the World Bank, and Bill Gates (BIA, 2013b), for a total amount estimated to be over 100 million US dollars. It uses what it calls a 'school in a box' model, which reflects a highly standardised approach to education. Every Bridge school looks the same, the material used is the same in each classroom, and, most importantly, the lessons are the same across all the academies in the same country. Indeed, Bridge uses a system of scripted lessons. Bridge School teachers (who are mostly secondary school leavers without formal teaching qualifications) receive lesson plans on a tablet, which they must follow word by word (Education International (EI) and Kenya National Union of Teachers (KNUT), 2016, p. 9).

The exact measurement of the growth in private schools is difficult. This is due to the scarcity of data and varying definitions, but also to the fact that there is a large non-formal private education sector that is not accounted for. Many private schools are not registered and operate under the radar, meaning that they are not counted in official statistics (Tooley and Dixon, 2005). In addition, research has mostly focused on registered private schools, rather than unregistered private schools (Day Ashley et al., 2014). This appears clearly when comparing household survey and official statistics in some countries. In Nepal for instance, official statistics show that private schools account for 15.9% of total schools, while household surveys indicate 27% of children attend private schools. The likely cause of this large gap between the official statistics and empirical research is the high numbers of unregistered private schools (Nepal Campaign for Education-Nepal, the Nepal National Teachers Association and GI-ESCR, 2016). It is *a fortiori* all the more difficult to have precise figures for low-fee private schools, which generally do not have a specific status, and they often operate informally. Similarly, there's not been a precise tally of commercial schools, besides qualitative

mapping done by pro-private actors such as the Center for Education Innovations⁷.

In any case, all available data shows, without a doubt, an important growth in low-cost private schools. As they have grown at such a high rate, and as they cause major controversy, this paper will focus on the issues related to low-cost private schools, in particular commercial ones – which does not mean that it is not important to also critically scrutinise other models.

As previously mentioned, there are many causes for this growth, including the increased demand for education from parents in wake of the MDGs, the failure of some state schools to respond to the demand (Härmä, 2013), ideological and political decisions from policy makers at the national and international levels (Srivastava, 2016), etc. Proponents of low-fee private schools claim that such schools are affordable, offer better accountability and a higher level of quality education than that found in state schools (Tooley and Dixon, 2006), which would correspond to the demand from parents and the incapacity of governments, particularly in developing countries, to satisfy this demand. It is also argued that private schools are more cost-effective, as teachers are paid less than those in state schools, though they are just as effective (McLoughlin, 2013, p. 5).

However, critics argue that these supposed benefits have not been proven. A review of the literature conducted at the request of the UK's Department for International Development (DFID) found that evidence to support these claims has generally been found to be insufficient (Day Ashley et al., 2014). Renowned academics such as Srivastava (2015) also argue that based on existing research, it appears that low-cost private schools are not affordable to the 'most insecure households', leave out the 'most disadvantaged households' (based on gender, ethnicity, location, etc.), and evidence is mixed on quality. Another literature review from the Global Campaign for Education (2016) made similar

findings with regards to the quality, cost, access, efficiency and innovation, and effect of competition brought by private actors. Criticism is most acute of commercial low-fee private schools, whose scale, standardisation, and strong commercial dimension raise particular issues, as will be seen below.

In order to assess the evidence, one needs to agree on a normative framework to use. Depending on the relative importance given to inequalities, segregation, infrastructures, learning outcomes, etc., the evidence may be read differently (Aubry and Dorsi, 2016, p. 2). This is what is going to be discussed next.

An SDG and human rights legal framework relevant for the analysis of the privatisation of education

This paper will assess the current situation against the international human rights legal framework and governmental SDG commitments. These frameworks are widely accepted, with the human rights framework setting quasi-universal legally binding obligations, with the SDG framework being the reference policy for development policies.

SDG 4 on quality education has 10 targets⁸. The international human rights framework is defined by a number of widely-ratified treaties protecting the right to education, which are legally binding on almost all governments in the world. The most well-known and ratified are the International Covenant on Economic, Social and Cultural Rights (ICESCR, 164 state parties), and the Convention on the Rights of the Child (CRC, universally ratified by all countries except the USA). Article 13 of the ICESCR and Articles 28 and 29 of the CRC protect the right to education⁹. These articles are complemented by other provisions, in particular Article 2 of the ICESCR which requires governments to devote the maximum of their available resources towards the realisation of the rights contained within it, including the right to education, and the duty to eliminate discrimination.

The relationship between the SDGs and the human rights framework is somewhat contested, with governments being reluctant to explicitly indicate that the SDG framework stems from the human rights framework. This would tend to make the SDGs legally binding on them, whereas they currently have no more legal weight than a political declaration. SDG 4 covers similar ground to international human rights law by obliging governments to provide free primary education. As the human rights framework is legally binding, and the SDGs in theory comply with human rights law, references to the human rights framework in the rest of the chapter should be understood to encompass both SDG commitments and human rights obligations.

One element that stands out in the human rights framework is the liberty left to parents to set up or choose a school for their children 'other than those established by the public authorities' (Art. 13-4 of the ICESCR). Human rights law guarantees a certain level of freedom for private schools. Aubry and Dorsi (2016) have argued that this freedom may conflict with the social equality dimension of the right to education, which requires governments to ensure 'quality education for all' without discrimination and segregation. Accordingly, on the basis of the jurisprudence and practice of the human rights framework, they have proposed a five-area framework to assess the role of private actors in education that takes into account these two potentially conflicting dimensions. They consider that 'while private providers of education are permitted, states must ensure that the involvement of private actors in the provision of education' (Aubry and Dorsi, 2016):

1. Does not lead to creating or reinforcing discrimination, inequality, and segregation, including on socio-economic basis;
2. Does not undermine access to free quality (generally state) schools for everyone;
3. Does not undermine the humanistic mission of education;

4. The private actors should be adequately regulated, in law and in practice;
5. The private actors should follow the principles of transparency and participation.

If the existence or the growth of private education provision affects any of these five criteria, it would constitute a violation of the right to education by the state(s) involved in the situation, and, by extension, of their SDG commitment. However, it is important to emphasise that, as mentioned above, the human rights framework (and the SDG framework) do not prohibit the existence of private schools. In fact, human rights standards protect the freedom of individuals to open such schools, under certain conditions. It represents thus a nuanced and balanced framework that recognises the multiplicity of situations that may occur, and leaves governments various possible options to develop their education systems.

This framework, as will be seen, has been applied by a number of quasi-judicial bodies. It will be used as the reference point to analyse the involvement of private actors in this article.

Applying the human rights analysis: Kenya as an example

Several UN and regional institutions have reviewed the situation with regards to the privatisation of education in various countries in the last three years, giving useful guidance on its application and the scope of the human rights framework. Before looking at the example of Kenya, let us start with an overview of the relevant bodies and their positioning.

UN human rights monitoring bodies and the African Commission on Human and Peoples' Rights (ACHPR) have produced over 20 recommendations on specific countries, confirming the concerns raised above (GI-ESCR, 2016). UN human rights moni-

toring bodies are quasi-judicial bodies of experts, chosen by governments to monitor the implementation of specific human rights treaties. There exists a separate body for most treaties. The ICESCR is monitored by the Committee on Economic, Social and Cultural Rights (CESCR), and the CRC by the Committee on the Rights of the Child (ComRC). They periodically review the implementation of their respective treaties by each 'State Party' every four to six years, and issue at the end of the process a body of analysis and recommendations called 'Concluding Observations'. The ACHPR plays a similar role in the monitoring of the African Convention on Human and Peoples' Rights, which also protects the right to education under Article 17.

When reviewing state parties, these bodies have raised concerns ranging from 'high fees in private schools which exacerbate existing structural discrimination in access to education and reinforce educational inequalities' (UN Committee on the Rights of the Child, 2015, paras. 75-76) to the 'the proliferation of so-called "low-cost private schools" at the primary and secondary level owing to inadequacies in the public school system, which have expanded to the senior-high school level through the Senior-High School Voucher Programme'. They have also pointed to the 'the low-quality of education provided by these private schools, the top-up fees imposed on parents to cover the full cost of private education, and the lack of regulation of these schools by state authorities' (UN Committee on the Rights of the Child, 2016a, paras. 55 – 56).

The example of Kenya provides further insights. Kenya is a typical example of a Sub-Saharan African country marked by the fast rise of low-cost private schools in the 2000s, partly due to the support of international donors (see also the situation in Uganda - Initiative for Social and Economic Rights and GI-ESCR, 2014; and in Ghana - Ghana National Education Campaign Coalition and GI-ESCR, 2014). A tremendous growth of private schools

has been observed since the introduction of the free primary education (FPE) programme in 2003. As mentioned previously, the number of private primary schools has grown by 2,216.10% between 1998 and 2013. Yet, these statistics do not account for informal schools, particularly low-cost private schools. There could be about 2,000 non-formal schools in Kenya, with over 500,000 pupils, who are not counted in government statistics (Economic and Social Rights Centre, 2015). In urban areas, such as Nairobi, Eldoret and Mombasa, more than 50% of children attend the so called 'low-fee' private schools (Ngware et al., 2013). In Kibera, the largest informal settlement in Kenya, 96% of the available schools are privately owned while only 4% are state-owned (Dixon and Tooley, 2012). The proportion of private education is thus probably much higher than official statistics show.

This growth in private education has been encouraged both by the failure of the Kenyan Government to provide for enough quality public education, particularly in informal settlements, and an encouraging policy framework from the Kenyan Government and international actors (Economic and Social Rights Centre, 2015). At the national level, in 2009 the Kenyan Government introduced (Namale, 2014) the Policy for Alternative Provision of Basic Education and Training (APBET), and further developed it in 2016 (Ministry of Education, Science and Technology, 2015). This attempt to organise the large informal private education sector occurred without the necessary regulatory requirements and enforcement mechanisms. Combined with Government funding to some of these low-cost schools, this policy legitimised the growth of low-cost private schools. In parallel, as will be discussed below, international actors, chiefly the World Bank and the United Kingdom, have also supported the private sector.

The impact has been analysed with regards to both discrimination and inequality, and access to free education (Economic and Social Rights Centre, 2015). The growth of private education

has increased socio-economic segregation, and in turn, inequalities and discrimination. Specific to contexts such as Kenya, the emergence of low-cost private schools has created 'micro-segregation between the poor themselves, whereby the poorest are put together in state schools, while the poor that can afford it put their children in different, private schools, according to how much they can afford' (Ibid., para. 49). It has also been shown that private education is rarely the result of a parental choice for an alternative pedagogical approach, instead it is usually simply the default option of parents who do not have access to free quality state schools. This is particularly true in densely populated urban informal settlements, where the Government has relied on private actors to provide essential social services, which, in the case of education, undermines children's rights to a free quality school.

Kenya has been reviewed by the CESR and the ComRC in 2016. The CESCR (2016, paras. 57-58) concluded that 'inadequacies in the state schooling system have led to the proliferation of so-called "low-cost private schools" which has led to segregation or discriminatory access to education, particularly for disadvantaged and marginalised children'. It recommended that Kenya 'strengthen[s] its public education sector' and effectively regulates its private sector (Ibid.). The ComRC made similar findings, requesting that Kenya 'prioritise[s] free primary quality education at state schools over private schools and informal low-cost schools', and 'regulate[s] and monitor[s] the quality of education provided by private informal schools in line with the Convention' (UN Committee on the Rights of the Child, 2016b, para. 57b).

Kenya provides an example where the growth of private education can constitute a violation of the right to education, and, by extension, of the commitments made under the SDGs. In this case, and in at least 16 others between September 2014 and Oc-

tober 2016, domestic governments have been held responsible for the facilitation, support or failure to address negative human rights impact of the growth of private education, often including commercial low-cost private schools. Against this background, is there a responsibility for institutional donors that have supported this dynamic? This is the question that the next part will examine.

3. Challenging donors' funding to commercial schools in developing countries

Public institutional donors have long preferred to focus on public systems in their development aid for social services, such as education and health, while concentrating their private sector support on areas where it traditionally dominates such as mining, banking, or agriculture. This is particularly true for funds allocated to the delivery of primary education. While the focus of development aid overall is still largely on public education, some governments have started experimenting with increasing their support for private school providers.

Support for private schools can take many forms. Firstly, it can be through the direct use of the development aid money. For instance, the UK Department for International Development (DFID) is funding an £18.5M programme in Nigeria called 'Developing Effective Private Education in Nigeria' (Right to Education Project et al., 2015a), within which Bridge International Academies has been allocated £3.45m (DFID, 2014). Secondly, support may come from a less well-known instrument used by public donors to promote development: a loan, usually with preferential conditions, to private companies that are meant to work towards poverty alleviation. They do so through development finance institutions, which are 'specialised development banks or subsidiaries set up to support private sector development in developing countries'

(OECD, 2016). For example, several development finance institutions such as the UK's Commonwealth Development Corporation or the USA's Overseas Private Investment Corporation (BIA, 2016b) have directly funded Bridge International Academies. Some of the development finance institutions, such as France's Proparco, the Netherland's FMO Entrepreneurial Development Bank, and the Norwegian Investment Fund for Developing Countries, as well as the European Investment Bank, channelled their funding to BIA through a venture firm called Novastar. Support for the privatisation of education has also come from inter-state agencies, such as the World Bank. The World Bank has supported public-private partnerships through its public arm, the International Development Association, but it has also been a 'policy advocate' for the privatisation of education through 'explicitly counsel[ing] governments to expand private provision' (Mundy and Menashy, 2014a). It has also directly funded low-cost private schools such as Bridge International Academies and Curro Holdings, which runs low-fee private schools in South Africa (Results Educational Fund, forthcoming 2017; Mundy and Menashy, 2014b).

Sustainable Development Goals (SDGs) and the legal framework relevant for the analysis of donors' support for private education

Human rights obligations go beyond national borders. State parties to human rights treaties, such as the ICESCR and the CRC, and donor governments in particular, have human rights obligations towards individuals that live outside their territories. They are called Extra-Territorial Obligations (ETOs) and they have been codified in an expert text, the Maastricht Principles on Extra-Territorial Obligations of States in the area of Economic, Social and Cultural Rights (ESCR) (hereafter the 'Maastricht Principles')¹⁰. The Maastricht Principles summarise legally binding internation-

al law contained in the existing treaties, such as the previously mentioned ICESCR, rather than creating new standards. As their name suggests, they focus on governments' obligations in regard to ESCR, which include the right to education.

A number of the Maastricht Principles are relevant to the analysis of the responsibility of donor governments in their support for private education. Firstly, the Maastricht Principles make clear that governments have an obligation to contribute to the full realisation of the right to free quality primary education through development cooperation (Principle 33). While governments that are able to must provide international assistance for the realisation of ESCR, they must respect certain principles when doing so. In particular, they must prioritise the most vulnerable people and groups (Principle 32). Secondly, and this is a cardinal principle under international law, donor governments must not impair the possibility of development aid recipient governments realising the right to free quality primary education (Principle 21). Thirdly, governments have an obligation to regulate companies based in their territories so that they do not undermine the right to free quality primary education abroad (Principle 24). Finally, and importantly, governments have the obligation to act within international organisations so as to ensure that these organisations do not undermine the right to free, quality primary education (Principle 15).

The above principles have been applied to the analysis of education funding through the practice of human rights treaty bodies, as will be seen next. On the SDGs, the situation is less straightforward. SDG 17, which commits governments to 'strengthen the means of implementation and revitalise the global partnership for sustainable development', has clear links with the dimension of Article 2.1 of the ICESCR which is the basis of governments' extraterritorial obligations (The Danish Institute for Human Rights, n.d.). Put together with SDG 4 on education,

SDG 17 may be considered to require governments to focus their development assistance on the priorities included in SDG 4, in particular free quality primary and secondary education. SDG 17 however also includes a highly controversial target (Muchhala and Sengupta, 2015), SDG 17.17, which commits governments to 'encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships'. Nevertheless, reading the SDGs in the light of states' human rights obligations, provides a robust framework for assessing donors' responsibilities and obligations with regards to their support for education in developing countries.

Does UK funding to private schools abroad respect international law and SDG commitments?

The way the Maastricht Principles, and through them, the SDG commitments regarding development aid, apply in practice, can be illustrated through the recent of example of the UK, which has been reviewed by UN human rights bodies.

In recent years, the UK has funded different types of low-fee schools abroad, ranging from community schools to large multinationals. At least since 2013, DFID has recognised the private sector as a key partner in education and its support as a priority, calling for 'developing new partnerships across the public-private spectrum' (DFID, 2013, p. 7) and committing DFID to promote education 'including through low-fee private schools in at least four countries' (DFID, 2013, p. 19). Part of the funding has come directly out of DFID's grant portfolio. Several projects supporting low-cost private schools have come under DFID's flagship programme, the Girl's Education Challenge (Curtis, 2015). Another flagship project is Developing Effective Private Education Nigeria (DEEPEN). Major additional funding for private education was provided in Kenya and Pakistan. According to the British Gov-

ernment, in response to a Parliamentary Question in the UK, a British Minister said: 'DFID has made direct investments in low-fee schools in Nigeria, Kenya and Pakistan' (Stewart, 2016). In addition, the UK Government has also supported private actors via its development finance institution, the Commonwealth Development Corporation (CDC), which it states invested \$7.1m in 2014 on low-fee private schools, including in Uganda (Stewart, 2016).

Most controversial has been that part of this support, both through DFID grants and CDC investments, has been given to Bridge International Academies (BIA). This has been done partly through a grant in Nigeria as part of DEEPEN, with a grant of £3,450,000 being awarded to BIA¹¹. In addition, a 13-year programme worth £75 million managed by the CDC, includes a £15 million investment in venture 'catalyst' fund Novastar, used to support the latter's investment in BIA (Right to Education Project al., 2015a, para. 51).

The human rights impact of this support has been questioned in three ways. Firstly, for the impact it had on Kenya, where BIA operates over 400 schools. As mentioned above, both the Com-RC and the CESCR have raised concerns regarding the impact of the growth of low-cost private schools on the realisation of the right to education in Kenya, therefore indirectly questioning any support for such schools. A number of reports (Machacek and Riep, 2016; Education International and Kenya Union of Teachers, 2016) have highlighted major concerns on the human rights impacts of Bridge International Academies. In particular, a brief by three organisations (the East African Centre for Human Rights, GI-ESCR, and the Initiative for Social and Economic Rights, 2016a) analysing data from Kenya, found that BIA undermined the five dimensions against which to assess private schools. Firstly, the entry cost and the entrance tests lead to segregation and discrimination. Secondly, the company undermines free education while

failing to meet quality standards. Thirdly, its commercial priorities mean that it seeks to achieve large class sizes of up to 60 pupils which runs against a human side to education. Fourthly, it does not respect national norms and standards in education. Finally, it lacks transparency, including intimidating researchers seeking to collect independent data on the company (Aubry, 2017). Particularly problematic is the suggestion that BIA could have been in violation of national laws in Kenya and Uganda, which became more visible after both the Government of Uganda (GI-ESCR, 2012a) and a county in Kenya sought the closure of all BIA schools under their jurisdiction for various failures to meet education and health and safety standards (the East African Centre for Human Rights, GI-ESCR and the Institute for Economic and Social Rights, 2016b).

In line with these concerns, the ComRC more directly addressed the role Bridge International played in its Concluding Observations on Kenya. It expressed concerns with regards to the 'low quality of education and rapid increase of private and informal schools, including **those funded by foreign development aids, providing sub-standard education and deepening inequalities**'¹² (UN Committee on the Rights of the Child, 2016b). Although not explicitly mentioned, informal schools funded by foreign development aid directly relates to BIA, which, according to the Committee, is said to provide low-quality education and deepen inequalities.

Secondly, the ComRC and CESCR both raised clear concerns and recommendations with regards to the UK's support for low-cost private schools more generally, partly on the basis of a series of reports submitted by a large group of civil society organisations (Right to Education Project et al., 2015a, 2015b). In its 2016 Concluding Observations, the ComRC declared: 'In the context of international development cooperation, the Committee is concerned about the State party's funding of low-fee, private and

informal schools run by for-profit business enterprises in recipient countries. A rapid increase in the number of such schools may contribute to substandard education, less investment in free and quality state schools, and deepened inequalities in the recipient countries, leaving behind children who cannot afford even low-fee schools' (UN Committee on the Rights of the Child, 2016c, para. 17). It went on to recommend that the UK 'ensure that its international development cooperation supports the recipient countries in guaranteeing the right to free compulsory primary education for all, by prioritising free and quality primary education in state schools, refraining from funding for-profit private schools, and facilitating registration and regulation of private schools' (Ibid., para. 18).

The CESCR was equally 'concerned about the financial support provided by the State party to private actors for low-cost and private education projects in developing countries, which may have contributed to undermining the quality of free public education and creating segregation and discrimination among pupils and students' (Ibid., para. 14). It was more precise in its recommendations, requesting that the UK 'adopt a human rights-based approach in its international development cooperation' (Ibid., para 15).

These international concerns have led, thirdly, to further domestic inquiry. In 2014, DFID commissioned a 'rigorous' review on the role and impact of private schools in developing countries (Day Ashley et al., 2014). The review notably found inconclusive evidence on quality, due to the lack of control of the socio-economic background of children; relatively negative evidence on equity dimensions; and a lack of regulation of private providers. In November 2016, three Parliamentary Questions were raised on the UK's support of low-fee for-profit schools¹³, including a question on DFID's response to the CRC's recommendation that it prioritise the funding of public education. While noting 'the

recent recommendations of the UN Committee on the Rights of the Child', the UK Government did 'not accept that DFID's funding of private provision of education violates children's right to an education'¹⁴. Interestingly, the response shows that the Government does not question the legitimacy or the value of the human rights framework, but provides a different interpretation for it, though without explaining its reasoning or conducting an alternative independent assessment.

The British Parliament is also conducting an assessment of the situation. In July 2016, the International Development Committee launched an inquiry into DFID's work on education called 'Leaving no one behind?' (parliament.uk, 2016). The scope of the inquiry includes a question on DFID's support for low-cost private schools, signalling the concerns of the parliamentarians: 'Should DFID support low-fee schools, including private schools, in developing countries? If so, what should this support look like? If not, how can universal access be achieved?' (Ibid.). Previously, a parliamentary inquiry into DFID's programme in Nigeria already raised major concerns. The report from the House of Commons said: 'we are concerned about the affordability of private schooling for the poorest families, and that reliance on for-profit companies to deliver education is not easily reconciled with DFID's commitment to "leaving no one behind"'. One risk is that families who can only send some of their children to school may prioritise the education of boys over girls. Regardless of the public/private sector balance of provision, the responsibility of educating children lies with state governments. While DFID is supporting public sector education in Lagos and Kano through its Education Sector Support in Nigeria (ESSPIN) programme, the extent to which DFID is encouraging the expansion of the sector is unclear' (International Development Committee, 2016, para. 94). As a result, the authors of the report 'urge DFID to ensure that its support for private sector provision of education aligns with its commit-

ment to “leaving no one behind”, and that the children who are furthest behind are prioritised. The furthest behind are not going to be served by “for-profit” companies, therefore DFID should deliver a focused strategy on how it is going to help the Nigerian authorities significantly expand public sector provision and deliver quality education to those who cannot afford school fees’ (International Development Committee, 2016, para. 95).

In addition, the Independent Commission for Aid Impact (ICAI), a body that scrutinises UK aid spending and reports to the UK Parliament, has also expressed reserved its doubts on the effectiveness of UK support for private education. A 2015 inquiry from ICAI to assess ‘how well DFID is working with and through businesses to achieve a range of development objectives that benefit the poor’ found relatively poor effectiveness regarding the engagement with businesses in general (ICAI, 2015). The report warns that ‘clearly there may sometimes be a risk that working directly with businesses to deliver benefits could undermine, or be seen to undermine, government efforts, in particular if they are not aligned’ (ICAI, 2015, para. 2.11).

UK support for commercial low-fee private schools is thus clearly contested by various bodies, from different perspectives that include questions on its effectiveness. Two UN bodies found that the UK’s approach could be violating its extra-territorial human rights obligations, which other inquiries tend to confirm. UK development policy appears to contravene a number of the Maastricht Principles detailed above. Contrary to Principle 33, its approach does not prioritise the realisation of the right to education of disadvantaged, marginalised and vulnerable groups. Neither does it focus on core obligations of the right to education, which includes access to free education. The UK’s approach risks being discriminatory; and by supporting the re-introduction of fee-charging education, it may constitute a retrogressive measure, whereas governments had previously committed to remove

fees. The failure to prioritise free quality primary education in development aid would equally run against SDG 17 in combination with SDG 4. Although not discussed in detail, the UK's policy is arguably also questionable under Principle 21, which requires the UK to not impair the ability of another state to realise the right to education, and under Principle 23, which demands the UK to regulate business based on its territories, in the context where several low-fee private school chains have major shareholders based in the UK (such as Pearson, which is an investor in Bridge International Academies). DFID's policy provides a clear case where support for private education can contravene the human rights and SDG frameworks.

4. What is at stake for EU education development aid?

Human rights and SDG framework applicable to the EU

The EU, as such, has not ratified the ICESCR or the CRC, which are the backbone of the human rights framework developed above. The question is thus to determine what the EU's human rights obligations are with regards to its development aid. Although there are debates about the applicability of international law to EU policies (Ahmed and Jesús Butler, 2006), there are, in summary, at least three reasons why the EU must fulfil human rights ETOs in its development policies.

First, all EU Member States are party to the two core international treaties protecting the right to education, the ICESCR and the CRC. Drawing from this observation, in short, the principle is that 'Member States cannot absolve themselves of their responsibilities towards protecting the human rights of their populations by transferring powers to entities such as the EU' (Ahmed and Jesús Butler, 2006, p. 801). As argued by the Office of the High Commissioner for Human Rights (OHCHR) Regional Office for Europe (n. d, p. 31), 'the EU may de facto succeed to the obligations

of its Member States under pre-existing treaties to the extent that it has been delegated powers necessary for their implementation by the Member States'. This means that to the extent that EU Members States have delegated development cooperation powers to the EU, in particular the European Commission (EC), they have also transferred their associated human rights obligations with it. This situation has been anticipated by Principle 16 of the Maastricht Principles which stipulates: 'The present Principles apply to States without excluding their applicability to the human rights obligations of international organisations under, inter alia, general international law and international agreements to which they are parties'.

Second, the EU must respect its own human rights obligations created by internal legal texts and commitments. Article 14 of the Charter of Fundamental Rights of the EU (CFR)¹⁵, which binds EU Institutions, protects the right to education, and is worded in terms similar to Article 13 of the ICESCR. Furthermore, children's rights, which include the right to education, are particularly well-protected in the EU. Article 24 of the CFR stipulates: 'Children shall have the right to such protection and care as is necessary for their well-being'. Article 3 of the Treaty of the European Union (TEU)¹⁶ explicitly recognises the EU's obligation to promote 'the protection of the rights of the child'. More specifically, with regards to 'its relations with the wider world', Article 5 of the TEU mandates the EU to contribute to 'the protection of human rights, **in particular the rights of the child**, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter'¹⁷. This provision makes the ETO dimension of the child rights clear. It adds to the seminal Article 21 of the TEU, through which the EU commits to respect human rights in its international actions. This provision should be read in conjunction with Article 208 of the Treaty on the Functioning of the European Union, which specifies

that 'Union policy in the field of development cooperation shall be conducted within the framework of the principles and objectives of the Union's external action'¹⁸.

Additionally, the EU Institutions have made repeated policy commitments to respect and promote children's rights, as will be detailed below, and is summed up on the website of the European Commission¹⁹. Again, the external dimension of this EU policy is clear, with the website of the EU External Action Service (2016) further indicating: 'The EU is also committed to promoting the ratification and implementation of the UN Convention on the Rights of the Child and its optional protocols'.

Besides its human rights obligations, the EU firmly supports the SDGs. After having played a leading role in their development, the European Commission indicated in a 2016 Communication that 'the EU is fully committed to being a front-runner in implementing the 2030 Agenda and the SDGs, together with its Member States, in line with the principle of subsidiarity' (European Commission, 2016a, p. 3). Confirming the ETO dimension of the SDGs, the EC specified that 'the 2030 Agenda will further catalyse a joined-up approach between the EU's external action and its other policies and coherence across EU financing instruments' (Ibid.). The EU also took steps to review its education policies in the light of the SDGs: '[i]n relation to development cooperation policy, both the Union and its Member States are obliged to comply with the commitments and take account of the objectives they have approved in the context of the United Nations' (European Commission, 2016b, p. 3).

The EU therefore has clear human rights obligations and SDG commitments to fulfil in this matter. Its existing policies and practices with regards to the role of the private sector in its development aid for education will now be reviewed against these obligations and commitments.

EU support for education in developing countries: Overview of policies

Traditionally, the European Union has supported public education systems in its development cooperation, and has not sought to privatise education systems. When it has funded private actors, this has been through non-profit private actors that complement or fill in gaps in the public systems. This is the position that the EC expressed in 2015 in response to a Parliamentary question in the European Parliament – ‘the European Commission promotes education as a fundamental human right and (it promotes) the right to free compulsory education’ (European Parliament, 2015b). Under the current programming phase (2014-2020), the EU supports partner countries’ governments in the implementation of their national education sector plans in order to achieve universal access in basic education and school completion for all. Budget support remains the EU’s preferred aid modality when it comes to education. Nevertheless, in some cases implementation can also take place through contracts with non-state-actors (e.g. local and international NGOs or UN agencies) to provide education even in a fragile context and/or to hard-to-reach groups²⁰. Importantly the EC specified that ‘the EU does not fund profit-oriented private schools’ and that ‘no particular project is currently in place that focuses exclusively on the impact of private schools on national education systems’ (European Parliament, 2015b). The EC even positioned itself as championing the regulation of private schools (Ibid.).

This position, which excludes the funding of commercial actors, promotes regulation, and focuses on public free education where possible. It seems to be aligned with human rights principles related to private education as outlined previously, and its SDG commitments. Nevertheless, the reality appears to be more complex, and the positions could be evolving, with the EU developing a growing ambiguity towards private provision of educa-

tion. A 2010 evaluation of Commission support for education noted that the Commission used different channels to implement its direct support for the education sector: more than half (54%) of the funds went through governments, while development banks were the second most important channel (17%). Other main channels included private actors such as NGOs and private companies/development agencies and UN organisations such as UNICEF or the United Nations Development Programme (Ladj et al., 2010, p. 19). The same paper noted that ‘the position of the EC vis-à-vis support both to public and private actors in education delivery is not crystal clear’ (Ibid., p. 43).

Indeed, back in 2002, a European Commission report said: ‘the importance attached to actors in the education sector also means that account has to be taken of the “private sector” of education which may in some countries make a major contribution to the quantity and quality of education, especially outside the formal education system’ (Commission of the European Communities, 2002, p. 18). In a 2010 Staff working paper entitled ‘More and Better Education in Developing Countries’, the EC developed its view: ‘Private participation in the financing of education infrastructure, service provision, assessment services, teacher training and management services is increasing. [...] Subject to adequate legislation, management and regulation the private sector can be an effective way of extending service provision, improving the quality of education and, if properly targeted, addressing equity issues’ (European Commission, 2010, p. 15). It recommended supporting the ‘exploration of innovative sources of finance for education... and exploring the potential of increased partnerships with the private sector’ (European Commission, 2010, p. 22).

The consideration of the private sector was brought to another level in 2014 with the Communication ‘A Stronger role of the private sector in achieving inclusive growth in developing countries’ (European Commission, 2014). In the document, the

EC (2014, p. 13) supports a growing role for the private sector in EU development cooperation in general, including in the delivery of social services through various forms of public-private partnerships (PPPs). It announced that, 'looking beyond classical PPPs in the infrastructure sectors, the Commission will support new forms of partnerships and multi-stakeholder alliances between national or local authorities, enterprises and NGOs for skills development and the provision of basic services, such as access to sustainable and affordable energy, water, healthcare, and education, as well as in the areas of agriculture and nutrition especially in rural areas, to women and other excluded groups' (European Commission, 2014, p. 13).

The Foreign Affairs (Development) Council of the EU unreservedly endorsed the Commission's framework (Council of the European Union, 2014). It even went further by stressing 'the key role of the private sector in relation to the new global partnership which is being considered in the context of discussions on the post-2015 agenda' (Council of European Union, 2014, para. 4).

When looking ahead at future EU development aid policies, the position of the EU towards the private sector in the delivery of education could become increasingly ambiguous. The EC announced in 2016 that the eradication of poverty, and tackling discrimination and inequality while leaving no one behind, will remain at the heart of EU development cooperation policy (Commission 2016b, para. 24). 'Universal access to quality education and training', 'sustainable provision of essential services', and 'a strong focus on the protection of the most vulnerable' are also mentioned as a priority (Ibid., para. 25), although no mention is made of 'free' or 'compulsory' education, as was the case previously (Commission of the European Communities, 2002, pp. 2, 9, 10). However, the EC has indicated that it wishes to take a new direction in its development cooperation, one which recognises

a more established role for the private sector in its development. The Commission's Proposal for a new European Consensus on Development (2016b, p. 6) notes the changes in development cooperation, particularly in relation to the role of the private sector: 'The development landscape is expanding, encompassing more and new actors and innovative solutions. The private sector is increasingly a key partner in fostering more sustainable models of development. Combining public and private resources to leverage more investments lets engagement step up in challenging environments. A realignment of global resources and investment is needed to achieve sustainable development. Information and communications technology, as well as resilient and efficient infrastructure networks, offer major opportunities for progress across sectors'.

One element to consider when reflecting on the future evolution of EU funding is that a growing part of education aid will be channelled through humanitarian aid. Between 2008 and 2015, the EU spent €264.9 million funding 241 actions under child protection and education in emergencies with international organisations and NGOs as implementing partners (Wilkinson et al., 2016). In July 2015, the Commissioner for Humanitarian Aid and Crisis Management made a commitment to increase the EU's humanitarian spending on education in emergencies from 1% to 4% and from 4% to 6% in 2017 (Wilkinson et al., 2016). Yet, according to an EC Staff Working Document (2016c, p. 34), EU humanitarian aid 'supports multi-stakeholder collaborations, including with the private sector and academia', and the European Commission (2016c, p. 63) 'also supports a more effective involvement of a broader range of actors in humanitarian contexts, including of the local communities, non-DAC (the OECD Development Assistance Committee) donors, the private sector and regional organisations'. While most of the private sector partners of humanitarian aid funding were NGOs in 2015 (Eu-

ropean Commission, 2017), there is a risk that the humanitarian contexts become the entry gate for a commercial private actor, in a context where, for example, global actors such as McKinsey and the Vitol Foundation have been supporting Bridge International Academies providing education to Syrian refugees (McKinsey&Company, 2016).

In parallel to these developments, the European Parliament took an equally ambiguous position, although it was clearer in reaffirming essential principles. In a 2016 resolution on the 'Private sector and development', the Parliament, on the one hand called 'for more public investment in public services accessible for all, especially in the transport sector, access to drinking water, health and education' (European Parliament, 2016, para. 4); it further considered that 'private financing can complement but not substitute public funding' (European Parliament, 2016, para. D). On the other hand, it suggested that the potential of public-private partnerships 'in sectors such as [...] education [...] remain largely untapped' (European Parliament, 2016, para. U). It welcomed the Commission's initiative to endorse the private sector in becoming 'an important partner in achieving inclusive and sustainable development in the framework of the UN SDGs' - where the private sector specifically refers to commercial actors, as it is mentioned 'alongside other governmental and non-governmental development organisations and inclusive business models such as co-operatives and social enterprises' (European Parliament, 2016, para. 1). It also called on the EC 'to promote, support and finance public-public-partnerships as the first option', although after adequate impact assessments (European Parliament, 2016, para. 11). Specifically on education, the European Parliament encouraged a better connection between education systems and the job market, and called on the EC 'to facilitate programmes and support PPPs that involve all the stakeholders concerned, from schools, universities, training centres and private sector actors in

order to offer opportunities for training and education that are relevant to the marketplace’ (European Parliament, 2016, para. 41).

There is therefore an undoubtable progression in the idea that the private sector, including the commercial sector, could receive funding and become a ‘development partner’ to deliver social services such as education. The involvement of the private sector is not necessarily negative: as discussed above, it can be compatible with the realisation of the right to education and SDG 4 under certain conditions. Support for non-commercial schools, as part of a long-term sustainable plan aiming at developing a strong free quality public education system may in some cases be effective and needed. However, the EU must rapidly clear ambiguities on its positions, in order to set up adequate monitoring and safeguarding mechanisms for any potential engagement with the private sector in education.

5. Conclusions and recommendations: What the EU can learn from its experience

There are increasing signals that the European Commission could start funding private actors for the delivery of social services, including commercial ones, against the UN recommendations made to one of its Member States and against a growing body of research showing the ‘negative human rights’ this can cause. The EU is now at a crossroad: will it fulfil its human rights obligations and SDG commitments, or will it yield to the pressure of an indiscriminate involvement of private actors in education? If it followed the latter approach, the EU would seriously risk breaching its human rights obligations and EU law, as well as undermining its SDG commitments. The experience of the UK in funding countries such as Kenya, Uganda, Chile, Pakistan, Nigeria and Ghana clearly demonstrates how development aid can become a

tool that undermines children and communities' right to education in developing countries.

To be able to better inform this discussion, further research should be conducted. The understanding of the extent of the development of the different forms of private schools can be further developed, in particular in non-Anglophone countries. The role and potential positive impacts that non-commercial models can have, as well as how the private sector can fill in short term gaps while encouraging the long-term development of a free quality education system, also need to receive serious additional critical consideration. Lastly, EU policies need to be scrutinised most deeply in the coming years and assessed against EU obligations and commitments, particularly as the funding instruments and sources (blended funding, humanitarian funding, etc.) will make the situation more complex.

In order to address this situation, the EU should rapidly adopt a strong framework that clarifies and frames its engagement in education and its potential engagement with non-commercial actors. In the current political context, the EU should also take action internationally with its Member States and partners, to revert the political trend of support for private schools. To do so, it can build on human rights instruments, and in particular from the forthcoming 'Human Rights Guiding Principles on States' obligations with regards to private schools' (working title), which were being developed at the time of writing and should be finalised by 2018 (GI-ESCR, 2012b)²¹. As with the Maastricht Principles for ETOs, these Principles, which are being developed by a group of experts in international law and education, aim at compiling and unpacking existing human rights legal standards applicable to the role of private actors in education. They could guide the EU on a path towards development cooperation aid that is cognisant of the increasingly complex reality and multiplicity of stakeholders in the countries which it serves. At the same time, it should be

firmly embodied in the respect for human dignity, the rule of law, and a commitment to develop quality, free education systems.

Recommendations for all the European Union institutions

1. Define a clear policy on development aid funding related to the role of private actors in delivering essential social services, which requires the EU:
 - a. To consistently take into account and review its approach against human rights standards, in particular the forthcoming Human Rights Guiding Principles on States' obligations with regards to private schools;
 - b. Never to fund commercial actors;
 - c. Always to fund public education as the first option, with non-commercial actors as a last resort option;
 - d. To be transparent about the options chosen and the actors funded;
 - e. To always pro-actively support the adequate regulation and monitoring of private actors in countries where it is involved;
 - f. To adequately regulate European education organisations operating abroad to ensure that no European private actor undermines human rights abroad;
 - g. To promote domestic resource mobilisation much more firmly, in particular through adequate taxation, to allow the recipient states to build long-term capacities to develop their public education system.
2. The EU should not facilitate the provision of education by private capital that seeks financial returns.
3. The EU should take action in international fora, in particular within the UN, the World Bank and other financial institutions, and the Global Partnership for Education, to block any project involving private actors where it would undermine the

right to education, and instead it should promote support for public education systems, and respect for the forthcoming Human Rights Guiding Principles on states' obligations with regards to private schools.

4. Support research and debate on the impact of the privatisation of social services on human rights, including inequality.
5. Engage with and support civil society organisations working to improve transparency and respect for the rule of law in education systems as well as the realisation of the right to education, including by providing adequate protection to human rights defenders that may be put at risk when working on this issue.

Recommendations specifically for the European Commission

1. Review its approach to the involvement of private actors in the delivery of essential services including education to specify and clarify the scope of the involvement of the private actors in view of the evidence of the impacts on the realisation of human rights. This should ensure that it does not violate its legal obligations and SDG commitments.
2. Communicate transparently about its funding or other support for private actors in the delivery of social services, including by breaking down its funding when it reports to the European Parliament or to the public.

Recommendation specifically for the European Parliament

1. Review EU development aid closely with particular attention to the involvement of private actors in social services, ensuring that each project is assessed against the human rights and SDG framework as above, particularly concerning inequality.

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Endnotes

- ¹ *This article is a shortened version of a briefing paper available at www.solidar.org [forthcoming]*
- ² *UN. Goal 2: Achieve universal primary education. Retrieved from <http://www.un.org/millenniumgoals/education.shtml>*
- ³ *UN. Sustainable Development Goal 17. Retrieved March 1, 2017, from <https://sustainabledevelopment.un.org/sdg17>*
- ⁴ *Own translation*
- ⁵ *See Bridge International Academies. [press kit]. Retrieved February 10, 2017, from http://www.bridgeinternationalacademies.com/presskit2013/Bridge_International_Academies-Presskit-2013.pdf*
- ⁶ *See Omega Schools. Our Pay-As-You-Learn™ Model. Retrieved February 10, 2017, from <http://www.omega-schools.com/payl-model.php>*
- ⁷ *See Center for Education Innovations. (2015). Distribution of low-cost private schools programs in the CEI database. Retrieved February 8, 2017, from <http://www.educationinnovations.org/topics/low-cost-private-schools/data-visualization>*
- ⁸ *UN. Sustainable Development Goal 4. Retrieved March 1, 2017, from <https://sustainabledevelopment.un.org/sdg4>*
- ⁹ *For Art. 13, see UN General Assembly, International Covenant on Economic, Social and Cultural Rights, 16 December 1966, available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>; For Art. 28 and Art. 29, see UN General Assembly, Convention on the Rights of the Child, 20 November 1989, available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx> [accessed 1 March 2017].*
- ¹⁰ *See Maastricht Principles on Economic, Social and Cultural Rights (2011)*
- ¹¹ *See DFID 6496 DFID Support to Innovation in Low Cost Private Education, available at <https://data.gov.uk/data/contracts-finder-archive/contract/1623054/> [accessed on 12 February 2017].*

¹² *Emphasis added*

¹³ See *Developing Countries: Private Education: Written question – 52843*, available at <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-11-14/52843/> [accessed 12 February 2017]; *Developing Countries: Education: Written question – 52755*, available at <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-11-14/52755/> [accessed 12 February 2017]; and *Developing Countries: Education: Written question – 52766*, available at <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-11-14/52766/> [accessed 12 February 2017].

¹⁴ See *Developing Countries: Education: Written question – 52766*, available at, <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-11-14/52766/> [accessed 12 February 2017].

¹⁵ See Art. 14 of the *Charter of Fundamental Rights of the European Union*, 26 October 2012, 2012/C 326/02.

¹⁶ See Art. 3 of the *Treaty on European Union (Consolidated Version)*, 26 October, 2012, C 326/13.

¹⁷ *Emphasis added*

¹⁸ See the *Treaty on European Union (Consolidated Version)*, 26 October, 2012, C 326/13.

¹⁹ See *European Commission, Rights of the Child*, available at http://ec.europa.eu/justice/fundamental-rights/rights-child/index_en.htm [accessed on 12 February 2017].

²⁰ See *European Parliament (2015a)*

²¹ Note that the title of the *Guiding Principles* is tentative and may change after the publication of this article.

References

Ahmed, T. & de Jesus Butler, I. (2006). The European Union and Human Rights: An International Law Perspective. In *Eur. J Int. Law* 17 (4): 771-801. Retrieved February 15, 2017, from <https://doi.org/10.1093/ejil/chl029>.

Archer, D. (2016). *Rights-Based Responses to Non-State Education Provision: A tentative typology and some critical reflections*. Retrieved February 15, 2017, from http://www.actionaid.org/sites/files/actionaid/reflections_on_non-state_actors_-_13th_jan_2016.docx.

Aubry, S. & Dorsi, D. (2016). Towards a human rights framework to advance the debate on the role of private actors in education. In *Oxford Review of Education*. Retrieved October 01, 2016, from <http://dx.doi.org/10.1080/03054985.2016.1224301>.

Aubry, S. (2017). *The Bridge International Controversy: Bridge Schools 'Undermine the Rule of Law, Transparency and Fundamental Rights'*. Retrieved February 14, 2017, from <http://bit.ly/2kngeEW>.

Ball, S.J. & Youdell, D. (2008). *Hidden privatisation in public education*. Education International, Institute of Education, University of London. Retrieved February 15, 2017, from <http://download.ei-ie.org/docs/IRISDocuments/Research%20Website%20Documents/2009-00034-01-E.pdf>.

BIA. (2013a). *Mission*. Retrieved February 10, 2017, from <http://www.bridgeinternationalacademies.com/company/mission/>

BIA. (2013b). *Investors*. Retrieved February 9, 2017, from <http://www.bridgeinternationalacademies.com/company/investors/>

CESCR. (2016). *UN Committee on Economic, Social and Cultural Rights Concluding observations: Kenya*. E/C.12/KEN/CO/2-5. Retrieved March 1, 2017, from <http://bit.ly/1pbiMFP>

Coalition Éducation, Comité Syndical Francophone de l'Éducation et de la Formation, Ficeméa, GI-ESCR, Right to Education Project & Solidarité Laïque. (2016). In *Appel de la société civile francophone contre la marchandisation de l'éducation*. Retrieved February 18, 2016, from <http://globalinitiative-escr.org/wp-content/uploads/2016/07/Appel-contre-la-marchandisation-de-l%C3%A9ducation.pdf>

Coalition Marocaine pour l'Éducation pour Tous and the Global Initiative for Economic, Social and Economic Rights. (2013). *Parallel report submitted by the Coalition Marocaine pour l'Éducation pour Tous and the Global Initiative for Economic, Social and Economic Rights and Sylvain Aubry to the Pre-sessional Working Group of the Committee on the Rights of the Child on the occasion of the consideration of the List of Issues related to the Third and Fourth Periodic Reports of Morocco during the Committee's 67th Session*. Retrieved from <http://globalinitiative-escr.org/wp-content/uploads/2014/01/10.12.13-GI-ESCR-Parallel-Report-CRC-Morocco-FINAL.pdf>

Commission of the European Communities. (2002). *Communication from the Commission to the Council and the European Parliament on education and training in the context of poverty reduction in developing countries*. COM 116 final. Retrieved February 15, 2017, from https://ec.europa.eu/europeaid/sites/devco/files/communication-education-com2002116-20020306_en.pdf.

Commission of the European Communities. (2008). *Commission Staff Working Document: Children in Emergency and Crisis Situations 135*. Retrieved February 15, 2017, from http://ec.europa.eu/echo/files/policies/sectoral/children_2008_Emergency_Crisis_Situations_en.pdf.

Council of the European Union. (2014). *Council conclusions on a stronger role of the private sector in development cooperation: An action oriented perspective*. Retrieved February 15, 2017, from http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/146174.pdf.

Curtis, M. (2015). *DFID'S controversial support for private education*. Retrieved February 15, 2017, from <http://curtisresearch.org/wp-content/uploads/Report-DFID-Education-Curtis-September-2015.pdf>.

Day Ashley, L., McLoughlin, C., Aslam, M., Engel, J., Wales, J., Rawal, S., Batley, R., Kingdon, G., Nicolai, S. & Rose, P. (2014). The role and impact of private schools in developing countries: a rigorous review of the evidence. In *Education Rigorous Literature Review*. UK Department for International Development.

Department for International Development (UK). (2014). *DFID Support for Innovation in Low Cost Private Education*. Retrieved February 14, 2017, from <https://data.gov.uk/data/contracts-finder-archive/contract/1623054/>.

Department for International Development (UK). (2013). *Education Position Paper: Improving learning, expanding opportunities*. Retrieved February 09, 2017, from https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225715/Education_Position_Paper_July_2013.pdf.

East African Centre for Human Rights, Global Initiative for Economic, Social and Cultural Rights, and Initiative Social and Economic Rights. (2016a). *What do the new data on Bridge International Academies tell us about their impact on human rights? A five-point analysis*. Retrieved February 14, 2017, from <http://bit.ly/2h2Vizs>.

East African Centre for Human Rights, Global Initiative for Economic, Social and Cultural Rights, and Initiative for Social and Economic Rights. (2016b). *Information statement on ongoing involving Bridge International Academies Ltd*. Retrieved February 14, 2017, from <http://bit.ly/2eFckEp>.

Economic and Social Rights Centre. (2015). *Kenya's support to privatisation in education: the choice for segregation?* Retrieved February 15, 2017, from <http://bit.ly/1jeZThS>

Education International and Kenya National Union of Teachers. (2016). *Bridge vs. Reality: A study of Bridge International Academies for profit schooling in Kenya*. Retrieved February 20, 2017, from <http://bit.ly/2h1Rml9>.

EFA Global Monitoring Report team. (2015). *Education for all 2000-2015: achievements and challenges. Second Edition*. Paris: UNESCO. Retrieved February 15, 2017, from <http://unesdoc.unesco.org/images/0023/002322/232205e.pdf>.

Wilkinson, C., Eid, L., Hayward, L., Nikolova, N., Dubuis, M., Feifa, I., Furci, V., Ulicna, D., Talbot, C., O'Gorman, S.J., Gladwell, C. & Beadle, D. (2016). *Evaluation of DG ECHO's Action in the field of Protection and Education of Children in Emergency and Crisis Situations (2008-*

2015). Publications Office of the European Union, Luxembourg. Retrieved February 15, 2017, from http://ec.europa.eu/echo/sites/echo-site/files/kr0416823enn_002.pdf.

European Commission, Commission Staff Working Document. (2010). *Commission Staff Working Document: More and Better Education in Developing Countries 121 final*. Retrieved February 15, 2017, from https://ec.europa.eu/europeaid/sites/devco/files/more-and-better-education-in-developing-countries_en.pdf.

European Commission. (2014). *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A Stronger Role of the Private Sector in Achieving Inclusive and Sustainable Growth in Developing Countries 263 final*. Retrieved February 15, 2017, from <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A52014DC0263&qid=1400681732387&from=EN>.

European Commission. (2016a). *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Next Steps for a sustainable European future: European action for sustainability*. COM 739 final. Retrieved February 15, 2017, from https://ec.europa.eu/europeaid/sites/devco/files/communication-next-steps-sustainable-europe-20161122_en.pdf.

European Commission. (2016b). *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Proposal for a new European Consensus on Development: Our World, our Dignity, our Future*. COM(2016) 740 final. Retrieved February 15, 2017, from https://ec.europa.eu/europeaid/sites/devco/files/communication-proposal-new-consensus-development-20161122_en.pdf.

European Commission. (2016c). *Commission staff working document: Key European action supporting the 2030 Agenda and the Sustainable Development Goals*. SWD(2016) 390 final. Retrieved from <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016SC0390&from=ET>

European Commission. (2017). *Funding for humanitarian aid*. Retrieved March 1, 2017, from http://ec.europa.eu/echo/funding-evaluations/funding-humanitarian-aid_en

European Parliament. (2015a). *Parliamentary Questions: Funding for private education in developing countries*, E-001656-15. Retrieved March 1, 2017, from <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2015-001656&language=EN>

European Parliament. (2015b). *Parliamentary questions: Answer given by Mr Mimica on behalf of the Commission*. Retrieved from <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2015-001656&language=EN>

European Parliament. (2016). *European Parliament resolution of 14 April 2016 on the private sector and development (2014/2205(INI))*. Retrieved February 15, 2017, from <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2016-0137+0+DOC+PDF+V0//EN>.

European Union External Action Service. (2016). *Human rights & Democracy*. Retrieved February 12, 2017, from https://eeas.europa.eu/headquarters/headquarters-homepage/414/human-rights--democracy_en

Ghana National Education Campaign Coalition and GI-ESCR. (2014). *Parallel Report* submitted by the Ghana National Education Campaign Coalition and the Global Initiative for Economic, Social and Cultural Rights, with the support of the Africa Network Campaign on Education For All, the Privatisation in Education Research Initiative, the Right to Education Project, the Global Campaign for Education and Education International to the Pre-sessional Working Group of the Committee on the Rights of the Child on the occasion of the consideration of the List of Issues related to the Periodic Reports of Ghana. Retrieved February 11, 2017, from <http://globalinitiative-escr.org/?p=1425>.

GI-ESCR. (2012a). *[updated 25/01] Court upholds Uganda's Ministry of Education's order to close BIA schools*. Retrieved March 1, 2017, from <http://bit.ly/2eal0Tw>.

GI-ESCR. (2012b). *Human Rights Guiding Principles on the Obligations of States Regarding Private Actors in Education*. Retrieved March 1, 2017, from <http://bit.ly/GPprivatisation>

Global Campaign for Education. (2016). *Private profit, public loss: Why the push for low-fee schools is throwing quality education off track*, Johannesburg, South Africa. Retrieved February 15, 2017, from http://www.campaignforeducation.org/docs/reports/PPPL_FINAL%20EDITION_15%20SEPT%202016_A4_WEB.pdf.

Global Initiative for Economic, Social and Cultural Rights. (2016). *Human rights bodies statements on private education September 2014 – October 2016*. Retrieved February 11, 2017, from <http://bit.ly/synthesisprivatisationV7>.

Härmä, J. (2013). Access or quality? Why do families living in slums choose low-cost private schools in Lagos, Nigeria? In *Oxford Review of Education*, 39:4, 548-566. DOI: 10.1080/03054985.2013.825984.

Independent Commission for Aid Impact. (2015). *Business in Development*. Retrieved February 15, 2017, from <http://icai.independent.gov.uk/wp-content/uploads/ICAI-Business-in-Development-FINAL.pdf>.

Initiative for Social and Economic Rights and Global Initiative for Economic, Social and Cultural Rights. (2014). *Alternative Report Submitted by the Initiative for Social and Economic Rights and the Global Initiative for Economic, Social and Cultural Rights*. Retrieved February 11, 2017, from http://globalinitiative-escr.org/wp-content/uploads/2014/12/2014-10-10_ISERGIESCR-Uganda_CESCR.pdf.

International Development Committee (UK). (2016). *Second Report of Session 2016–17, DFID's programme in Nigeria*, HC 110. Retrieved February 15, 2017, from <https://www.publications.parliament.uk/pa/cm201617/cmselect/cmintdev/110/110.pdf>.

Ladj, G., Biervliet, W., Hughes d'Aeth, A., Orivel, F. & Christensen, P. (2010). *Thematic global evaluation of European Commission support to the education sector in partner countries (including basic and secondary education)*. Final report. Volume I.

Machacek, M. & Riep, C.B. (2016). Schooling the poor profitably: the innovations and deprivations of Bridge International Academies in Uganda. In *Education International*.

McKinsey&Company. (2016). *Responding to the global refugee crisis*. Retrieved February 12, 2017, from <http://www.mckinsey.com/about-us/new-at-mckinsey-blog/responding-to-the-global-refugee-crisis>

McLoughlin, C. (2013). *Low-cost private schools: Evidence, approaches and emerging issues*, London: Economic and Private Sector PEAKS.

Menashy, F. (2015). *Tiptoeing around private schools in the Global Partnership for Education*. Working Paper, University of Massachusetts, Boston.

Ministry of Education, Science and Technology (Kenya). (2015). *Registration guidelines for Alternative Provision of Basic Education and Training (APBET)*. Retrieved February 15, 2017, from <https://www.concern.net/resources/kenya-registration-guidelines-alternative-provision-basic-education-and-training>.

Muchhala, B. & Sengupta, B. (2015) *A critique of the emerging post-2015 agenda*.

Mundy, K. & Menashy, K. (2014a). The World Bank and Private Provision of Schooling: A Look through the Lens of Sociological Theories of Organizational Hypocrisy in *Comparative Education Review* 58:3, 401-427.

Mundy, K. & Menashy, K. (2014b). Investing in private education for poverty alleviation: The case of the World Bank's International Finance Corporation in *International Journal of Educational Development* Volume 35, March 2014, 16–24.

Namale, D. (2014). *Kenya's education sector, marred by muddles*. Retrieved February 11, 2017, from <https://mtaaniinsight.wordpress.com/2014/09/03/kenyas-education-sector-marred-by-muddles/>.

Nepal Campaign for Education-Nepal, the Nepal National Teachers Association, Global Initiative for Economic, Social and Cultural Rights. (2016). *Parallel Report on the occasion of the examination of*

the report of Nepal during the 72nd session of the UN Committee on the Rights of the Child. Retrieved February 15, 2017, from <http://bit.ly/1U1IsMC>.

Ngware M., Abuya, B., Admassu, K., Mutisya M., Musyoka, P. & Oketch, M. (2013). *Quality and Access to Education in Urban Informal Settlements in Kenya, African Population and Health Research Center, Nairobi, Kenya.* Retrieved February 11, 2017, from <http://aphrc.org/wp-content/uploads/2013/11/ERP-III-Report.pdf>.

OECD. (2016). *Development finance institutions and private sector development.* Retrieved February 11, 2017, from <http://www.oecd.org/dac/stats/development-finance-institutions-private-sector-development.htm>

Office of the High Commissioner for Human Rights Regional Office for Europe. (n.d.). *The European Union and international human rights law.* Retrieved February 14, 2017, from http://www.europe.ohchr.org/Documents/Publications/EU_and_International_Law.pdf.

parliament.uk. (2016). *DFID's work on education: Leaving no one behind? Inquiry launched.* Retrieved February 12, 2017, from <http://www.parliament.uk/business/committees/committees-a-z/commons-select/international-development-committee/news-parliament-20151/launch-tor-dfids-work-on-education-16-17/>

Results Education Fund. (2017). *From free to fee: Are for-profit, fee-charging private schools the solution for the world's poor?* Retrieved March 29, 2017, from http://www.results.org/uploads/files/From_Free_to_Fee.pdf.

Riep, C.B. (2014). Omega Schools Franchise in Ghana: 'affordable' private education for the poor or for-profitteering? In Macpherson, I., Susan, L.R., and Geoffrey, W., (eds.) *Education, Privatisation and Social Justice case studies from Africa, South Asia and South East Asia*, Oxford: Symposium Books, 259-278.

Right to Education Project et al. (2015a). *The UK's support of the growth of private education through its development aid: Questioning its responsibilities as regards its human rights extraterritorial obligations. Alternative report presented to the Committee on the Right*

of the Child (CRC) on the occasion of the consideration of the list of issues related to the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland (UK) during the 72nd session of the Committee. Retrieved February 15, 2017, from http://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE_Alternative_Report_CRC_ETO_UK_FINAL_October_2015.pdf.

Right to Education Project et al. (2015b). *The UK's support of the growth of private education through its development aid: Questioning its responsibilities as regards its human rights extraterritorial obligations. Alternative report presented to the Committee on Economic, Social and Cultural Rights on the occasion of the consideration of the list of issues related to the sixth periodic report of the United Kingdom of Great Britain and Northern Ireland (UK) during the 58th session of the Committee*. Retrieved February 15, 2017, from http://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE_Alternative_Report_CESCR_ETO_UK_FINAL_October_2015_0.pdf.

Srivastava, P. (2006). Private schooling and mental models about girls' schooling in India. In *Compare: A Journal of Comparative and International Education*, 36:4, 497-514, DOI: 10.1080/03057920601024958.

Srivastava, P. (2015, August 11). Low-fee private schooling: what do we really know? Prachi Srivastava responds to The Economist. In *Oxfam blogs*. Retrieved February 15, 2017, from <http://oxfamblogs.org/fp2p/its-complicated-or-low-fee-private-schooling-what-do-we-really-know/>.

Srivastava, P. (2016). Questioning the global scaling-up of low-fee private schooling: The nexus between business, philanthropy and PPPs. In Verger, A., Lubienski, C. and Steiner-Khamsi, G., (eds.). *The 2016 world yearbook on education: The global education industry*. New York, NY: Routledge, 248-263.

Stewart, R. (2016). *Developing Countries: Private Education: Written question – 52765*. Retrieved February 12, 2017, from <http://www>.

parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-11-14/52765/

The Danish Institute for Human Rights. (n.d.). *The Human Rights Guide to the Sustainable Development Goals*. Retrieved February 12, 2017, from http://sdg.humanrights.dk/en/instruments?direction=1&target=&instrument%5B%5D=26&article=2.1&combine=&items_per_page=100

Tooley, J. & Dixon, P. (2012). A Case Study of Private Schools in Kibera: An Update. In *Educational Management Administration & Leadership*. Vol 40, Issue 6, 690 - 706.

Tooley, J. & Dixon, P. (2006). 'De facto' privatisation of education and the poor: implications of a study from sub Saharan Africa and India. In *Compare: A Journal of Comparative and International Education*.

Tooley, J. & Dixon, P. (2005). *Private education is good for the poor: A study of private schools serving the poor in low-income countries*. Cato Institute Washington, D.C.

UN Committee on the Rights of the Child. (2015). *Concluding observations on the combined second to fourth periodic reports of Brazil*, 30 October 2015, CRC/C/BRA/CO/2-4. Retrieved March 1, 2017, from <http://bit.ly/2gHWbxj>

UN Committee on the Rights of the Child. (2016a). *Concluding observations on the combined fifth and sixth periodic reports of the Philippines*, E/C.12/PHL/CO/5-6. Retrieved March 1, 2017, from <http://bit.ly/2dhMWp7>

UN Committee on the Rights of the Child. (2016b). *UN Committee on the Rights of the Child: Concluding Observations, Kenya*, CRC/C/KEN/CO/3-5. Retrieved March 1, 2017, from <http://bit.ly/1SNEIRX>

UN Committee on the Rights of the Child. (2016c). *UN Committee on the Rights of the Child: Concluding Observations: United Kingdom of Great Britain and Northern Ireland*, CRC/C/GBR/CO/5. Retrieved March 1, 2017, from <http://bit.ly/1OeyD1M>

Singh, K. (2015a). *Protecting education against commercialization*. A/HRC/29/30. Retrieved February 15, 2017, from http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/29/30.

Singh, K. (2015b). *Public Private Partnerships and the right to education*. A/70/342. Retrieved February 15, 2017, from http://www.un.org/en/ga/search/view_doc.asp?symbol=A/70/342.

Singh, K. (2014). *Privatisation and the right to education*. A/69/402. Retrieved February 15, 2017, from http://ap.ohchr.org/documents/dpage_e.aspx?si=A/69/402.

United Nations. (2015). *The Millennium Development Goals Report*. United Nations: New York. Retrieved February 15, 2017, from [http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20\(July%201\).pdf](http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf).

Verger, A., Lubienski, C. & Steiner-Khamsi, G. (eds.). (2016). *The global education industry - World yearbook of education 2016*. New York: Routledge.

