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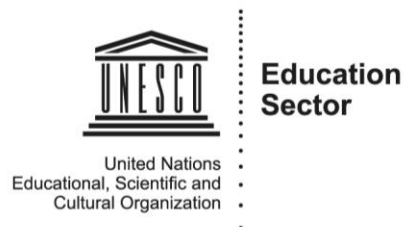
Education
Sector

Indigenous peoples' right to education

Overview of the measures supporting the right to education for indigenous peoples reported by Member States in the context of the Ninth Consultation on the 1960 Convention and Recommendation against Discrimination in Education.

UNESCO Education Sector

Education is UNESCO's top priority because it is a basic human right and the foundation on which to build peace and drive sustainable development. UNESCO is the United Nations' specialized agency for education and the Education Sector provides global and regional leadership in education, strengthens national education systems and responds to contemporary global challenges through education with a special focus on gender equality and Africa.



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UNESCO, as the United Nations' specialized agency for education, is entrusted to lead and coordinate the Education 2030 Agenda, which is part of a global movement to eradicate poverty through 17 Sustainable Development Goals by 2030. Education, essential to achieve all of these goals, has its own dedicated Goal 4, which aims to *"ensure inclusive and equitable quality education and promote lifelong learning opportunities for all."* The Education 2030 Framework for Action provides guidance for the implementation of this ambitious goal and commitments.



Published in 2019 by the United Nations Educational, Scientific and Cultural Organization, 7, place de Fontenoy, 75352 Paris 07 SP, France

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Designed and printed by UNESCO

Printed in France

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Introduction

“Indigenous peoples are living manifestations of cultural diversity, repositories of thousands of rare languages, and essential partners in building knowledge societies and achieving the 2030 Agenda for Sustainable Development. As such, their societies, which among the most vulnerable in the world, are also the heart of the concerns of UNESCO’s mandate. [...] The long history of their social representations and cultural practices should not negate their right to a fair and sustainable present. As peoples of this century, indigenous peoples should not be confined to a lesser condition of humanity. UNESCO is fully committed to working for this justice.”¹

- AUDREY AZOULAY, DIRECTOR-GENERAL OF UNESCO

Indigenous peoples account for about 370 million people, living across over 90 countries. Although they represent only five per cent of the world’s population, indigenous peoples constitute about 15 per cent of the world’s poor.² Among the many inequalities they face, the lack of access to quality education is particularly blatant. In many countries, indigenous peoples encounter more barriers to the completion of primary school and are less likely to obtain a diploma, certificate or degree than non-indigenous are. Progression to higher levels of education remains a challenge for many of them, especially for girls. Both rural and urban indigenous persons are affected; while rural indigenous peoples often have less access to teaching materials and a poor school infrastructure, urban areas do not always provide culturally appropriate services, for example mother tongue-based education.³

This lack of access to quality education is mainly due to the marginalized status of indigenous peoples, and at the same time strengthens their exclusion from society. This social issue has its roots in a mix of irrelevant policies and perceptions, including decades of assimilation policies that do not take into account their cultural heritage, knowledge, traditional cultural expressions and languages. In some countries, formal education was often seen as a way to assimilate indigenous populations, separating children from their families, their cultural practices and languages.⁴ Such an approach tend to fail not only in maintaining their specific cultures, worldviews, languages and lifestyles, but also in creating an inclusive learning environment, in which respect for diversity and the difference can be fostered for both indigenous and non-indigenous children.

¹ UNESCO. 2018. *UNESCO policy on engaging with indigenous peoples*. p.1.

<http://unesdoc.unesco.org/images/0026/002627/262748e.pdf>

² World Bank. “Indigenous peoples”. Last update: 2nd April 2019.

<https://www.worldbank.org/en/topic/indigenouspeoples>

³ Tauli-Corpuz V. 2014. *Report of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples: Rights of indigenous peoples, including their economic, social and cultural rights in the post-2015 development framework*. (Doc. A/69/267), para.59.

<http://unsr.vtaulicorpuz.org/site/index.php/en/documents/annual-reports/35-report-ga-2014>

⁴ Tozer, Steven E., Paul C. Violas and Guy Senese. 2002. *School and Society*. 4th ed. Boston: McGraw-Hill; Reynolds, Richard J. 2005. *The education of indigenous Australian students: Same story, different hemisphere. Multicultural Perspectives*. Vol 7(2), pp.48-55.

The 2030 Agenda commitment to 'leave no one behind', brings new impetus to ensure that indigenous peoples' priorities are heard. The commitment to taking into account their specific learning needs is reflected in the Sustainable Development Goal 4 'Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all', especially under the target 4.5, which explicitly calls on States to "ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations."

Acting within the framework of the United Nations and in accordance with the principles of the 2007 Declaration on the Rights of Indigenous Peoples – and more particularly its article 14, which enshrines the right to indigenous peoples to "all levels and forms of education of the State without discrimination" and their right to "establish and control their educational systems and institutions providing education in their own languages" – UNESCO adopted in 2017 a **policy on engaging with indigenous peoples**.⁵ This UNESCO policy supports the efforts of UNESCO to implement the UNDRIP across all relevant programme areas and reinforces its contribution to the 2030 Agenda for Sustainable Development and the United Nations system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples.

Furthermore, the United Nations declared 2019 The Year of Indigenous Languages (YIL2019) in order to raise awareness, not only to benefit the people who speak these languages, but also for others to appreciate the important contribution they make to our world's rich cultural diversity. Initiatives will commemorate this major event throughout 2019, aiming to highlight the urgent need to preserve, revitalize and promote indigenous languages around the world, and to tackle the issue of the alarming loss of languages and worldviews. Teaching these languages and traditions and transmitting associated cultures to young generations through education is one of the measures to reverse this trend.

Concurrently, as part of its mandate, UNESCO monitors the implementation of the 1960 Convention and Recommendation against Discrimination in Education, which provides an international legal framework for the protection of the right to education and prohibits any form of discrimination in education.

To monitor the implementation of the right to education, UNESCO regularly launches periodic consultations of Member States, by which they are requested to submit reports highlighting the situation in their countries as well as progress and issues. Nine consultations have been conducted so far on the implementation of the Convention and Recommendation against Discrimination in Education.

The most recent one, the **Ninth Consultation** of Member States, covering the period from 2012 to 2016, was conducted in 2016 and 2017 and its results were submitted to UNESCO's Governing Bodies at the end of 2017. Sixty-seven Member States participated in this consultation by submitting national reports to UNESCO. Fifteen of them (several Latin American countries, Nordic countries, Australia, Canada, Iran and New Zealand) reported on

⁵ UNESCO. 2018. *UNESCO policy on engaging with indigenous peoples*.
<http://unesdoc.unesco.org/ages/0026/002627/262748e.pdf>

measures taken in relation to the right to education for indigenous peoples. These national reports provide many varied examples of what can be done in order to improve indigenous education, from constitutional provisions, to practical and concrete policies, including specific budget, curriculum and teacher training adapted to indigenous peoples' cultural specificities, bilingual and intercultural education, etc. If most measures are dedicated to formal basic education, there are also some in other areas such as early childhood care and education, higher education or adult education. These measures can have a significant impact on indigenous peoples' access to quality education and show that inequalities faced by them are not irremediable and can be overcome.

Presentation of the document

This document follows a previous series of thematic mappings on the implementation of the right to education regarding specifically *Girls' and Women's Right to Education*,⁶ *the Right to Education for Persons with Disabilities*,⁷ and *the Right to Education and the Teaching Profession*.⁸ It compiles practical examples related to indigenous people's right to education, extracted from reports submitted by Member States within the framework of the Ninth Consultation on the implementation of the 1960 Convention and Recommendation against Discrimination in Education. It is intended to serve as a practical tool for both information sharing and advocacy.

Section one presents the international legal framework protecting the right to education for indigenous peoples.

Section two provides a thematic analysis of measures and promising practices that have been reported on by Member States to ensure the full enjoyment of the right to education for indigenous people.

Section three compiles references to the right to education of indigenous people in national reports submitted for the Ninth Consultation of Member States. They are available for the 15 Member States that provided sufficient information on measures taken, out of the 67 reporting Member States. The factsheets contained herein highlight progress and challenges in constitutional, legislative and policy frameworks and measures addressing the right to education of indigenous peoples.

⁶ Document accessible at: <http://unesdoc.unesco.org/images/0022/002278/227859e.pdf>

⁷ Document accessible at: <http://unesdoc.unesco.org/images/0023/002325/232592e.pdf>

⁸ Document accessible at: <https://unesdoc.unesco.org/ark:/48223/pf0000234820>

Section 01: The international legal framework protecting the right to education for indigenous peoples

The right to education has been internationally recognized as an overarching right: it is a human right in itself and is indispensable for the exercise of other human rights. A number of international standard-setting instruments protect the fundamental human right to education.

Indigenous peoples face specific challenges in the pursuit of their right to education resulting in a reduced access to mainstream education. Specific provisions guarantee their right to education and encourage countries to adopt an approach that is inclusive to all, including indigenous peoples.

The international legal framework setting education as a fundamental human right

“Everyone has the right to education” according to Article 26 of the **Universal Declaration of Human Rights** (1948). This cannot be stated more clearly. It is a litmus test for the individual to assess the government’s commitments to fundamental rights.

The **UNESCO Convention against Discrimination in Education** (1960), which has been recognized as a key pillar in the EFA process, is the first legally binding international instrument which lays down core elements of the right to education. This Convention prohibits any discrimination in the field of education and expresses the principle of equality of educational opportunities. Article 1(a) of the Convention specifies that depriving any person or group of people of access to education of any type or at any level counts as an act of discrimination. Although the term ‘indigenous’ does not appear concretely in the Convention, the definition of “discrimination” in the first article *‘includes any distinction, exclusion, limitation or preference (...) based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth’*. Furthermore, Article 4 legally binds States Parties to formulate, develop and apply a national policy, which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education. These provisions account for the expansion of the right to education for all on a national level, by engaging States Parties to make their respective education systems more inclusive, in particular, by providing access to education at all levels without discrimination especially for the most vulnerable groups.

Moreover, UNESCO has adopted several other international standard-setting instruments, including one Convention and seven Recommendations,⁹ which further develop various dimensions of the right to education.

Among the United Nations human rights treaties, Article 13 of the **International Covenant on Economic, Social and Cultural Rights** (1966) draws extensively on UNESCO's Convention against Discrimination in Education, and like the Convention, covers the right to education comprehensively.

The **United Nations Convention on the Rights of the Child** (1989) enshrines the right to education as a right of the child (Articles 28-30) and directly addresses the right of indigenous peoples in its article 30 stating that a '*child (...) who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language*'.

Several other international standard-setting instruments cover specific dimensions of the right to education.¹⁰

The international instruments addressing specifically the right to education for indigenous peoples

The adoption of the **United Nations Declaration on the Rights of Indigenous Peoples** (2007) is highly significant, as indigenous peoples, including children, often remain victims of discrimination and/or deprived of equal opportunities. It is the only United Nations human rights instrument promoting comprehensively the rights of indigenous peoples, including the right to education in its Article 14, which states that indigenous peoples have a right to establish their own education systems and to ensure teaching in their own languages, in respect of their own cultures. It also reaffirms that education should be available to them without discrimination and that States should take effective measures to improve access to education for indigenous peoples and when possible, in their own language.

The Declaration was adopted by the UN General Assembly, by a majority of 144 States in favor, four against and 11 abstentions. The four States that voted against (Australia, Canada, New Zealand and the United States) have endorsed the Declaration since then. This was an important step, considering they are countries with a large population of indigenous peoples. "Today the Declaration is the most comprehensive international instrument on the rights of indigenous peoples. It establishes a universal framework of minimum standards for

⁹ It refers to (in chronological order): the Recommendation against Discrimination in Education (1960), the Recommendation concerning the Status of Teachers (1966), the Recommendation concerning Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms (1974), the Recommendation on the Development of Adult Education (1976), the Convention on Technical and Vocational Education (1989) the Recommendation on the Recognition of Studies and Qualifications in Higher Education (1993), the Recommendation concerning the Status of Higher-Education Teaching Personnel (1997), and the Revised Recommendation concerning Technical and Vocational Education and Training (2015).

¹⁰ Specific dimensions of the right to education are covered notably by the Convention on the elimination of All Forms of Discrimination against Women (1979) (Article 10), and the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (1990) (Articles 12, 30 and 45).

Article 14 of the United Nations Declaration on the Rights of Indigenous Peoples

1. *Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.*
 2. *Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.*
 3. *States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.*
-

the survival, dignity and well-being of the indigenous peoples of the world and it elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of indigenous peoples".¹¹ This instrument is however not legally binding.

Other international and regional instruments adopted in order to protect the rights of indigenous populations, including education, are the **European Union Resolution on Indigenous Peoples** (1988), the **ILO Indigenous and Tribal Peoples Convention** (1989) and more recently the **American Declaration on the Rights of Indigenous Peoples** (2016). There is also the **ILO Indigenous and Tribal Populations Convention of 1957**, which is not open to ratification anymore but is still in force for 17 countries.

The ILO Indigenous and Tribal Peoples Convention (1989) contains provisions on the right to education in its **part VI** (art 26 to 31). This Convention is currently the only international treaty on indigenous peoples that is open to ratification. Twenty-two countries have ratified it so far. The Convention provides for some positive actions from States such as ensuring the training of indigenous peoples so that they can participate in the development and implementation of their education system, ensuring the preservation of their languages and ensuring that they have the opportunity to learn the national languages. The Convention also contains similar clauses to those that are found in the UN Declaration such as equal access to education, non-discrimination and the sharing and respect of their culture.

¹¹ United Nations, Division for Social Policy and Development, Indigenous Peoples. *United Nations Declaration on the Rights of Indigenous peoples*. <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

ILO Indigenous and Tribal Peoples Convention

Part VI. Education and means of communication

Article 26

Measures shall be taken to ensure that members of the peoples concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.

Article 27

- 1. Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.*
- 2. The competent authority shall ensure the training of members of these peoples and their involvement in the formulation and implementation of education programmes, with a view to the progressive transfer of responsibility for the conduct of these programmes to these peoples as appropriate.*
- 3. In addition, governments shall recognise the right of these peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. Appropriate resources shall be provided for this purpose.*

Article 28

- 1. Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.*
- 2. Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country.*
- 3. Measures shall be taken to preserve and promote the development and practice of the indigenous languages of the peoples concerned.*

Article 29

The imparting of general knowledge and skills that will help children belonging to the peoples concerned to participate fully and on an equal footing in their own community and in the national community shall be an aim of education for these peoples.

Article 30

- 1. Governments shall adopt measures appropriate to the traditions and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention.*
- 2. If necessary, this shall be done by means of written translations and through the use of mass communications in the languages of these peoples.*

Article 31

Educational measures shall be taken among all sections of the national community, and particularly among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbour in respect of these peoples. To this end, efforts shall be made to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples.

In 2014, the UN General Assembly also adopted an '**Outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples**' addressing the right of indigenous peoples including in education. Besides, the **Sustainable Development Goal 4** on education has for target 4.5 to '*(...) ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations*' by 2030.

Section 02: Analysis of measures reported within the framework of the ninth consultation

Several reports – around 20 percent – submitted within the framework of the Ninth Consultation of Member States on the implementation of the 1960 UNESCO Convention and Recommendation against Discrimination in Education describe measures taken to ensure indigenous peoples' fundamental right to education. There is a growing realization of the necessity of a strong legal and policy framework ensuring indigenous peoples' access to all levels of education. However, more action in this area is needed to ensure the protection and promotion of this right to education for today's indigenous peoples and for future generations.

From the analysis of the Member States' reports it has emerged that despite the specific and various challenges each country faces, they have adopted quite similar approaches. Many countries have reported that they provide funding to support indigenous students in general and through specific scholarship programs in particular. More attention has also been paid to the training of teachers, on the one hand making teachers aware of specific challenges indigenous students face and on the other hand training indigenous teachers. Another fundamental aspect of indigenous peoples education has been the adaption of curricula and of teaching materials to respect their diversity and their diverse learning needs, and the inclusion of indigenous content in the curricula. One of the key measures that all countries introduced is bilingual intercultural education aiming at strengthening and preserving minority languages. Several countries also constitutionally guarantee indigenous rights. Some established indigenous schools or introduced measures addressing indigenous history and promoting reconciliation between indigenous and non-indigenous populations. Finally, yet importantly, a number of countries set up institutions specialized in working on issues related to indigenous peoples to work with the government.

Constitutional guarantee of indigenous rights

Constitutional guarantees for human rights and the right to education are highly encouraged, since national constitutions provide the highest level of legal protection in national legal systems. Several countries *constitutionally guarantee the rights of indigenous peoples*, sometimes directly related to education. In this regard, the Constitution of the Federative Republic of Brazil guarantees the political, cultural, educational and linguistic rights of indigenous peoples. The Constitution of Ecuador spells out the right to learn in one's own language and cultural environment as well as the obligation of the State to ensure bilingual intercultural education in accordance with cultural diversity. Likewise, the Constitution of Bolivia (Plurinational State of) ensures education to be "intracultural, intercultural and multilingual". Finally, indigenous peoples received "significant recognition" in Venezuela (Bolivarian Republic of), whose Constitution contains provisions including indigenous rights.

Institutional bodies

When targeting indigenous students, education systems should take into account their particularities as learners and provide educational services adapted to their circumstances and context. To be well-designed, these specific policy measures require distinctive institutions or divisions within the Ministries of Education, working alongside indigenous communities.

In this context, extensive information has been provided by reporting countries on *institutions focusing on indigenous people* working with the government. Sweden established the *Sámi Education Board (Sameskolstyrelsen)*, a government agency which promotes the development and production of teaching materials for Sámi teaching. In some countries, the promotion of indigenous peoples' education may even be the responsibility of several bodies. In Canada, each of the provinces and territories rely on their *Regional Indigenous Organizations (RAOs)*, while the *Truth and Reconciliation Commission of Canada* informs Canadians about the legacy of Indian Residential Schools and inspires a process of reconciliation and renewed relationships based on mutual understanding and respect. In Australia, three bodies are in charge of issues linked to indigenous peoples' education, namely the *Australian Indigenous Education Foundation*, the *Aboriginal and Torres Strait Islander Higher Education Advisory Council (ATSHEAC)* and the *National Aboriginal and Torres Strait Islander Higher Education Consortium (NATSIHEC)*. In Bolivia, the *Plurinational Institute for the Study of Languages and Cultures (IPELC)* and language and culture institutes for indigenous peoples and nations have been established.

Such specific bodies designing policies in relation to indigenous peoples' education can also take the shape of a specific division in the state administration, as in Chile, where the Ministry of Education created in 2015 a technical secretariat specializing in articulating the various initiatives and policies on intercultural matters. In Honduras, the *Sub-Directorate-General of Education for Indigenous and Afro-Honduran Peoples* aims to organize, coordinate and implement bilingual intercultural education for all indigenous and Afro-Honduran communities.

Finally, specific bodies can be established with a temporary and determined task, as can be seen in Norway, where a public committee was appointed in September 2014 to study legislation, measures and schemes for the Sámi languages, and to review and submit a report on the Education Act provisions on education in the Sámi languages.

Financial measures

To guarantee the right to education for all, funding commitments and budgetary expenditure are required. Under Article 2 of the International Covenant on Economic, Social and Cultural Rights, States have the obligation to use the maximum of their available resources in order to progressively realize the right to education for all, including indigenous peoples.

A positive example is offered by Australia who funds indigenous education through a number of investments. These include specific funding through the Children and Schooling Programme, which provided \$237.5 million in 2015-16 to improve school attendance,

educational outcomes and Year 12 retention. Indigenous students in remote areas receive support through the Remote Schools Attendance Strategy, in which Australia invested \$80.1 million. Further initiatives focus on ensuring sufficient funding to support indigenous students, focusing on specific skills, such as gaps in literacy outcomes, or on particular regions, such as the Northern Territory. In Brazil, the Department for Continuing Education, Literacy, Diversity and Inclusion set up the PROLIND programme, which in 2014 and 2015 provided over R\$26 million to higher education institutions receiving over 2,500 trainees from indigenous communities. Canada reported to have invested \$1.58 billion in 2013-2014 to support around 108,000 First Nation students living on reserve from Kindergarten to Grade 12. In Iran, the Ministry of Education has financed part or the entire expenditures and fare of minibuses and transportation of students, including for those living in tribal regions, while in Sweden, funding is supplied to produce teaching materials in the national minority languages.

Besides general funding, specific vulnerabilities, as well as discrimination and social exclusion faced by indigenous peoples, may exacerbate their frequent situation of poverty and precariousness that make it difficult to cope with the costs associated with education (e.g. school fees, uniforms, textbooks and other school supplies). In this context, targeted financial support to indigenous students and their families represents a strong lever to strengthen access to education for indigenous peoples. Among support mechanisms, cash transfers to families with school-aged children are direct payments to enable families to enrol their children in school. These transfers can be conditional (based on requirements such as a minimum level of school attendance) or unconditional (not subject to minimum requirements).

A majority of countries have provided information on *income support* for indigenous students. A common strategy adopted is the provision of scholarships to indigenous students, as highlighted by almost all countries who reported on measures for income support. Whereas some countries assist students to complete primary or secondary school, others focus on access to tertiary education.

In addition, Brazil announced 3,800 scholarships to fund rural and indigenous teacher training under the *Institutional Introduction to Teaching Scholarship Program*, PIBID. Canada informed on funding support for nine innovative projects, resulting in new school facilities that will benefit over 20 First Nations communities.

Curriculum

The form and substance (including curricula) of education should be acceptable to all students (relevant, culturally appropriate and of good quality). In this regard, the curriculum needs to be adapted to the particular circumstances of indigenous learners. Besides, schooling content should promote cultural diversity and tolerance. Curricula and textbooks need to be reviewed in order to highlight the contribution and legacy of indigenous peoples, foster the values of living together and challenge prejudices and discriminatory practices.

Several countries mentioned the *development of a curriculum that respects diversity* and diverse learning needs and includes indigenous specific elements. A common strategy adopted has been the mainstreaming of indigenous content. In this respect, Australia included Aboriginal and Torres Strait Islander histories and cultures as a cross-curriculum priority. In Brazil, issues related to indigenous and Afro-Brazilian cultures are mainstreamed at the primary and secondary level. Furthermore, the Canadian provinces Alberta and British Columbia redesigned their curricula to include First National, Métis and Inuit content into all subjects.

Bolivia and Honduras have explored ways to adapt curricula to indigenous people, with Bolivia developing height regional curricula and 15 more under development and Honduras adapting pre-school and primary school curricula to be appropriate and contextualized for indigenous and Afro-Honduran peoples. A curriculum framework for primary years one to height for indigenous languages has been created by Chile. The framework, which includes programmes on four of the most vital areas of endangered languages (Aymara, Quechua, Rapa Nui and Mapuzugun), started to be implemented in 2010. In Canada, a curriculum for the Bachelor in Education and teacher-education programmes on Canadian history and the legacy of Indian Residential Schools has been realized. A particularly interesting example was reported by New Zealand who developed the world's first holistic and bi-cultural curriculum for early childhood education *Te Whāriki*.

Bilingual intercultural education

More specifically, the language of instruction plays a central role in the acceptability of education by all. To build foundations for effective learning, quality education needs to be delivered in a language students can speak and understand. In the context of SDG4- Education 2030, equity and lifelong learning, the respect of language rights and the creation of policies in this regard are of key importance.

Extensive information has been provided by countries reporting on *bilingual intercultural education*. A number of countries provide for bilingual intercultural education through legal guarantees. In Bolivia, Article 78 of the Constitution spells out that "Education is intracultural, intercultural and multilingual throughout the entire education system", while bilingual intercultural education in Argentina is established through Law No. 26,606 and in Ecuador through Article 78 of the Organic Law on Intercultural Education. The Law on Indigenous Languages of 2008 in Venezuela guarantees indigenous peoples education systems that are in conformity with the principle of interculturality by declaring the teaching of indigenous languages in indigenous areas as compulsory. The Brazilian National Pact for Literacy at the Right Age, amended in 2013, includes consideration of indigenous' linguistic rights.

Furthermore, a number of other countries provide for bilingual intercultural education through various measures. In Chile, a programme on bilingual intercultural education has been set up. Sweden provides for mother tongue tuition in a national minority language and bilingual and Māori language immersion classes are included in New Zealand's mainstream schools. The organization, coordination and implementation of bilingual intercultural

education is carried out by the Directorate General for Multilingual Intercultural Education in Honduras, while in Norway, the municipalities ensure that Sami kindergartens are set up in the Sami language and culture. To guarantee the preparation of primary education teachers in indigenous schools, continuing education in Brazil is set up to reflect the bilingual and multilingual challenges and complexities involved. Finally, the “Dolores Cacuno” literacy project in Ecuador uses native languages and targets indigenous communities in 19 provinces. The initiatives on bilingual intercultural education play a crucial role in preserving and developing indigenous languages and cultures in the educational process.

Teacher education and training

The provision of competent and trained teachers is crucial and a key condition for quality education. The working conditions of teachers in indigenous contexts are challenging and in the majority of the cases, they do not possess the necessary experience and skills for facing atypical conditions. Educators, teachers and persons working in educational institutions need additional pre- and in-service training and support from governments in order to adapt their methods to classrooms with students from diverse backgrounds and meet indigenous students' specific learning needs.

Information has been provided by several countries on measures taken to *adapt teacher training* to an indigenous context. These programs are aimed on the one hand at the education and the support of indigenous teachers and on the second hand at forming and raising awareness of non-indigenous teachers. In this regard, Canada supports First Nation educators on reserve through its *First Nation Student Success Program*, whereas Brazil offers specific courses to train indigenous teachers through the PROLIND programme and the *Coordinated Actions Plan*. In Chile, a teaching programme on history, language and culture, aimed at traditional teachers from indigenous peoples has been designed. Sweden and Honduras have adopted programmes on language training, with Sweden providing training in national minority languages and Honduras creating a training programme in Bilingual Intercultural Education. An interesting example is Brazil's *Institutional Program for the Introduction to Teaching for Diversity*, which offers scholarships for students in undergraduate programmes addressing intercultural, indigenous and rural education to prepare teachers for the work in these schools. A different approach is highlighted by Australia, who adopted the *Australian Professional Standards for Teachers*, which all teachers are required to follow and which include the promotion of reconciliation between indigenous and non-indigenous Australians, the support of inclusive student participation and the maintenance of student safety.

School assistance and material

Besides curriculum, *teaching materials* also need to be adapted to indigenous peoples' contexts. A majority of countries reported on materials published in indigenous languages. Bolivia developed school booklets in 13 indigenous languages and published 26 alphabets in indigenous languages, while Sweden produced teaching materials in the national minority languages corresponding to the new curricula for national minority languages and Honduras designed curriculum guides and textbooks in seven languages and literature in indigenous languages. Furthermore, textbooks in Spanish as a second language have been developed.

The Government Directive No. 977 of October 3, 2013 in Brazil included proposals to research opportunities for producing bilingual and monolingual textbooks and materials in different indigenous languages and the *Indigenous Knowledge in Schools Action* includes the production of teaching materials for indigenous education depending on the sociolinguistic situation of the schools involved. Mexico developed monolingual, bilingual and plurilingual handcrafted cardboard books, with a total of 7.1 million copies distributed during the 2015-2016 academic year.

Promotion of indigenous history

It is important to highlight the history, contribution and legacy of indigenous peoples in schools and through non-formal education in order to challenge prejudices and discriminatory practices. Several countries reported on measures to *share indigenous history and promote reconciliation between indigenous and non-indigenous populations*. With the celebration of Indigenous Peoples Day, Chile promotes indigenous history, while Australia includes the history of Aboriginal and Torres Strait Islander in its curriculum. In Canada, a key area in sharing history and promoting reconciliation concerns the Indian residential schools. The Truth and Reconciliation Commission of Canada has been created to inform all Canadians about Indian Residential Schools. It aims at encouraging a process of reconciliation and renewed relationships between indigenous and non-indigenous populations. Furthermore, Canada promotes resource development addressing the legacy of Indian Residential schools for all Canadian K-12 education systems.

Sweden has established Sami schools to offer Sami children education about Sami culture, history, traditions and Sami language, while the Māori-language immersion schools (*kura kaupapa Māori*) in New Zealand reflect the Te Aho Matua philosophy, a set of Māori philosophies guiding teaching.

Section 03: Country Factsheets

How to use these factsheets?

The factsheets available in section three start by providing information on countries' status of ratification of the 1960 UNESCO's Convention against Discrimination in Education (CADE) and the ILO Conventions, either the Indigenous and Tribal Peoples Convention (1989) or the Indigenous and Tribal Populations Convention (1957). The "constitutional provisions, legislative provisions, measures" sections are composed of extracts from 15 country reports. They illustrate how Member States have made noteworthy advances in addressing discrimination that traditionally impede the right to education of indigenous people and ways that they have increased opportunities available to these persons, in order to fully achieve the principles of equity and equality of educational opportunities. As these sections are solely composed of extracts from country reports, no language editing has been made. The factsheets are available in English. For Member States submitting their reports in other languages, the extracts have been translated by UNESCO.

Argentina

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 30/10/1963
- **ILO Indigenous and Tribal Peoples Conventions (1989)**
State Party since 03/07/2000

Legislative provisions

“Law No. 26,206 establishes as a modality Bilingual Intercultural Education, which guarantees, at all levels, the constitutional rights of indigenous peoples to receive an education that contributes to preserving and strengthening their cultural patterns, language, worldview and ethnic identity.”¹²

Measures

“There is also a scholarship programme called “Support for the education of adolescent and young indigenous peoples” aimed at adolescent and young indigenous people aged up to 18 years, of Argentine nationality, who are full-time pupils in the last year of primary school or in secondary school, whether State-run or privately owned unique offering.”¹³

¹² Argentina. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p.5. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/ARGENTINA.pdf>

¹³ Ibid.

Australia

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 29/11/1966
- **ILO Indigenous and Tribal Peoples Conventions (1989)**
Not yet a State Party

Measures

“Indigenous people and education

The Australian Government is working with other governments, the non-government sector and families to increase the number of Aboriginal and Torres Strait Islander children: going to preschool, attending school regularly, performing well at school, staying on at school through to Year 12, and making successful transitions into further education and employment. (...)

In 2015, Education Ministers endorsed the National Aboriginal and Torres Strait Islander Education Strategy, which builds on existing national initiatives by setting out principles and priorities to inform jurisdictional approaches to Aboriginal and Torres Strait Islander education. The seven linked priorities of the Strategy are:

- school and child readiness
- literacy and numeracy
- attendance
- transition points including pathways to post-school options
- leadership, quality teaching and workforce development
- culture and identity
- partnerships

The Australian Government provides specific funding to support Aboriginal and Torres Strait Islander students through the Children and Schooling programme, part of the Australian Government's Indigenous Advancement Strategy. In 2015–16, the Children and Schooling programme is providing \$237.5 million to projects to improve school attendance, educational outcomes and Year 12 retention. This funding supplements mainstream funding in early childhood, schooling and higher education.

School attendance

Improving school attendance rates amongst Aboriginal and Torres Strait Islander students is a key priority for the Australian Government. (...) Recognising that regular school attendance

is important to a child's literacy and numeracy development and level of educational attainment, in May 2014, the Council of Australian Governments [COAG] agreed to a new target to close the gap between Indigenous and non-Indigenous school attendance within five years (by the end of 2018). There is still some way to go in meeting the target agreed by COAG. Attendance is a particular issue in remote areas.

In 2014, in response to this crisis in remote areas, the Remote School Attendance Strategy (RSAS) was implemented by the Australian Government. Between 2016 and 2018, the Australian Government has invested \$80.1 million in the RSAS. The RSAS operates in 77 remote schools across Australia and aims to improve rates of Indigenous school attendance through employing local community members as school attendance officers and supervisors to provide support to children to attend school every day. Since the initiative began, there has been a two percentage point increase in school attendance across RSAS schools. RSAS has highlighted the complexity of factors that underpin school attendance, including factors linked to social functioning. Issues like family mobility have also been highlighted through the roll out as impacting significantly on attendance.

Schooling

Each aspect of Australia's national school education policy architecture includes Indigenous specific elements, including:

- the Australian Professional Standards for Teachers (through 1.4 strategies for teaching Aboriginal and Torres Strait Islander students, and 2.4 understand and respect Aboriginal and Torres Strait Islander people to promote reconciliation between Indigenous and non-Indigenous Australians)
- the Australian Curriculum (through the Aboriginal and Torres Strait Islander histories and cultures cross-curriculum priority)
- school funding (through the Indigenous loading which is paid in respect of each Aboriginal and Torres Strait Islander student at a school).

To assist remote students to access secondary schooling and support Year 12 attainment as well as support higher education and training outcomes, the Australian Government funds the ABSTUDY scheme as part of the income support system. ABSTUDY can provide a means-tested living allowance, travel, accommodation and other entitlements and assists around 30,000 Aboriginal and Torres Strait Islander students each year.

The Australian Government supports Indigenous students' education through a range of initiatives, including:

- investing an estimated \$244.04 million in 2016, through the Indigenous loading under recurrent funding arrangements, to ensure every school has the funding it needs to support Indigenous students to achieve a quality education
- from 2014 to 2016 non-government boarding schools with large numbers of Aboriginal and Torres Strait Islander boarding students from remote or very remote areas are eligible to receive additional Australian Government recurrent funding. In 2015, 26 schools received funding under the initiative. It is estimated funding under the initiative

will total well over \$11.5 million.

- \$22 million over four years to the Flexible Literacy for Remote Primary School Programme to address the disparity in literacy outcomes of children in remote primary schools and their metropolitan peers through the delivery of two proven literacy teaching approaches (Direct Instruction and Explicit Instruction). Although the majority of Aboriginal and Torres Strait Islander peoples live in metropolitan areas, there is a higher population density of Aboriginal and Torres Strait Islander peoples in remote locations.

Under the National Partnership Agreement on Northern Territory Remote Aboriginal Investment (NTRAI) the Australian Government is investing \$287 million over 7 years (2015–16 to 2021–22) in improving student outcomes in the Northern Territory. This includes \$244 million to Government schools and \$42.6 million to the non-government schools sector.

In addition, the Australian contributed to the construction of a 40-bed boarding facility in Wadeye and is contributing to the Northern Territory Government's construction of another facility in Nhulunbuy in Arnhem Land. The new Nhulunbuy facility is expected to accommodate 40 students and will become operational in 2017.

Australian Government funding supports a number of initiatives to assist young Aboriginal and Torres Strait Islander people from regional and remote communities to access education and training. This includes mentoring initiatives such as the Australian Indigenous Mentoring Experience (AIME); intensive school-based academies to facilitate student participation in education (such as those delivered by the Clontarf Foundation and Role Models & Leaders Australia); and a range of scholarship and mobility projects (such as those delivered by the Australian Indigenous Education Foundation).

Higher Education:

Aboriginal and Torres Strait Islander people

Following on from the Review of Australia's Higher Education System (Bradley Review) and the 2012 Review of Higher Education Access and Outcomes for Aboriginal and Torres Strait Islander People (Behrendt Review), the Australian Government and universities worked together to reform supplementary programs assisting Australia's 15,000 Aboriginal and Torres Strait Islander university students. The Indigenous Student Success in Higher Education measure was announced in the May 2016 Budget, at a total cost of \$253.1 million over four years. The measure combines funding from the Indigenous Support Program; Commonwealth Scholarship Program; and tutorial support funded under the Indigenous Advancement Strategy into a single flexible program. From 1 January 2017, universities will have more capacity to design their scholarships, tutorial support and other assistance to ensure Aboriginal and Torres Strait Islander students are enrolling, progressing and completing their awards in greater numbers.

Subsequent to the Review of Higher Education Access and Outcomes for Aboriginal and Torres Strait Islander People, an Aboriginal and Torres Strait Islander Higher Education Advisory Council (ATSHEAC) was convened. ATSHEAC comprised members with both depth and diversity of experience and expertise across: Indigenous education; research and

research training; university governance; economics; business; public policy; the professions; and community engagement. The Council had majority Indigenous membership.

The Council's final advice was published on 10 December 2015 and includes recommendations to progress priority areas in Indigenous higher education. The Council also provided working papers on key areas of work, including:

- increasing the number of Indigenous academics
- outlining whole-of-university approaches to improving outcomes for Indigenous people at university
- Indigenous participation in science, technology, engineering, mathematics and business disciplines.

Work on implementation of the ATSIHEAC recommendations has been commissioned through projects funded under the Higher Education Participation and Partnerships Program. The National Aboriginal and Torres Strait Islander Higher Education Consortium (NATSIHEC) is working on one project addressing each of the recommendations. The Australian Council of Business Deans (ABDC) is working on a project focused on Indigenous participation in business disciplines. NATSIHEC are expected to report in December 2016 while the ABDC project final report is due in December 2017. The Australian Government is working alongside these projects to implement the ATSIHEAC recommendations and to improve higher education access and outcomes for Aboriginal and Torres Strait Islander people.”¹⁴

¹⁴ Australia. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). pp.17-22. Report accessible at: [http://www.unesco.org/education/edurights/media/resources/file/AUSTRALIA\(1\).pdf](http://www.unesco.org/education/edurights/media/resources/file/AUSTRALIA(1).pdf)

Bolivia (Plurinational State of)

Status of ratification

- **Convention against Discrimination in Education (1960)**

State Party since 17/08/2017

- **ILO Indigenous and Tribal Peoples Convention (1989)**

State Party since 11/12/1991

Constitutional provisions

“Accomplishments and social impact outcomes have been made in the legal field, the most significant strategic action in favour of indigenous peoples being the adoption of directives that enable the full enjoyment of their individual and collective rights. Among these, Article 78 of the Constitution states that, “Education is intracultural, intercultural and multilingual throughout the entire educational system””.¹⁵

Legislative provisions

“The participatory nature of society in the education system transformation process was reflected in the concerted establishment of the Avelino Siñani and Elizardo Pérez Education Law, which was developed in conjunction with social organizations, mainly with indigenous and aboriginal farming peoples, intercultural communities and Afro-Bolivian people. In this sense, the principles, foundations and policies that emerge from the new normative framework meet educational demands that reflect the cultural diversity of the country.

Furthermore, the General Law of Linguistic Rights and Policies, Law No. 269, promulgated with the aim of protecting, acknowledging, disseminating, developing and regulating the individual and collective linguistic rights of inhabitants of the Plurinational State of Bolivia strengthens the strategies aimed at the achievements of education for all (EFA) and all based on the criterion of decolonization.”¹⁶

Measures

“At the level of the right to education, progress by the Plurinational State of Bolivia in the field of protection of the rights of minorities includes: *“the development of eight regionalized curricula corresponding to indigenous and aboriginal peoples and 15 other curricula under development, the publication of 26 alphabets in indigenous languages, the development of*

¹⁵ Bolivia. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p.10. Original version accessible at: http://www.unesco.org/education/edurights/media/resources/file/Reporte_-_Convencion_relativa_a_la_lucha_contra_las_discriminaciones_en_la_esfera_de_la_enseanza-1960.pdf

¹⁶ Ibid, pp.10-11.

school booklets in 13 indigenous languages, research into the knowledge and know-how of 26 indigenous peoples, the establishment of three indigenous universities, scholarships and educational material for indigenous peoples, and lastly, the establishment of the Plurinational Institute for the Study of Languages and Cultures (IPELC) and language and culture institutes for indigenous peoples and nations.”

Bolivia constitutes a unique experience in various ways, including the regionalized curricula. The work is based on permanent coordination with: indigenous and aboriginal farming peoples, fathers, mothers, pupils, NGOs and private universities, among others. Finally, there is intergovernmental collaboration on several topics, including gender, social justice and the environment, among others.”¹⁷

¹⁷ Ibid, p.10

Brazil

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 19/04/1968
- **ILO Indigenous and Tribal Peoples Convention (1989)**
State Party since 25/07/2002

Constitutional provisions

“It is important to note that the Federal Constitution guarantees the political, cultural, educational and linguistic rights of indigenous peoples, regulated by Law No. 9.394/96, the PNE - Law 13,005 / 2014, and the National Education Council (CNE).”¹⁸

Legislative provisions

“The Quota Law was introduced in 2012 by the Federal Government (Law No. 12,711 of August 29, 2012). This law determines that 50% of places in Federal Tertiary Education Institutions shall be reserved for students graduating from public schools (Art. 1) and "self-declared blacks, mulattos and indigenous students, in an equal proportion to the number of blacks, mulattos and indigenous people in the population of the federative units where the institution is located, according to the last census of the Brazilian Institute of Geography and Statistics (IPGE) (Art. 3), within a maximum deadline of four years from publication of this law.”¹⁹

Measures

“Department for Continuing Education, Literacy, Diversity and Inclusion [SECADI]: its primary responsibility is to design and implement public policies that can contribute to combating educational inequalities at the basic and higher education levels, with particular emphasis on (...): Indigenous Schooling:

- **PROLIND (Program to Support Higher Education and Intercultural Teaching Degrees for Indigenous Populations):** This program aims to encourage and support the provision of specific degree courses for the training of indigenous staff for teaching in indigenous schools. The courses combine teaching, research and extension activities, and studies involving indigenous languages and cultures and the management and sustainability of

¹⁸ Brazil. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p.11. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/Relatorio_0448308_UNESCO_ENGLISH_9TH_CONSULTATION_13_OCTOBER_2016_003_certo_00000002.pdf

¹⁹ Ibid, p.66.

indigenous lands. The overall purpose is to train teachers to teach the final years of primary school in local community schools, and eventually to contribute to rolling out basic education to all indigenous schools. The course, focusing on different areas of knowledge, is divided into "University Time" on the [Federal Higher Education Institutions] (HEI) campuses and "Community Time". The latter involves HEI teaching staff traveling to indigenous territories to undertake activities combining formal teaching with a variety of indigenous educational practices. In 2014, this program provided funding to the tune of R\$12.8 million, and in 2015, R\$13.4 million, for 20 higher education institutions that received 2,580 trainees from indigenous communities. A total of 1961 indigenous teachers have already been qualified under PROLIND. In 2010, SECADI submitted to CAPES [Coordination for the Improvement of Higher Education Personnel] a proposal to create, under PIBID (the *Institutional Introduction to Teaching Scholarship Program*) the "PIBID Diversity" scheme to fund rural and indigenous teacher training for specific teaching degrees. The public announcement in 2013 referred to a total of 3,000 PIBID scholarships.

- **The Coordinated Actions Plan (PAR)** is a MEC [Ministry of Education] educational policy planning strategy platform that provides opportunities for state and municipal governments to prepare diagnoses and surveys that reflect their needs. One of the actions implemented through this program has been the provision of continuing training courses for indigenous primary school teachers and managers in partnership with state and municipal education secretariats and higher education institutions. To date, 4,274 teachers have benefited from 11 teacher training courses and 13 continuing teacher training projects.

- **TEES - Ethno-Educational Territories:** Created by Decree No. 6,861/ 2009, this policy focuses on the organization and management of school education for indigenous groups, while taking into account indigenous territoriality. The policy aims especially to engage indigenous groups in diagnosing and defining priority actions for developing education for this sector of the population. The relevant Decree defined the division of responsibilities for implementing actions agreed under an *Ethno- Educational Territory Action Plan* and underscored the requirement for public bodies to work together under a specific collaborative regime. The outcome was the *National Program of Ethnoeducational Territories* (PNTEE), established by Decree No. 1,062, of October 30, 2013. This consists of a set of Ministry of Education technical and financial support actions for organizing and strengthening indigenous school education as provided for in Decree No. 6861 of 27 May 2009. By 2014, 25 TEEs had been established, three are nearing agreement and 13 are still at the consultation stage. The PNTEE consists of six major policy areas: education management and social participation; differentiated pedagogies and use of indigenous languages; heritage, materiality and sustainability; professional and technical education; and higher and postgraduate education.

- **Indigenous Knowledge in Schools:** The Ministry of Education created the *Indigenous Knowledge In Schools Action* through Government Directive No. 1061 of October 30, 2013. Meanwhile, Government Directive No. 977, of October 3, 2013, amended that of July 4, 2012 (number 867), which established the *National Pact for Literacy at the Right Age*, and which also included consideration of the linguistic rights of indigenous peoples. These initiatives were developed jointly with invited specialists with experience in the field of

indigenous education, and who were familiar with indigenous teacher training. The section of the Pact "*Differentiated Instruction and Use of Indigenous Languages*" was particularly apposite: to promote the continuing education of teachers working in indigenous basic education; to provide teaching and learning resources that reflect the specific characteristics of indigenous community organization, multilingualism and interculturalism; to provide funds for developing curriculums, methodologies and evaluation processes to meet the specific literacy, numeracy and knowledge requirements of indigenous peoples; to research opportunities for producing bilingual and monolingual textbooks and materials in several languages, depending on the sociolinguistic situation of particular groups and the unique features of indigenous education. The continuing education offered to primary education teachers in indigenous schools is designed to reflect the bilingual /multilingual challenges and ethno-sociolinguistic complexities involved: (i) - literacy and numeracy in an indigenous language as a first language; (ii) - literacy and numeracy in English as a first language; (iii) - literacy and numeracy in indigenous languages or in English as a second or additional language; (iv) - indigenous knowledge and oral traditions. The implementation of the *Indigenous Knowledge in Schools Action* involves collaborative arrangements with the state and municipal education secretariats and HEI. The latter are directly responsible for the indigenous teacher continuing training process. In 2013-2050, the scheme was extended to 3,682 indigenous teachers and study counselors (also predominantly indigenous), linked to 309 indigenous schools involving 89 indigenous groups in 293 villages, 81 indigenous language speakers and 13 Ethnoeducational Territories. An important outcome of the entire process was the production of specific materials for indigenous education based on the sociolinguistic realities of the communities and schools involved."²⁰

"Permanence Scholarship Program: The goal of the "Bolsa Permanência" program is to provide financial aid to minimize social inequalities and assist graduate-level students in a situation of socioeconomic vulnerability to remain at university until they graduate. (...) The value of the scholarships for quilombo and indigenous students are guaranteed to be at least double the amount received by other students."²¹

"In addition to implementing the above programs and actions, SECADI also produces reference works covering the above and other themes. For example it runs the *Editais PNBE Temático* jointly with the FNDE under the aegis of the National School Library Program. The aim of this is to encourage publishers to consider selecting and publishing books based on the acknowledgment and valorization of human diversity in terms of the different characteristics of the people that comprise Brazilian society. It is expected that in 2016, collections of 45 books on Indigenous Peoples, Quilombo Communities and Rural, Youth and Adult Education, Human Rights, Environmental Sustainability, Special Education, Racial-Ethnic Relations and Youth, will be distributed to primary (final grades) and secondary schools."²²

²⁰ Ibid, pp.28-33.

²¹ Ibid, p.34.

²² Ibid, p.37.

“In terms of the implementation of actions focused on human rights education, Brazil chose to adopt an approach to curriculums based on the permanent mainstreaming of issues related to human rights, with emphasis on "the study of gender and sexual orientation issues, and indigenous and Afro-Brazilian cultures" at the primary and secondary school level.”²³

“The *Institutional Program for the Introduction to Teaching for Diversity* (PIBID-Diversity) aims to improve initial training for teachers for work in indigenous and rural schools. This program provides scholarships for students enrolled in undergraduate programs that address intercultural indigenous and rural education to enable them to develop didactic and educational activities in indigenous and rural schools at the basic education level (including quilombo schools and those in extractivist and riverine areas).”²⁴

²³ Ibid, p.74.

²⁴ Ibid, p.89.

Canada

Status of ratification

- **Convention against Discrimination in Education (1960)**
Not yet a State Party
- **ILO Indigenous and Tribal Peoples Conventions (1989)**
Not yet a State Party

Measures

“The need to build better data related to Indigenous learners is an essential component of the larger effort to eliminate the gap in academic achievement and graduation rates between Indigenous and non-Indigenous students. The Canadian Education Statistics Council (CESC) continues to develop indicators and explore a methodology for Indigenous self-identification that supports pan-Canadian data collection, analysis, and dissemination of information on Indigenous students. The provinces and territories, through their ministries of education and in partnership with their Regional Indigenous Organizations (RAOs) and local communities are making progress on indicator development at a provincial/territorial policy level to best serve the needs of their Indigenous populations.”²⁵

“The provinces, territories, and educational institutions, along with the Indigenous communities, have policies, programs, and collaborative arrangements to respond to the needs of Indigenous postsecondary students. For example, programs have been set up and designed especially for Indigenous students in education, law, business, and Indigenous studies. Special support structures may provide counselling meeting places, preparatory programs, and funding.”²⁶

“The Truth and Reconciliation Commission of Canada was created as part of the 2007 Indian Residential Schools Settlement Agreement to inform all Canadians about the legacy of Indian Residential Schools and inspire a process of reconciliation and renewed relationships based on mutual understanding and respect.

The federal government shares responsibility with First Nations for the provision of education to children ordinarily residing on reserve and attending provincial, federal, or band-operated schools. In 2013–14, Indigenous and Northern Affairs Canada (INAC) invested about \$1.58 billion to support about 108,000 First Nation students from Kindergarten to Grade 12 living on reserve.

²⁵ Canada. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p.6, para.13. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/CANADA.pdf>

²⁶ Ibid, pp.21-22, para. 81.

The Government of Canada has made a commitment to improving First Nation education on reserves. Two recent initiatives are worth noting:

- The Minister of INAC recently announced funding support for nine innovative projects that will result in new school facilities for over 20 First Nations communities across the country. (...)
- The First Nation Student Success Program (FNSSP) is designed to support First Nation educators on reserve (Kindergarten to Grade 12) in their ongoing efforts to meet students' needs and improve student and school results. The program supports activities that increase students' achievement levels in reading and writing (literacy) and mathematics (numeracy) and encourage students to remain in school (student retention). In 2011–2012 alone, 35 First Nation recipient organizations participated in the program, representing 472 First Nation schools across Canada.

The ministers responsible for education in the jurisdictions, working together as CMEC, have identified Indigenous education as one of their key activity areas within “Learn Canada 2020” (CMEC, 2008b), CMEC’s framework to enhance Canada’s education systems, learning opportunities, and overall education outcomes. Key activities for Indigenous education support the elimination of the gap in academic achievement and graduation rates between Indigenous and non-Indigenous students.

In February 2009, a summit on Indigenous education was held. The ministers discussed ways of strengthening Indigenous success in education with leaders of national and regional Indigenous organizations. In February 2011, a further meeting between ministers of education and national Indigenous organizations took place, with topics such as new initiatives and policies, data collection, and funding of Indigenous education. CMEC shared ideas on a new strategy for Indigenous education that provides for regionally appropriate work on pan-Canadian Indigenous-education data collection and research, teacher education, and knowledge transfer among all those involved in Indigenous education, as well as ongoing discussion with the federal government on Indigenous education issues. In December 2011, CMEC hosted the Educators’ Forum on Indigenous Education, “Sharing Evidence and Experiences in Indigenous Early-Childhood and K–12 Education: Programs, Policies, and Practices for Student Success.” The forum gathered educators and researchers from across the country to engage in face-to-face dialogue, exchange ideas with their colleagues and peers, and network on Indigenous early childhood and K–12 education. The forum was participant driven and structured around a series of case-study presentations on promising programs, policies, and practices. Forum participants examined programs, policies, and practices that have been shown to be effective in improving one or more aspects of Indigenous early childhood education and/or K–12 education.

Most recently, in June 2015, CMEC held the CMEC Indigenous Educators’ Symposium in Yellowknife, Northwest Territories. The symposium provided a forum for Indigenous educators to discuss, based on their own personal experiences, how best to attract more Indigenous people to teaching careers, encourage existing Indigenous educators to remain in the profession, support Indigenous students entering the field of education, and support all Indigenous educators in their training and career development. A delegation of six Indigenous educators and one Indigenous Elder from each province and territory were

invited to participate. Education ministers joined the proceedings to hear participants' thoughts on teacher recruitment, training, and retention in the context of Indigenous education in Canada.

Education ministers are currently implementing the CMEC Indigenous Education Plan 2015–2017. Currently, the plan includes work in four specific areas:

- supporting the professional development of Indigenous students interested in pursuing teaching as a career: considering teacher-training needs, sharing knowledge, and initiating dialogue among Indigenous and non-Indigenous educators;
- developing curriculum and teaching resources focused on Canadian history and the legacy of Indian Residential Schools for use in Bachelor of Education and teacher-education programs across Canada;
- sharing resources and promising practices in Indigenous education; and
- continuing to promote and encourage the development of resources that address the legacy and history of Indian Residential Schools within all K–12 education systems in Canada.

On April 9, 2013, Canada, Ontario, and the Nishnawbe Aski Nation (NAN) signed a memorandum of understanding (MOU) committing the parties to work together to improve the educational outcomes for First Nation students in First-Nation-operated and provincially funded schools. The MOU identifies five priority areas for collaboration: student support services, curriculum, governance and administration, human resources, and parental participation.

Measures adopted at the provincial level

In 2011, the Government of Saskatchewan and the Federation of Saskatchewan Indian Nations (FSIN) signed a historic agreement to establish a Joint Task Force on Indigenous Education and Employment. To ensure that the perspectives of Métis people were represented in the work of the Joint Task Force, a partnership was established with the Métis Nation—Saskatchewan (MN-S). Key goals were identified as part of this work, including improved early childhood outcomes and transition to school; increased high-school and postsecondary completion rates; improved participation in the labour force and employment; and greater quality of life and enhanced self-sufficiency. The joint task force issued its final report on improving education and employment outcomes for First Nations and Métis people, called “Voice, Vision and Leadership: A Place for All,” in 2013. The report included 25 recommendations, two of which were overarching: the recognition of First Nations and Métis languages and a holistic approach to actions and outcomes.

Alberta's Education Business Plan 2015–18 recognizes that “targeted supports and close collaboration with partners in education are required to realize the vision that all First Nations, Métis, and Inuit students in Alberta, including students residing on-reserve, achieve or exceed the educational outcomes set for Alberta students.” Five priority initiatives are devoted to eliminating the achievement gap between First Nations, Métis, and Inuit students and all other students:

- Support teachers and system leaders to learn about First Nations, Métis, and Inuit perspectives and experiences, the history and legacy of residential schools, and the treaties.

- Forge a partnership with First Nations, Métis, and Inuit leaders and collaborate to develop Alberta's Curriculum for Reconciliation, incorporating a variety of perspectives and experiences on the history and legacy of residential schools and the treaties.
- Collaborate with stakeholders to increase the number of First Nations, Métis, and Inuit professionals in education.
- Support the development of collaborative plans between provincial school authorities and First Nations and Métis communities.
- Implement new provincial standards for Education Services Agreements for First Nations students.

In 2013, Ontario's Ministry of Education released "A Solid Foundation: Second Progress Report on the Implementation of the Ontario First Nation, Métis and Inuit Education Policy Framework" (Ontario Ministry of Education, 2013). The report provided an overview of progress made on the Ministry of Education's Indigenous Education Strategy (2007), including Ontario's first baseline data on First Nation, Métis, and Inuit student achievement, "based on voluntary, confidential Indigenous student self-identification" (p. 4) for the 2011–2012 school year. The report also highlighted key priorities for the ministry, successes to date, and next steps for advancing the goals of Ontario's Indigenous Education Strategy.

In 2014, Ontario's Ministry of Education released the Ontario First Nation, Métis and Inuit Education Policy Framework Implementation Plan (Ontario Ministry of Education, 2014a) to build on the Indigenous Education Strategy and to guide the work of the ministry and school boards through to 2016. Specifically, the ministry committed to continuing to engage with First Nation, Métis, and Inuit partners to:

- share information on progress made in improving the achievement and well-being of First Nation, Métis, and Inuit students in closing the gap;
- explore opportunities for reciprocal data sharing to support a shared understanding of student demographics and the successes and challenges experienced by Indigenous learners;
- identify opportunities for collaboration and capacity building;
- support the ongoing review and revision of curriculum policy documents to embed First Nation, Métis, and Inuit perspectives and provide training in the implementation of the new curriculum; and
- help identify promising practices and targeted initiatives to improve student achievement.

In 2015, the Ontario Ministry of Training, Colleges and Universities (TCU) released "Achieving Results through Partnership: First Progress Report on the Implementation of the Ontario Indigenous Postsecondary Education and Training Policy Framework" (Ontario Ministry of Training, Colleges and Universities, 2015). In this first progress report on the implementation of Ontario's Indigenous Postsecondary Education and Training Policy Framework, 2011 (the framework), the ministry committed to releasing a provincial Framework Implementation Plan to build on the current Indigenous Education Strategy and framework implementation. This plan will be released in 2016.

An Indigenous Education Enhancement Agreement in British Columbia is a commitment made by each school district — involving all local Indigenous communities and the Ministry of Education — to work together to improve the success of all Indigenous students. The agreements are based on mutual respect and trust and represent a five-year vision of success for First Nation, Métis, and Inuit students in each school district. Enhancement agreements establish programs that reflect the culture of local Indigenous people and increase knowledge and respect for that culture among all students and staff. They emphasize the integral nature of traditional culture, language, and history to Indigenous student development and success. Decision making is based on collaboration and consensus reached through continuous dialogue, respecting the shared ownership of the agreement. Assessment is continuous and includes input from all the partners. An annual report from the Ministry of Education, entitled “Indigenous Report — How Are We Doing?” provides detail on all aspects of Indigenous educational achievement. In the 2015 report, the six-year completion rate for Indigenous students has shown a small but consistent improvement from 2010–11 to 2014–15.

Within Nunavut’s Department of Education, the Adult Learning and Educational Initiatives division is responsible for research, policy development, and strategic planning regarding the Nunavut Adult Learning Strategy (NALS). Recognizing that Nunavummiut adults face barriers to further education, training, and employment, the NALS recommended increased career development and educational services for Nunavut adult learners. In response, the Pathway to Adult Secondary School graduation (PASS) program was launched in November 2013 by Nunavut Arctic College, in partnership with the Department of Education in Nunavut. PASS gives adult learners a new route to earn the same Nunavut Secondary School Diploma (commonly known as the Grade 12 Diploma). The program targets adult students over the age of 19 who have not met the high-school-graduation requirements. Course content is delivered over distance using the Internet, with in-person support at local community learning centres.

The Northwest Territories’ Indigenous Student Achievement (ASA) Education Plan identifies strategic actions to eliminate the achievement gap between Indigenous and other students, which outlines 91 actions to be taken to improve Indigenous students’ education achievement. The plan was developed by an ASA Working Group, informed by six regional forums, further developed by the Department of Education, Culture and Employment (ECE), and endorsed by Indigenous and educational leaders. Its priorities include early childhood development and child care; family and student support; Indigenous language and culture curriculum and resource development; and literacy. In 2013, the ASA Status Report documented the investment of over \$4.5 million into ASA initiatives from 2009–10 to 2012–13. It also delineated actions taken on the priorities identified in the ASA Education Plan; current ASA projects and initiatives, including renewal of the Early Childhood Development Framework and new Kindergarten curriculum; and activities of the ASA community working groups.

Ministers of education recognize that greater educational success will enable Indigenous people to be active participants in their communities, strengthen their attachment to the

labour force, and enable them to be better prepared for an increasingly knowledge-based economy. The examples described here illustrate the scope of initiatives undertaken by the provinces and territories to address the critical challenge to inclusive education in Canada — the elimination of the gap in academic achievement and graduation rates between Indigenous and non-Indigenous students. Much has been achieved, but much work also lies ahead.

Ontario is taking steps to ensure that mandatory learning about residential schools, treaties, and the role of Indigenous people in its history and society is included in the curriculum, in an age- and grade- appropriate manner.

In response to the Truth and Reconciliation Commission (TRC) recommendations, the Ontario government is making a three-year annual investment (2016–17 to 2018–19) of \$5M. In collaboration with First Nation, Métis, and Inuit partners, this investment will support targeted resource development and educator capacity building to enhance (age- and grade-appropriate) learning and teaching of the history and legacy of residential schools, treaties, and the Indian Act (1876).

Through meaningful collaboration with Indigenous communities and organizations, key education stakeholders, and school boards, the Ontario Ministry of Education is committed to increasing knowledge and awareness of First Nation, Métis, and Inuit cultures, histories, traditions, and perspectives (including residential schools and treaties), through culturally appropriate pedagogy, curriculum, and professional development opportunities.

In the spirit of reconciliation, and in response to the TRC's calls to action, the Government of Alberta has committed to ensuring that all students and teachers will learn about the history and legacy of residential schools, treaties, and the historical and contemporary perspectives and experiences of First Nations, Métis, and Inuit people. Alberta is implementing Curriculum Standard 3, which requires First Nations, Métis, and Inuit (FNMI) content in all subject areas. This will provide all students with opportunities to increase intercultural understanding and diverse perspectives and experiences of the FNMI people living in Alberta. Alberta collaborates with FNMI Elders, knowledge keepers, and educators to support the development of Education for Reconciliation, FNMI pedagogy, and language and culture programs.

In the winter of 2016, the British Columbia Ministry of Education conducted research into existing racism on a province-wide strategy to address it. At the same time, the ministry conducted research into developing recommendations on systemic change to improve the success of Indigenous students and Indigenous education enhancement agreements. The recommendations from the anti-racism research indicate that no single province-wide strategy will address the various forms of racism and anti-racism practices across the 60 school districts in BC. School districts need to self-assess their own status regarding racism. The ministry and its education partners will develop an assessment tool for use by school districts. The results of this assessment will be the foundation for developing plans to address various forms of racism.

In British Columbia, the newly redesigned K–9 curriculum and the 10–12 curriculum has integrated relevant, authentic content regarding Indigenous culture, language, and history into all subjects at all grade and age levels. Regional dialogues throughout BC were held with Indigenous educators and community members on ways to encourage and share new teaching strategies and commitment from all educators to embrace the “if not here, where?” mindset. This was a call to action to sustain the conversation and to ensure that Indigenous voices are heard. The resource identifies characteristics of Indigenous world views and perspectives and how they can be implemented in educational settings. The ministry is currently undergoing a curriculum redesign process. During this process, the ministry ensured that there was Indigenous expertise on each of the subject area development teams to embed Indigenous perspectives and knowledge throughout the redesigned curriculum.

In December 2015, the Manitoba Collaborative Indigenous Education Blueprint was signed by Manitoba’s postsecondary institutions and the Manitoba School Boards Association. Signatories committed to collaborate, within the unique context of each institution, in the development, implementation, and evaluation of policies, procedures, and practices to advance Indigenous education and reconciliation. (...)

While great strides have been made to enhance data collection and dissemination across educational systems in Canada, there are existing data limitations. This section discusses the need to build better data related to Indigenous learners as an essential component of the larger effort to eliminate the gap in academic achievement and graduation rates between Indigenous and non-Indigenous students.

In 2012, a CMEC publication, “Key Policy Issues in Aboriginal Education: An Evidence-based Approach” (CMEC, 2012), examined how better data and evidence can be developed to support jurisdictions’ efforts to improve the academic achievement and attainment of Indigenous students in provincial and territorial elementary and secondary schools. The report identified data and evidence gaps through informant interviews with National and Regional Indigenous Organizations (NAOs and RAOs) and provincial and territorial departments or ministries of education and outlined concrete, cost-effective steps that jurisdictions could take to address these data and evidence gaps by leveraging available administrative and assessment data.

The initiatives highlighted earlier reflect Canada’s commitment to strengthening existing partnerships and working to improve the available data about and for Indigenous students. CESC continues to develop indicators and explore a methodology for Indigenous self-identification that supports pan-Canadian data collection, analysis, and dissemination of information on Indigenous students. The provinces and territories, through their ministries of education and in partnership with their RAOs and local communities, are making progress on indicator development at a provincial/territorial policy level to best serve the needs of their Indigenous populations.”²⁷

²⁷ Ibid, pp. 27-35.

Chile

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 26/10/1971
- **ILO Indigenous and Tribal Peoples Convention (1989)**
State Party since 15/09/2008

Measures

Several measures have been adopted by Chile in order to improve indigenous' right to education such as:

“Indigenous Grant (BI): this is a cash grant of \$203,000 per year, which is paid in two instalments at the beginning of each semester for students of indigenous origin. The requirements for application are: being of indigenous origin, certified by the National Corporation for Indigenous Development (CONADI) under article 8 of Decree No. 126/2005 of the Ministry of Education. It runs from the second cycle of primary education (5th year primary) to primary year 8 and from secondary years 1 to 4, and up to secondary year 5 for technical vocational training in an educational establishment.”²⁸

“In 2015, the Ministry of Education created a technical secretariat specializing in articulating the various initiatives and policies on intercultural matters. Notable among these is the implementation of the indigenous language sector in 1,200 educational establishments, for which MINEDUC supports 600 indigenous traditional teachers with training and contracts. In addition, there began the process of professionalization of traditional teachers in university institutions, continuing with the process of implementing the Decree on Traditional Teachers.”²⁹

“(…) Significant policies and strategies on teacher training and practice are being implemented, incorporating the gender perspective and intercultural approach: (…) By the design of teaching programmes aimed at traditional teachers from indigenous peoples, currently provide programmes in history, language and culture in schools and high schools with an indigenous population.”³⁰

²⁸ Chile. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p.11. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/CHILE.pdf>

²⁹ Ibid, p.16.

³⁰ Ibid, p.29.

“In the last few years, standards in favour of indigenous people in Chile have improved with the ratification of ILO Convention No. 169 signed in 2008 and now in force. Consultations on indigenous matters began in 2014.

Bilingual intercultural education programme: The programme somewhat emphasized a homogenous structure, aimed at the internalization of interculturalism in the school environment. The implementation of the indigenous language segment (launched as a pilot programme in 2009) has continued. Likewise, work is starting on linguistic and/or cultural revival for endangered and dead languages, such as Kawésqar, Yágan and LicanAntai, the objective being that in the not too distant future, it will be possible to implement the teaching of such languages in establishments. At this stage, the primary focus is rather on implementation in the curriculum and the programme is concentrating its efforts on indigenous culture and language learning in school, by expanding the coverage of language teaching and socialization through intercultural initiatives. These are implemented through their component parts.

Evolution of the curriculum: In 2006, the curricular framework for indigenous languages was created and approved (OF-CM) for primary years 1 to 8, and implemented from 2010 (Supreme Decree No. 280), in four of the most vital areas of endangered languages, Aymara, Quechua, Rapa Nui and Mapuzugun. Today, there are study plans and programmes for Aymara, Quechua, Rapa Nui and Mapuzugun respectively.”³¹

“Indigenous Peoples Day: The celebration of National Indigenous peoples Day involved all the community of the Ministry of Education, at central level, attendance of persons invited by indigenous peoples, dissemination of indigenous culture and knowledge and, fundamentally, promotion of intercultural education.”³²

³¹ Ibid, p.31.

³² Ibid, p.32.

Ecuador

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 05/03/1979
- **ILO Indigenous and Tribal Peoples Conventions (1989)**
State Party since 15/05/1998

Legislative provisions

“Article 29 of the Constitution provides that *‘the State shall guarantee the freedom of teaching, academic freedom in higher education, and the right of individuals to learn in their own language and cultural environment...’*, and in Article 57, number 14, the Constitution provides that the State must *‘develop, strengthen and enhance the system of bilingual intercultural education, on the basis of quality criteria, from early childhood stimulation to the highest level, in accordance with cultural diversity, for the safeguarding and preservation of identities in harmony with its teaching and learning methodologies’*. These articles guarantee the rights of communities, peoples and nationalities and set forth as an obligation of the State the linking of education to the intercultural environment.”³³

“Article 78 of the Organic Law on Intercultural Education provides that *‘the Bilingual Intercultural Education System gives viability to the exercise of the collective rights of communes, communities, peoples and nationalities; it is founded in the international, plurinational and multilingual nature of the State, in accordance with its public policies and international instruments and treaties.’*”³⁴

Measures

“The Ministry of Education provides specialized basic education programmes for young people and adults (...) One significant effort being carried out under the specialized basic education programmes for young people and adults is a literacy initiative consisting of three separate projects: the “Dolores Cacuano” literacy project, which uses native languages and targets indigenous populations in 19 provinces (...).”³⁵

“During the period 2015 to 2016, Ecuador had 1,834 bilingual intercultural educational institutions, which provided education to 156,027 students; it also has 13 educational institutions designated as guardians of the language, staffed by teachers who speak one of

³³ Ecuador. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p.28. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/ECUADOR.pdf>

³⁴ Ibid, p.29.

³⁵ Ibid, p.18.

the traditional languages of the 13 nationalities and who are able to give classes in the maternal language of the students, in accordance with the Constitution of Ecuador, which is multilingual and plurinational, and in which the following nationalities cohabit: Awa, Épera, Chachi, Tsa'chi, Kichwa, A'i (Cofán), Pai (Seco-ya), Bai (Siona), Wao, Achuar, Shiwiar, Shuar, Sapara and Andwa, which have the right to their own education. These nationalities live together with the descendants of the cultures: Valdivia, Huancavilca, Manta, Yumbo; and the Afroecuatorial, Montubio and Mestizo peoples.

These peoples and nationalities are in the process of revitalizing their traditional knowledge and wisdom. To that end, the system of bilingual intercultural education has been encouraging integrated education and assessment systems, flexible promotion and respect for each individual's pace of learning, taking into consideration psychosocial aspects and creative abilities, in order to go beyond assessment that focuses solely on logical-verbal skills and rote learning.

To that end, the model of the Bilingual Intercultural Education System, in building a cosmic vision during the life cycle, begins with the education of an individual by his or her family, continues with training for couples, and moves through the period of pregnancy, gestation, birth, growth within the family and, later on, in community education centres. The first part of basic education is called Community-Family Infant Education. Community-Family Infant Education units provide training to mothers and fathers and to the community on how to educate children from the moment that they are conceived. The other Community-Family Infant Education units aim to strengthen the semantic processes that promote the growth of abstract thinking, literacy, skill development, personality, construction of identity and self-esteem of children from indigenous groups and nationalities.

At the baccalaureate level, a multifaceted integral training in community and social living together is provided. This training prepares and guides young people from indigenous groups and nationalities for work, business ventures and access to higher education. It includes a baccalaureate in science and a technical baccalaureate, with its various specializations."³⁶

In relation to standards in institutions run by minorities, measures reported by Ecuador aim at:

- “(a) [Guaranteeing] an equitable distribution from the general State budget that ensures the functioning of the Bilingual Intercultural Education System in order to strengthen the quality of education;
- (b) [Ensuring] compliance with the principles and aims set forth in the Constitution, in international instruments and treaties, and in this Law;
- (c) [Guaranteeing] the institutional strengthening and development of the Bilingual Intercultural Education System;
- (d) [Ensuring] the creation of bilingual intercultural schools and guarantee their functioning in accordance with specific and technical needs;

³⁶ Ibid, p.29.

- (e) [Promoting] the training of bilingual and multilingual intercultural professionals in the specialty areas required by the country's communes, communities, peoples and nationalities; and,
- (f) [Complying] with international instruments and treaties for the execution of bilingual intercultural education programmes."³⁷

³⁷ Ibid, pp.29-30.

Guatemala

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 04/02/1983
- **ILO Indigenous and Tribal Peoples Convention (1989)**
State Party since 05/01/1996

Legislative provisions

“The Law on Education against Discrimination was issued to cover the non-discrimination of pupils in educational institutions. Decree No. 81-2002 of 28 November 2002. The Vice-Ministry of Bilingual and Intercultural Education was also established to cover education for indigenous people and non-discrimination in schools. Government Order No. 526 - 2003, 12 September 2003.”³⁸

“The National Education Law - ARTICLE 58. Pre-eminence. Education in indigenous languages of the local population shall be pre-eminent in all levels and areas of study.

The Law of National Languages that formalizes the use of indigenous languages in Guatemala. Article 13. Education. The National Education System, in both public and private sectors, shall apply in all processes, modalities, and levels, respect, promotion, development and use of the Mayan, Garifuna and Xinka languages, in accordance with the different characteristics of each linguistic community.”³⁹

³⁸ Guatemala. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p.1. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/GUATEMALA.pdf>

³⁹ Ibid, p.6.

Honduras

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 05/09/2013
- **ILO Indigenous and Tribal Peoples Convention (1989)**
State Party since 28/03/1995

Measures

“Fellowships based on socio-economic criteria were granted to 30 young post-graduate students from indigenous and Afro-Honduran peoples by the National Agricultural University (UNA) to conduct research in their own communities.”⁴⁰

“The Directorate General for Multilingual Intercultural Education (DIGEIM), established by executive decree No. PCM-M-024-2009, now called SDGEPIAH, is aimed at indigenous and Afro-Honduran people with the goal of organizing, coordinating and implementing bilingual intercultural education for all indigenous and Afro-Honduran communities in order to preserve and develop their languages and cultures in the educational process.

Ethnographic studies have been conducted on the Lenca, Maya, Chor'ti, Tolupán, Pesh, Garífuna, Tawhaka, Miskitu and English-speaking Isleño peoples.

Education strategies have been developed for the recovery, protection and development of the languages, cultures, sciences, technologies, arts, values, and so forth, of indigenous and Afro-Honduran peoples.

In 2016, 2,357 indigenous and Afro-Honduran children were included in the Preschool Education Universalization Plan.

The National Education Programme for the Indigenous and Afro-Honduran Ethnic Communities of Honduras (PRONEEAAH) was transformed into the Directorate General for Multilingual Intercultural Education (DIGEIM) by executive decree No. PCM-M-024-2009. There is now also a Sub-Directorate General for the Education of Indigenous and Afro-Honduran Peoples (SDGEPIAH) in accordance with the Fundamental Education Law.

Created in 2005, the Teacher Training Programme in Bilingual Intercultural Education (BIE) has, in cooperation with teacher-training institutes across the country, resulted in more than

⁴⁰ Honduras. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p.4. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/HONDURAS.pdf>

3,125 primary education teachers graduating with a specialization in BIE as of 2016. A bachelor's degree in bilingual intercultural primary education (teacher-training) has been created, benefiting 190 indigenous and Afro-Honduran young people. It is based in La Ceiba, Atlántida (the Garífuna people), Copan Ruinas (the Maya Cho'rti people) and Juticalpa, Olancho (the Pesh people) and brings together students from various indigenous and Afro-Honduran communities.

The teaching of mother-tongue languages is mandatory in 282 educational institutions in the country, with the technical support of an educational management information platform (SACE). The curriculum for preschool and primary education has been adapted so that it is appropriate and contextualized for indigenous and Afro-Honduran peoples.

Educational materials have been developed, including curriculum guides, textbooks in seven languages, textbooks in Spanish as a second language, literary texts and teaching guides, for students from preschool to sixth grade. Educational materials have been designed in the area of literature in indigenous languages, including 192,000 reading textbooks.

Monitoring and follow-up visits have taken place in 13 of the 18 departments in the country in order to take stock of the work being done in educational institutions in indigenous and Afro-Honduran communities, by BIE departmental coordinators, by district and municipal directors, and by BIE educational advisors.

The National Congress of Honduras is in the process of approving regulations on education for indigenous and Afro-Honduran peoples (BIE), revised by the Ad Hoc Committee, which will see the creation of 11 secondary education institutions in indigenous and Afro-Honduran communities in the country. There is also an infrastructure project for the Moskitia region of Honduras with approximately 3 million euros in financial support provided by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), a German organization for international cooperation."⁴¹

⁴¹ Ibid, pp.4-5.

Iran (Islamic Republic of)

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 17/07/1968
- **ILO Indigenous and Tribal Peoples Conventions (1989)**
Not yet a State Party

Measures

“Taking advantage of the capacities of lower/upper secondary, pre-university and nomadic education centers. Currently, the above schools play an invaluable role in preventing drop-outs of graduates of the primary fifth grade and lower secondary third grade and other students having no access to daily conventional schools in the deprived, under-populated and tribal regions of the Country. In these schools, students are supplied with three meals, dormitory and other educational and training facilities for free. The number of this type of schools has increased from 2111 to 3239 with a growth rate of 53.43% during the years of study, and the number of students enrolled by these schools grew from 350,201 persons in 2000 to 456,591 in the last year of study (2006) with a 30.38% growth.”⁴²

“Development of distance learning and semi-face-to-face education centers: These centers have been established by virtue of the Education Supreme Council's approval on developing more flexible curricula, such that the number of these centers has increased from 216 to 997 since their year of establishment in 2003 until 2006. More than 201,447 school-aged population of lower secondary, upper secondary and pre-university courses have enrolled in these schools only since 2006.

Distance learning and semi-face-to-face education has been taken into consideration by planners for many reasons such as: (...) mobile students in certain tribal regions. Therefore, it was accomplished as an efficient strategy for enrolling students.

Renting minibus and organizing central-village schools for transportation of students: there is no precise statistics on the extent of using this plan by students, however it has brought about positive developments for students in deprived, rural and tribal regions with a view to continuing their studies. It should be mentioned that the Ministry of Education has financed part or the entire expenditures and fare of minibuses or public vehicles that take students

⁴² Iran. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p.12. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/IRAN.pdf>

from rural areas where there is no lower or upper secondary schools to the education centers of nearby villages or towns.”⁴³

⁴³ Ibid.

Mexico

Status of ratification

- **Convention against Discrimination in Education (1960)**
Not a State Party to the Convention
- **ILO Indigenous and Tribal Peoples Conventions (1989)**
State Party since 05/09/1990

Legislative provisions

“Mexico has signed different international legal instruments that guarantee, promote and address the right to mandatory education for the indigenous community and for migrant families living in the country. Changes have also been made to the national legal framework and to public policies, to guarantee the wellbeing of indigenous children and adolescents, encouraging affirmative action that ensures gender equality.”⁴⁴

Measures

“In terms of the indigenous population during the 2015-2016 academic year (Source: SEP/DGEI), from a total of 1,669,978 students from indigenous education, at initial, pre-school, primary and secondary education levels, 849,729 were male and 820, 249 were female. One of the Federal Government’s challenges is to increase matriculation of women, especially in secondary and higher secondary education for the vulnerable population as well as continuing to strengthen gender equality in access and continuation of education. Another challenge is to retain students until they finish their education. School drop-outs are mainly noted in secondary education, the last part of basic education, and subsequent levels.”⁴⁵

“Another initiative is the promotion of a development and strengthening strategy for reading and writing with teachers and pupils from indigenous schools (basic level) based on the production, editing and distribution of artisanal and carton books. During the 2015-2016 academic year a total of 7.1 million monolingual, bilingual and plurilingual copies of these books in indigenous languages were produced for basic education. It is believed to be Latin America’s most ambitious production process totalling 675 book titles, based on social, cultural, ethnic and linguistic diversity. Educational activities were also employed to

⁴⁴ Mexico. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. p.6. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/MEXICO.pdf>

⁴⁵ Ibid, p.18.

academically strengthen indigenous teachers in 3,951 indigenous schools (initial, pre-school and primary education)."⁴⁶

"Another measure that adheres to two Presidential Pledges on the physical infrastructure of schools: CG-006 Granting decent educational buildings located in indigenous (...). With the first of these pledges, 7,689 educational buildings have been provided between 2013-2015, benefiting 1.2 million pupils. (...) It is also hoped that the Schools Excellence Programme (Escuelas al CIEN) will add a further 12,188 school buildings, located in indigenous communities, to fulfil the established sexennial goal (...)."⁴⁷

"In addition, from 2013 to 2015, with help from the Federation and state governments, the Decent Schools Programme worked on more than 16,000 educational buildings. It is worth highlighting the renovation of almost 7,800 schools in indigenous communities in the country (...). From 2016, the Schools Excellence Programme is continuing to manage these school buildings."⁴⁸

"The Mexican Government, through its National Scholarship Programme and the Support Scholarship for the Basic Education of Young Mothers and Young Pregnant Women, aims to provide appropriate help to underprivileged girls and their families to guarantee access to schools and to prevent them from abandoning their studies for financial reasons, which also contributes to reducing the levels of school drop-outs and encourages continuation and completion of studies. (...) Notable highlights include: (...) 4) from 2010 the grant has become a working strategy for educational inclusion and equity, which is why it is available in 546 of a total 1,037 indigenous municipalities listed by INEGI."⁴⁹

⁴⁶ Ibid, pp.5-6.

⁴⁷ Ibid, p.9.

⁴⁸ Ibid, p.12.

⁴⁹ Ibid, p.10.

New Zealand

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 12/02/1963
- **ILO Indigenous and Tribal Peoples Conventions (1989)**
Not yet a State Party

Legislative provisions

“The Education Act 1989 (the Education Act), as the primary piece of domestic legislation relating to education, and supporting regulations and guidelines provide a framework for an equitable education system. The right to education is provided for by section 3 of the Education Act, which provides for the right to free primary and secondary education (for all students aged 5-19). The Education Act also provides that students who have special education needs have the same rights to access the education system as those who do not. Schools are also required, in consultation with their communities, to develop policies, plans and targets to improve the achievement of Māori (indigenous people of New Zealand) students. (...)

In education, the Treaty of Waitangi provides legal protection for Māori learners' rights to achieve true citizenship as descendents of their iwi/tribe through gaining a range of vital skills and knowledge, as well as protecting te reo Māori (the Māori language). (...)

There are special provisions available for parents who wish to have their child educated in the Māori language. Section 155 of the Education Act provides for the establishment of kura kaupapa Māori (a kura is a school, and “kaupapa Māori” is a Māori philosophy and approach). These are state schools which use te reo Māori (the Māori language) as the medium of instruction. Special Character Schools can be established under section 156 of the Education Act. While this special character can include a range of educational philosophies or approaches, additional Māori-medium immersion schools are also established under this section of the Act. These are often referred to as kura-a-iwi or tribal affiliated schools.

Other legislation also provides for policies that assist particular groups where disparities exist, such as the provision of scholarships for Māori and Pacific Islanders. (...)⁵⁰

⁵⁰ New Zealand. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). paras. 1.5; 1.7; 1.13; 1.18. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/New_Zealand_Report_on_the_UNESCO_Convention_Against_Discrimination_in_Education_2012_to_2015.pdf

Measures

“There are a wide range of ECE services available in New Zealand. Teacher-led services include kindergartens, centre or home-based ECE, and parent-led services include playgroups, playcentre and kōhanga reo. Some services are culturally oriented, such as Te Kōhanga Reo (Māori language nests) or A’oga Amata (Pacific Island language nests).”⁵¹

“Although most Māori students remain within the mainstream education system, some take advantage of opportunities in Māori-medium education. In the school sector, these include kura (Māori-medium primary schools), wharekura (Māori-medium secondary schools) and kura reorua (bilingual and Māori language immersion classes in mainstream schools). Of Māori, 23% participate in Māori-medium education at ECE level, 12% at primary, and 5% at secondary level.”⁵²

“New Zealand has a range of population-based strategies that have a common goal of improving equity of student outcomes – the Māori Education Strategy Ka Hikitia – Accelerating Success 2013–2017, the Pasifika Education Plan 2013-2017, and Success for All – Every School, Every Child (for students with special education needs). The Tertiary Education Strategy 2014-2019 seeks further strengthening of the tertiary education sector’s focus on supporting improved achievement particularly for Māori and Pasifika learners.”⁵³

“Partnership Schools/Kura Hourua are a new type of school in the education system that focuses on Māori, Pasifika, learners from low socio-economic backgrounds, and learners with special education needs. These cohorts of students are currently underachieving in mainstream schools (refer to Question 2.3 later in this Chapter). Partnership Schools are governed by sponsors who can be from a range of backgrounds including businesses, philanthropists, iwi, community organisations, faith-based groups, private schools and culture-based educational organisations. Sponsors can also operate multiple schools. The Government is piloting a small number of Partnership Schools in areas of significant educational challenge and underachievement, with the first Partnership School having opened in 2014.”⁵⁴

“For post-school attainment of Māori and Pasifika learners, Ka Hikitia and the Pasifika Education Plan aim to increase the participation and achievement of Māori and Pasifika in tertiary education. The Ka Hikitia target to increase the attainment of an NZQF Level 4 or above qualification will contribute to meeting the target. Improvements have been made to the completion rates for NZQF Level 4 or above qualifications for Māori at age 25 years and under, but have been static at degree level. Achievement rates continue to be relatively lower than for the total population.

To increase NZQF Level 4 or above attainment, the Government is making changes at two levels:

- at a system level, TEC is incentivising providers to improve the participation and

⁵¹ Ibid, para. 2.16.

⁵² Ibid, para. 2.25.

⁵³ Ibid, para. 2.33.

⁵⁴ Ibid, paras. 2.35 and 2.36.

achievement rates for Māori and Pasifika students.

- at a practical level:
 - Participation and achievement in vocational training is being supported. For example the expansion of the Māori Pasifika Trades Training (MPTT)⁵⁵ programme from 600 contracted places in 2013 to 1,908 places in 2015. Budget 2015 has made provision for further expansion.
 - Improved quality, accessibility, and relevance of information about the benefits and outcomes of tertiary study. This will support learners to make well-informed decisions about what and where to study. Rate My Qualification will be introduced to help learners see which courses and qualifications employers' value.
 - Lifting student achievement at the foundation qualification level through Vocational Pathways, Youth Guarantee and secondary-tertiary interface activities.”⁵⁶

“(…)In recognition of the fundamental importance of education, the Government sets the following goals, known as national education goals (NEG), for the education system of New Zealand. There are 10 goals ranging across the education sector with the following goals being specifically designed to encourage an equal education system: (…)

- Goal 9: Increased participation and success by Māori through the advancement of Māori education initiatives, including education in te reo Māori, consistent with the principles of the Treaty of Waitangi
- Goal 10: Respect for the diverse ethnic and cultural heritage of New Zealand people, with acknowledgment of the unique place of Māori, and New Zealand's role in the Pacific and as a member of the international community of nations.”⁵⁷

“Due to the self-managing nature of schools in New Zealand, schools give effect to human rights education in a variety of ways as they develop their own curricula. One aspect of the curriculum that it is expected that all students will experience lies in the Social Sciences curriculum in the early high school years. It is expected that students will gain knowledge, skills, and experience to understand how people define and seek human rights.

The centre pillar of *Te Marautanga o Aotearoa* is the aspiration to develop successful learners who will grow as competent and confident learners, effective communicators in the Māori world, healthy of mind, body and soul, and secure in their identity and sense of belonging. They will have the skills and knowledge to participate in and contribute to Māori society and the wider world. As with the New Zealand Curriculum, schools give effect to peace and human rights education in a variety of ways as they develop their own school curricula.

Many schools choose to develop programmes in areas such as peace education, education for tolerance, or education for sustainable development. In some instances, schools may

⁵⁵ The MPTT is a new initiative that supports Māori and Pasifika learners to gain the skills and qualifications necessary to enter a New Zealand Apprenticeship.

⁵⁶ New Zealand. 2016. Report. paras. 2.60 and 2.61.

⁵⁷ Ibid, para 2.120

build their whole school focus and identity on approaches such as education for sustainability. All these foci will be evident to some degree in most schools as they are clearly supported by the *National Curriculum*.

The early childhood sector reflects an overarching deliberate and comprehensive approach toward the creation of a human rights environment, through the principles, strands, and goals of the national curriculum *Te Whāriki*. *Te Whāriki* has received international recognition and acclaim as the world's first holistic and bi-cultural early childhood education curriculum⁵⁸.

“The aims, purposes and objectives of a kura kaupapa Māori will reflect the Te Aho Matua philosophy (though this will not necessarily be true of older kura). Te Aho Matua is a Kura Kaupapa Māori learning and teaching approach, or a set of Māori philosophies that guides the teaching of the school. It was developed by the founders of Kura Kaupapa Māori to incorporate Māori cultural and spiritual beliefs, values and practices in its teaching and learning approaches, and complements state school requirements.

Kura teina is an initiative by a community which wants to establish a kura kaupapa Māori. The community will have prepared a business case, and has been formally accepted by Ministerial approval into the establishment process. During the establishment phase the kura teina is “attached” to, and mentored by, an established high performing kura kaupapa Māori (referred to as the kura tuakana).⁵⁹

“English, Māori and New Zealand Sign Language are official languages of New Zealand. English is the language used by the majority of the New Zealand population, and is the language of instruction in most schools. The diversity of the New Zealand population means that a variety of other languages are also spoken in New Zealand. (...)

The Māori language has a special place in New Zealand, and there have been efforts to encourage its greater usage in New Zealand, primarily through the Māori Language Strategy, initially promulgated in 1999. The Māori Language Strategy was revised and updated in 2003 and established a vision for the future of the Māori language.

Despite efforts by iwi and Māori, and by the Crown, the health of the Māori language remained fragile over the period under review. In the 1990s and 2000s, there was some stabilization of the number of Māori speakers recorded in the Census. However, the most recent Census results (2013) show a renewed decline in the number of Māori speakers, down from 24% to 21% of the Māori population. Less than 1% of other New Zealanders can speak Māori. These findings point to the need to renew and strengthen efforts to support the Māori language.

In late 2013, a suite of proposals for a new Māori Language Strategy was prepared in consultation with iwi and other Māori stakeholder groups. In May 2014, the Government's

⁵⁸ Ibid, paras 2.141-2.144.

⁵⁹ Ibid, paras. 2.163 and 2.164.

new Māori Language Strategy was approved, which: outlines the Crown's approach to revitalizing the Māori language; includes new result areas, indicators, targets, and principles; and confirms the roles of government. It includes an updated model for a Māori governance entity to be charged with leading and guiding the Crown's strategy for te reo Māori. In August 2013 the Ministry of Education released *Tau Mai Te Reo – the Māori language in education strategy 2013-2017* to ensure there is a connected and cohesive approach to education contributions that support and strengthen Māori language. The Ministry of Education and education sector agencies acknowledge their obligations to actively protect Māori language as a taonga guaranteed under the Treaty of Waitangi."⁶⁰

"(...)In addition, some educational programmes in the early childhood education sector that use Pacific Islands languages are also provided.

The Government has also recognized the need to support Pacific languages in New Zealand. According to the 2001 census, the proportion of Pacific peoples speaking their first language was 62% for Samoans, 54% for Tongans, 26% for Niueans and Fijians, and 17% for Cook Islanders. Figures from the 2006 and 2013 Census have shown a significant drop in the percentage of people speaking Pacific languages in New Zealand since 2001. According to the 2013 Census data, only 4% of New Zealand-born Cook Island population can now speak Cook Island Māori, only 7.5% can speak Vagahau Niue and only 18% can speak Tokelauan. Samoan and Tongan have always been higher but have also dropped for Samoans to 55% of the total population in New Zealand and Tongan to 53%.

The Government has an important role in preserving the Niue, Tokelau and Cook Islands Māori languages, in particular, because the majority of Cook Islanders, Niueans and Tokelauans live in New Zealand.

The Ministry has published language curriculum guidelines for early childhood centres and schools in the following languages: Samoan, Cook Islands Māori, Tongan, Niuean, and Tokelauan. Each curriculum is supported through community partnerships that contribute to the development of contextualized teaching and learning materials, and teacher capability. In the New Zealand Curriculum redevelopment project, Pasifika languages are positioned alongside key international languages such as French, Japanese, Spanish, and Chinese as languages of choice for schools and their students."⁶¹

"Results from the mid-point report on the Māori Education Strategy *Ka Hikitia – Accelerating Success 2013-2017* and the Pasifika Education Plan 2013-2017 show that improvements have been achieved, but that participation and achievement rates for Māori and Pasifika learners continue to lag behind those of the total student population.

The Government's education Better Public Service (BPS) targets have galvanised efforts in education and the wider social sector. There have been positive shifts for Māori and Pasifika learners against all three-education BPS targets.

⁶⁰ Ibid, paras. 2.168-2.171.

⁶¹ Ibid, paras. 2.174-2.176.

To continue to improve education outcomes for Māori and Pasifika learners, effort is required at key points along the education pathway. The five areas for focus include:

- participation in quality early learning;
- intervening early to ensure learning support is provided when required;
- achieving foundation skills in reading, writing, mathematics, (National Standards and Ngā Whanaketanga Rumaki Māori) and extending to include science and technology;
- participation, engagement, retention and achievement through secondary; and
- progression to higher levels of tertiary education and transitions through to the workforce.

In 2012, the Office of the Auditor-General (OAG) started a five-year programme of work to find out how well the education system supports Māori students to achieve their full potential.

The first report in the OAG series looked at how effectively Ka Hikitia had been implemented. It found the Ministry had missed opportunities in the implementation of Ka Hikitia, and made a number of recommendations for the Ministry, which the Ministry accepted. The report noted that, since 2010, there has been increasing work throughout the education sector to put Ka Hikitia into effort, and that the refreshed strategy Ka Hikitia - Accelerating Success provides an important opportunity to boost practice and results. The second report looked at relationships between schools and Māori whānau, as an important factor in achieving better outcomes for Māori students. It found that relationships were more effective when there is good communication, and that schools were more likely to believe that they have effective relationships with whānau than whānau were. The latest report – Education for Māori: Using information to improve Māori educational success, published as recent as June 2016, looks at whether schools and the wider education system manage and use data and information effectively to improve educational success for Māori.

The report raises some themes for the Ministry and the wider education sector, which the Ministry supports. In particular, it:

- is a strong independent call to increase and improve the collection, moderation, and use of centrally held data, especially student level achievement data
- makes an independent case for the updating of the Education Act 1989 – the analysis of school charters shows how current planning and reporting systems are not always effective at improving practice
- offers new insights on the characteristics of high-performing schools and provides examples of best practice – including the observation that schools that use information better achieve better outcomes for Māori students
- shows that school-based factors drive achievement by demonstrating variation in results for similar children at similar schools
- gives some recognition of improving Māori educational performance.”⁶²

⁶² Ibid, paras. 3.6-3.13.

Norway

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 08/01/1963
- **ILO Indigenous and Tribal Peoples Convention (1989)**
State Party since 19/06/1990

Legislative provisions

“In recent decades, the Sami rights in Norway have gradually been recognized in legislation. Pursuant to the Sami Act, the Sami and Norwegian languages are languages of equal worth. They shall be accorded equal status pursuant to the provisions of chapter 3 of the Sami Act. Some of the provisions are limited to the administrative district for Sami languages, others do not have such geographic limitations. The Act states that the Sami languages may be used in official contexts, and that official information must be adapted for the Sami population. However, challenges arise in connection with the practical implementation of language rights.”⁶³

“The Kindergarten Act states that the institutions in their daily operation shall take account of children’s age, level of functioning, gender, and social, ethnic, and cultural background, including the language and culture of Sami children”.⁶⁴

Measures

“In 2009, the Government presented an Action Plan for the Sami Languages. The Action Plan includes measures to strengthen tuition in the Sami languages in day-care institutions and in primary and secondary schools. Sami pupils keep their educational rights also if they transfer between one school and another, and if they live outside areas with large Sami population groups.

The Government appointed a public committee to study legislation, measures and schemes for the Sami languages in September 2014. Among other things, the committee will look at the Education Act provisions on education in the Sami languages. The committee's final report will be presented on September 8, 2016.

⁶³ Norway. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). p.18. Report accessible at: http://www.unesco.org/education/edurights/media/resources/file/Final_version_9th_report_on_Convention_against_Discrimination_in_Education_-_pdf

⁶⁴ Ibid, p.8.

The municipalities are responsible for ensuring that kindergartens for Sami children in Sami districts are based on the Sami language and culture. In other municipalities steps shall be taken to enable Sami children to secure and develop their language and their culture. As reflected in the white paper to the Sami Parliament on kindergartens for Sami children in 2012, recruiting kindergarten staff with Sami competence is a persistent challenge. Measures were proposed to amend this as well as developing educational materials to support good practice. The Directorate for Education and Training will have a role in following up relevant strategies put in place in collaboration between the Sami Parliament and the Ministry of Education and Research.”⁶⁵

⁶⁵ Ibid, p.18.

Sweden

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 21/03/1968
- **ILO Indigenous and Tribal Peoples Conventions (1989)**
Not yet a State Party

Legislative provisions

“Specific minority language legislation applies to certain geographical administrative areas for Sami, Finnish and Meänkieli. Under the Act on National Minorities and National Minority Languages (2009:724), individual citizens are entitled to use Sami, Finnish and Meänkieli in their dealings with the authorities and courts of law and in certain geographical areas. Article 10 of the same Act entitles individuals to use Sami and Finnish for written communication with e.g. the Equality Ombudsman. Parts of the website of the Equality Ombudsman (www.do.se) and the Swedish Schools Inspectorate (www.skolinspektionen.se) are translated to the national minority languages.”⁶⁶

Measures

“The aim of Sámi schools is to offer Sámi children a Sámi education where they learn about Sámi culture, history and traditions, as well as the Sámi language. Education in Sámi schools corresponds to education up to year 6 of compulsory Swedish school. The Sámi Education Board (Sameskolstyrelsen) is a government agency, and therefore the State is the responsible authority for Sámi schools. Pupils often continue their education in years 7–9 of compulsory school in a municipal school with integrated Sámi education.

The Sámi Education Board was established in 1981 by decision of the Riksdag. The Sámi Parliament appoints chairs and members of the Board and the Director of Schools. The Board has a secretariat located in Jokkmokk that is led by the Director of Schools. In addition to education, the Sámi Education Board also promotes the development and production of teaching materials for Sámi teaching. The Board also assists municipalities with outreach activities among the Sámi and provides information about Sámi schools and Sámi teaching in the municipal school system. Activities are regulated by the Education Act. The Sámi Education Board may also carry out the municipality’s duties in preschools for Sámi children by agreement with the municipality.

⁶⁶ Sweden. 2016. Online Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). pp.14-15. Report accessible at: <http://www.unesco.org/education/edurights/media/resources/file/SWEDEN.pdf>

There are five Sámi schools, all located in municipalities in the administrative area of protecting and promoting the Sámi languages in correspondence to the Minority Language Act. Teaching in Sámi schools is conducted in three variants of the Sámi language, Lule Sámi, Northern Sámi and Southern Sámi, as both a first and a second language, and in Swedish, as both a first and a second language. There are preschools and out-of-school centres at all Sámi schools.”⁶⁷

“Finnish, Sámi, Meänkieli and Romani Chib are university level subjects with few enrolled students. The Government finds this worrying, due to the importance of teachers in the school system who can teach the national minority languages. In 2013, in order to ensure a supply of teachers in the national minority languages, the Government mandated some universities to develop teacher education in national minority languages. In order to ensure the continuation of this process, the Government has allocated a further SEK 1.5 million to teacher education in Finnish, Meänkieli, Sami and Romani chib, leading to a total allocation of SEK 2 million per language annually.

Mother tongue tuition and bilingual tuition have an important role to play in supporting and strengthening the minority languages. Pupils in compulsory or upper secondary school can receive mother tongue tuition in a national minority language, provided that there is a suitable teacher available. No other prerequisites apply to pupils belonging to a national minority. (...)

There is also a possibility to arrange classes with bilingual tuition. A municipality or an independent school can arrange bilingual tuition in school years 1–6 for a group of pupils entitled to mother tongue tuition. A maximum of half of the teaching hours may be used for teaching in the mother tongue. (...)

Furthermore, the Government is taking measures to provide teaching materials in the national minority languages. For example, the Sami Education Board has been given further funding to produce such materials. The Swedish National Agency for Education has been tasked by the Government with producing teaching materials in accordance with the new curriculums for national minority languages.”⁶⁸

⁶⁷ Ibid, pp.13-14.

⁶⁸ Ibid, pp.14-15.

Venezuela (Bolivarian Republic of)

Status of ratification

- **Convention against Discrimination in Education (1960)**
State Party since 16/12/1968
- **ILO Indigenous and Tribal Peoples Conventions (1989)**
State Party since 22/05/2002

Legislative provisions

“It was not until 1999, with the new Constitution of Venezuela, that the collective rights of these social groups were reaffirmed by being set in its tenets as a multicultural and multi-ethnic legal instrument. In that Constitution, significant recognition was given to these groups through provisions establishing the right to indigenous peoples’ own education, the recognition of ethnic identity, their own culture, language and respect for their ancestral and innovative knowledge.

On 28 July 2008, the Law on Indigenous Languages was published in the Official Gazette. The law ratified the compulsory nature of teaching indigenous languages in all public and private educational institutions located in indigenous areas, thus ensuring their own education and an education system in accordance with the principle of interculturality.”⁶⁹

Measures

“The Ministry [of the People’s Power for Education], ensures access to pedagogical practices for the education of indigenous, Afro-Venezuelan and migrant peoples and communities, through a gender equality approach. This process is based on the principle of intercultural education, applied to comprehensive education, teachings, lessons and specific practices in socialization processes and the development of wisdom and knowledge about fundamental elements of diverse indigenous, Afro-descendant and migrant cultures and communities.”⁷⁰
“Venezuela has the privilege of being one of the pioneering countries in the area of bilingual intercultural education for indigenous peoples. (...)It is important to note that monolingual and bilingual textbooks and teachers’ guides have been published in indigenous languages such as Bari, Baré, Yaruro, Kariña, Wayuu, Warekena, Baniva, Warao and Curripaco. Of particular interest are the Constitution published in the Wayuunaiki language, the Warao Educational and Instructive Guide in multimedia format, and the publication of bilingual instructions for the implementation of the Kariña Pedagogical Guide.”⁷¹

⁶⁹ Venezuela. 2016. Report submitted for the Ninth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2015). Unofficial translation. pp.14-15. Original version accessible at: <http://www.unesco.org/education/edurights/media/resources/file/VENEZUELA.pdf>

⁷⁰ Ibid, p.5.

⁷¹ Ibid, p.6.

“The School Food Programme (PAE) is a social investment aimed at providing the school-age population with good nutrition in preschool, primary and secondary schools, in the free early education schools called Simoncitos, as well as in special education and education for rural and indigenous pupils. In practice, various types of school, family and community kitchens and meal services are offered. This nutrition policy continues with the university cafeteria programme. (...)”⁷²

“The Robinson Mission was launched in 2001 with two objectives, namely literacy and post-literacy (continuation). To teach people how to read and write, an educational method called “Yo sí Puedo” (Yes, I can) is used. It is based on numerical and alphabetical connections and uses primers, audiovisual technology (television and video classes) and linking lessons with reality. This initiative is named Robinson. The second phase, Robinson 2, was launched in 2003. It is the “battle” for sixth grade, seeking to ensure that students continue to the sixth grade, both the newly literate and those who have dropped out of the school system. The Robinson 3 Mission was subsequently rolled out, centred on lifelong learning through work-study circles. As of 2005, the Robinson Mission had successfully taught 1,500,000 people how to read and write, a historic number. The Mission teaching materials have been translated into several indigenous languages such as Jivi, Ye'kwana, Kariña and Warao so that reading and writing can be taught in indigenous communities. . The Mission has developed content for people deprived of their liberty in prison settings, as well as a Braille version of the primer for people with visual functional diversity. Currently, the Mission is continuing to work to prevent the resurgence of illiteracy through post-literacy activities and pedagogical action for a small group of people who are lagging behind.”⁷³

“ (...) [T]he Ministry of the People's Power for Education, through the General Directorate for Intercultural Education develops programmes for the comprehensive education of indigenous and Afro-descendant peoples and communities, valuing their languages, world views, values, wisdom, knowledge and mythologies, among other things, as well as their social, economic, political and legal organization. All of these elements constitute national heritage and a cornerstone of interculturality in the Bolivarian education system and in the full meaning of Venezuelan identity.

One of the most significant advances in the area of bilingual intercultural education has been the development of educational guidance materials for teachers, which combine enshrined aspects such as indigenous peoples' world views as contributions to and references in the whole historical and cultural process of our country; and the recognition of their own knowledge and fundamental elements for strengthening bilingual intercultural education.”⁷⁴

⁷² Ibid, p.7.

⁷³ Ibid, p.11.

⁷⁴ Ibid, p.15.



United Nations
Educational, Scientific and
Cultural Organization

Education
Sector

Indigenous peoples' right to education

Among the many inequalities that indigenous peoples face, the lack of access to quality education is particularly blatant. The 2030 Agenda commitment to 'leave no one behind', brings new impetus to ensure that indigenous peoples' priorities are heard. In 2017, UNESCO adopted the Policy on engaging with indigenous peoples. Concurrently, as part of its mandate, UNESCO monitors the implementation of the 1960 Convention and Recommendation against Discrimination in Education. During the Ninth Consultation on the implementation of this instrument, several Member States reported upon measures they have taken in relation to the right to education for indigenous peoples. This document compiles practical examples extracted from these reports for information sharing and advocacy.