

**Background Note:**

**Policy Dialogue  
on  
Legislation for Right to Free and Compulsory Education**

# **Legislation for Right to Free and Compulsory Education**

## **Background Note**

The Constitution of Pakistan guarantees the right to free and compulsory education to every child from 5 to 16 years of age under Article 25-A. After the 18<sup>th</sup> Constitutional Amendment, Education has become the subject of provincial legislative list. It now rests with the Parliament and Provincial assemblies to legislate for the provision of compulsory education in their respective jurisdictions. The Parliament has passed the Act for Islamabad Capital Territory (ICT), but the provinces, including Khyber Pakhtunkhwa, have yet to finalize their draft legislations to ensure Free and Compulsory Education.

In case of Khyber Pakhtunkhwa, the provision of free and compulsory education is an enormous administrative and financial challenge. Although there are a number of provincial laws dealing with various aspects of access to and quality of education, but this is for the first time that provincial assemblies are required to legislate for Free and Compulsory Education in line with the spirit of Article 25-A of the Constitution of Pakistan. We understand that the legislation on the subject should clearly address and define the scope of concepts that have bearing on the effectiveness of the law. Moreover, the legislation should contain a robust implementation mechanism so that the right to Free and Compulsory education can be extended to every child in the letter and spirit of the constitution.

It is in this backdrop that the Institute of Social and Policy Sciences (I-SAPS) and Oxfam GB jointly organized a policy dialogue to debate various aspects of the legislation. The dialogue provided an opportunity to solicit the views of all stakeholders, leading to an informed debate for the framing of a comprehensive legislation on Free and Compulsory education in Punjab.

## **2. Aim and Objectives**

The broad aim of the policy dialogue was to debate various concepts, definitions and implementation procedures for a robust legislation on free and compulsory education in Khyber Pakhtunkhwa. Moreover, this dialogue also provided an opportunity to create an interface between citizens and legislators to collectively reflect on the topic and move forward for the enactment of the law.

## **3. Topics Covered by Speakers**

The topics covered in the policy dialogue included:

1. Legislation for Free and Compulsory Education: Some Conceptual Issues
2. Model Act - Right to Free and Compulsory Education

#### **4. Participants**

The participants of the policy dialogue comprised of key stakeholders i.e. parliamentarians, representatives of departments of finance and education, academics, civil society organizations, and media.

#### **5. Follow-up:**

The policy dialogue was not a standalone event. As a follow up, I-SAPS & Oxfam GB plan to actively engage with the policy community, legislators, politicians, public representatives in the province as the legislative process moves on.