

THE LAST LIFELINE?

Children's right to education in time of war

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1. Why education is essential

At the time of writing this article, the Russian invasion of Ukraine has been going on for almost a year. This is a crisis which demands our attention, and rightfully so. However, when we hear the word: “crisis” we instantly associate it with many things at once: inflation, famine, homelessness, death, families torn apart. While those are all devastating consequences of many historical events we have lived through during these past years, I would like to direct your attention to a long-term consequence of crises that is not often acknowledged at first: how wartime affects education. While it may be seen as a matter not particularly pressing in this moment, I wish to direct your attention to it, as well as to how countries could better their practices in order to advance the right to education, and why I believe such efforts contribute to carrying out an essential state function, a term which has sparked some debates under Article 4(2) TEU in the content of European integration.

1.1. Education's influence: the good and the bad

Firstly, I would like to start off with some statistics on how much education truly matters in a child's life, to what degree their future economic opportunities are affected, and how this ties into the future well-being of their entire country.

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According to data from the U.S. Bureau of Labor Statistics, earnings increase and unemployment decreases as educational attainment rises. Those with more education have higher earnings and lower rates of unemployment than those with less education.¹ Workers with a professional degree had the highest median weekly earnings (\$1,730) and lowest unemployment rate (1.5 percent) in 2015 of all groups examined. That is more than triple the earnings (\$493) and less than one-fifth the unemployment rate (8.0 percent) of workers with less than a high school diploma.² Similarly, in the European Union research suggests that the employment prospects of people with a higher level of education are significantly better,³ and that studying abroad could also contribute to positive developments later on in their career.⁴

This is important, as historically, war affected the most vulnerable members of society to the furthest degree. For any child that is born into a socioeconomically disadvantageous situation, an abusive household or other hardships, education is a lifeline: it is their way to escape their circumstances and bring about a better future for their own children. It means breaking the chains that bind them to poverty. In addition, these are the members of society who promote change in economics with their contribution to the workforce, as well as their business ideas. Fewer poor children mean higher satisfaction, general happiness, and fewer psychological issues later in life.

Sadly, it may be impossible to overcome the consequences of violent conflict if a family unit is unable to replace labor or capital. Not just death, but even disability can lead to negative effects which may last across generations if the impact on children's education and health is significant.⁵ There is vast research establishing that children who are affected by war in any shape or form are more prone to not complete their education even when there is peace. It was found that Zimbabwean children affected by the civil war in the 1970s completed less grades of schooling and/or started school later than those not affected by the shocks.⁶ The effects were similar in Rwanda,⁷ and elsewhere

¹ For further information see: <https://www.bls.gov/>

² Dennis VILORIO: Education matters, 2016. <https://tinyurl.com/2adf2ucs>

³ Employment rates of recent graduates, <https://tinyurl.com/vwe3pd5w>

⁴ The European Education Area, <https://europa.eu/eurobarometer/surveys/detail/2186>

⁵ Anne CASE – Christina PAXSON: Stature and Status: Height, Ability, and Labor Market Outcomes. *National Bureau of Economic Research Working Paper Series*, No. 12466, 2006.

⁶ Harold ALDERMAN – John HODDINOTT – Bill KINSEY: Long term consequences of early childhood malnutrition. *Oxford Economic Papers*, vol. 58, iss. 3, 2006. 450–474.

⁷ Richard AKRESH – Damien DE WALQUE: Distribution of Excess Mortality during the 1994 Genocide in Rwanda, *Journal of African Economics*, *Centre for the Study of African*

in the world in Colombia⁸ and in Cambodia.⁹ Worldwide, 250 million children live in areas affected by armed conflict; one in four of these children is not in school.¹⁰ More than half of the world's primary-school aged children out of school are estimated to live in conflict-affected fragile states.¹¹ In 2013,¹² of the 28.5 million primary school age children out of school in conflict-affected countries, 12.6 million live in sub-Saharan Africa, 5.3 million live in South and West Asia, and 4 million live in the Arab States.¹³ Naturally, the destruction of infrastructure, the absence of teachers and reductions in schooling capacity affect secondary schooling disproportionately. In *Côte d'Ivoire*, the International Rescue Committee is improving access for conflict-related out-of-school children through rehabilitation of 24 primary schools damaged during the 2011 political instability. In addition, it is training teachers in the Healing Classroom methodology, designed to care for and protect children in countries in the midst of conflict or post-crisis recovery and reconstruction.¹⁴

Some scholars found that due to concerns over safety, it is girls who suffer the greatest loss in this context.¹⁵ Sadly, sexual exploitation and gender-based violence – also mostly affecting women – are more common in times of war, so this concern is not without basis.¹⁶ A study reported that girls who are of school age during an armed conflict, are 12.3% less likely to complete mandatory

Economies (CSAE), vol. 19, iss. 2, 2010. 141–162.

⁸ Catherine RODRÍGUEZ – Fabio T. SÁNCHEZ: Armed Conflict Exposure, Human Capital Investments, And Child Labor: Evidence From Colombia. *Defence and Peace Economics*, vol. 23, iss. 2, 2012. 161–184.

⁹ Damien DE WALQUE: The socio-demographic legacy of the Khmer Rouge period in Cambodia. *Population Studies*, vol. 60, iss. 2, 2006. 223–231.

¹⁰ Susan RAQIB: Far-reaching Consequences of Wartime Attacks on Education. *Nature Human Behaviour*, vol 1. 2017. 768.

¹¹ The Hidden crisis: armed conflict and education. *EFA Global Monitoring Report*, 2011. <https://unesdoc.unesco.org/ark:/48223/pf0000190743>

¹² Children still battling to go to school, *Education for All Global Monitoring Report Policy Paper 10*. 2013. <https://unesdoc.unesco.org/ark:/48223/pf0000221668>

¹³ Attacks on Education: The impact of conflict and grave violations on children's futures, Save the Children, 2013. 2. <https://tinyurl.com/43xndn2n>

¹⁴ Inter-agency Network for Education in Emergencies: Creating Healing Classrooms. International Rescue Committee (IRC), 2011. <https://inee.org/resources/creating-healing-classrooms>

¹⁵ Olga SHEMYAKINA: The effect of armed conflict on accumulation of schooling: Results from Tajikistan,” *Journal of Development Economics*, vol. 95, iss. 2, 2011. 186–2002.

¹⁶ Maria T. DE JONG – Adriana G. BUS: Quality of book-reading matters for emergent readers: An experiment with the same book in a regular or electronic format. *Journal of Educational Psychology*, vol. 94, iss. 1, 2002. 145–155.

schooling as compared to girls who completed their schooling before the conflict started. Furthermore, the probability of completing the mandatory nine grades is 4% and 7% lower for boys and girls, respectively. Looking at the armed conflict which took place in Tajikistan between 1992 and 1998, the probability decreased by another 5% for girls born between 1978 and 1986 that lived in regions affected by the conflict during their schooling years.¹⁷ Due to destruction of industries and infrastructure, job opportunities for skilled labour in conflict-affected countries generally become scarce. Households may respond by educating boys rather than girls, as they are seen as the key to their survival.¹⁸ In 1996, UNICEF stated that from 1985-1996, 2 million children had been killed in war, 4-5 million had been left disabled or severely wounded, 12 million children were displaced or made homeless and 1 million lost their parents or were separated from them.¹⁹ The European Union Agency for Fundamental Rights also issued several reports regarding the situation.²⁰

1.2. Ukraine's children in Hungary

When it comes to the ongoing armed conflict in Ukraine, Hungary's school system has also been affected as it has been before, e.g. during the time of the South-Slavic (Bosnian) war. A few reports indicate that there are 268 kindergarteners and 1,050 primary school students who are refugees, in more than 600 institutions in Hungary.²¹ The number has probably fluctuated since these publications arose, with many families choosing to return despite the conflict, while others moved to other countries. Several problems can be identified which must be overcome in order to make sure that Ukrainian children can continue their education in Hungary as long as necessary. One of them is that few teachers speak the language well enough to teach these students. In addition, Ukraine has a 10-grade school system, as opposed to

¹⁷ SHEMYAKINA (2011) op. cit. 190.

¹⁸ Rubiana CHAMARBAGWALA – Hílcías E. MORÁN: The human capital consequences of civil war: Evidence from Guatemala, *Journal of Development Economics*, vol. 94(1), 2011. 41–61.

¹⁹ Machel study: 10-year strategic review of children and conflict in a changing world. United Nations Children's Fund (UNICEF), 2009. 19–20. <https://tinyurl.com/4wmev22t>

²⁰ The European Union Agency for Fundamental Rights (FRA): Contribution to the report of the OHCHR on the protection of children's rights in the implementation of the 2030 Agenda for Sustainable Development, <https://tinyurl.com/58apjdk4>

²¹ Barbara BENE: *Twelve Hundred Ukrainian Refugee Children Attending Camps in Hungary*, 2022.08.19. <https://tinyurl.com/yc43u6xu>

Hungary's 8-grade elementary school system, which can cause confusion as to what students need to be studying and what levels of knowledge they should be expected to have in order to be able to join the classes.

Some parents might have preferred to wait out the end of the war and then return safely, continuing educating their children there. However, in Hungary, Act CXC of 2011 on National Public Education states that education (kindergarten or school) is compulsory to asylum seeking and refugee children under the age of 16 staying or residing in Hungary. Children have access to kindergarten and school education under the same conditions as Hungarian children. There is a website providing useful information to those affected,²² and the government has taken on helping these families. Inside Ukraine, UNICEF and partners have also provided learning supplies to over 280,000 children and engaged over 760,000 in formal and non-formal education. In neighbouring countries, UNICEF and partners have together with local governments and refugee-hosting municipalities, provided access to formal and non-formal education for over 600,000 refugee children.²³ The UNHCR estimates that over 153,300 refugee children are unaccompanied minors,²⁴ with their opportunities for education being especially dire.

2. How the law may address the flaws

Now that I have set down the cornerstones of why the right to education is fundamental, I will take a look at how the law can hopefully help in this regard. International human rights law guarantees the right to education. The Universal Declaration on Human Rights, adopted in 1948, also echoes this sentiment with the proclamation in Article 26: 'everyone has the right to education'. Since then, this right has been widely recognised and developed by a number of international normative instruments, such as the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the UNESCO Convention against Discrimination in Education.

Of these, UNESCO's foremost standard-setting instrument is the Convention against discrimination in education which dates from 1960 and has so far been

²² Information for parents and families on enrollment in kindergarten and school for the academic year 2022/2023. <https://help.unhcr.org/hungary/help/education/>

²³ War in Ukraine: Support for children and families, UNICEF <https://tinyurl.com/yyzp56jb>

²⁴ Fleeing unaccompanied, UNCHR Refugee Agency, Hong Kong <https://tinyurl.com/yvysssf6>

ratified by 107 States. The Convention also acts as a cornerstone of the Education 2030 Agenda and Sustainable Development Goal 4 for education adopted by the international community. Through its programme on the right to education, UNESCO develops, monitors and promotes education norms and standards in relation to the right to education to advance the aims of the Education 2030 Agenda. Within its framework, guidance, technical advice and assistance to Member States in reviewing or developing their own legal and policy frameworks is provided. The organisation also supports and monitors States in their application of legal instruments, conventions, and recommendations through periodic consultations. As part of the monitoring, UNESCO works closely with the UN system and the Office of the High Commissioner for Human Rights. Furthermore, it advocates for and promotes the right to education through communication actions and research as well as studies on higher education, and digital learning. UNESCO aims to raise awareness on key issues such as the right to education of climate-displaced persons, non-state actors in education and the right to education of vulnerable groups.²⁵

It is not just the international level where this right is of great importance, but also the national level. Act XX of 1949, the previous Constitution of the Republic of Hungary had its Article 70/F. regulating this issue.²⁶ Currently the Fundamental Law of Hungary contains Article XI, which stipulates that education is a right and also an obligation until a certain age.²⁷ The law itself is not enough, however, if the system in place is not effective. A possibility to know if the system is adequate and thus a country provides satisfactory education for its citizens is measured by the 4A method.²⁸ This method focuses on four

²⁵ What you need to know about the right to education, 2022. <https://www.unesco.org/en/education/right-education/need-know>

²⁶ (1) The Republic of Hungary guarantees the right of education to its citizens.
(2) The Republic of Hungary shall implement this right through the dissemination and general access to culture, free compulsory primary schooling, through secondary and higher education available to all persons on the basis of their ability, and furthermore through financial support for students.

²⁷ (1) Every Hungarian citizen shall have the right to education.
(2) Hungary shall ensure this right by extending and generalising community culture, by providing free and compulsory primary education, free and generally accessible secondary education, and higher education accessible to everyone according to his or her abilities, and by providing financial support as provided for by an Act to those receiving education.
(3) An Act may provide that financial support of higher education studies shall be subject to participation for a specific period in employment or to performing entrepreneurial activities for a specific period, regulated by Hungarian law.

²⁸ Katarina TOMASEVSKI: Human rights obligations: making education available, accessible, acceptable and adaptable. *Laboratorio de Políticas Públicas*, 2009.

facets of right to education and rights in education: availability, accessibility, acceptability and adaptability.

Availability depends on factors such as fiscal allocations matching human rights obligations, schools matching school-aged children in numbers and teachers getting the necessary freedom to teach.

Accessibility means the elimination of legal and administrative barriers as well as of financial obstacles. It also entails identification and elimination of discriminatory denials of access and elimination of obstacles to compulsory schooling. This point raises important questions, as higher education for example is not always free. While the International Covenant on Economic, Social and Cultural Rights provides that higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education,²⁹ this does not include free education. This is a fascinating aspect of the issue for me, as it can be seen as a form of discrimination, when there are barely any or no scholarships provided by the states, because this means that talented students could potentially miss out on furthering their education due to financial concerns. Is that not an infringement of their right to develop themselves further? Is that not a loss for our economy as a whole? These are open-ended questions, which need further discussion.

Acceptability means the parents can choose education for their children. Minimal standards are enforced, such as language of instruction, freedom from censorship and recognition of children as subjects of rights.

Adaptability has quite a few facets to it, such as working with minority children, indigenous children, working children and children with disabilities. However, it also contains goals such as the elimination of child marriage, of child labour and prevention of child soldiering.

Worldwide, there are many initiatives trying to make sure children access their right to education. These include: Right to Education Initiative,³⁰ Pies Descalzos,³¹ Childhood Education International,³² Plan International,³³ Save

²⁹ International Covenant on Economic, Social and Cultural Rights Article 13.2.c

³⁰ <https://www.right-to-education.org/>

³¹ <https://fundacionpiesdescalzos.com/en/>

³² <https://ceinternational1892.org/>

³³ <https://plan-international.org/>

the Children,³⁴ The Education Trust³⁵ and many more. However, private organisations can only do so much compared to what the State can provide. There are several types of institutions in which a child can receive their education: public, religious or private. It is an interesting fact that in the United States of America for example, homeschooling is lawful in all fifty states. In *Wisconsin v. Yoder*, 406 U.S. 205 (1972),³⁶ the rights of Amish parents to keep their children out of public schools for religious reasons was supported. In 2021, the Conseil d'État ruled that the right to monitor the quality of homeschooling is a state function, its creation is not unconstitutional.³⁷

3. How is the right to education ensured?

What the right to education entails is that primary education is free, compulsory and universal, secondary education, including technical and vocational is generally available, accessible to all and progressively free, and higher education, accessible to all on the basis of individual capacity and progressively free. There are professional training opportunities as well. In addition, equal quality of education must be ensured through minimum standards. Quality teaching and supplies for teachers are also vital, despite the fact that many schools are sadly solely lacking in this department. Adequate fellowship system and material conditions for the teaching staff is another often overlooked, but key aspect of ensuring that children receive the best possible level of education. UNESCO also develops, monitors and promotes education norms and standards to guarantee the right to education at country level. The organization also advances the aims of the Education 2030 Agenda.³⁸ It works to ensure States' legal obligations are reflected in national legal frameworks and translated into concrete policies. It is important to ask what happens if States do not fulfill obligations. What are the options of UNESCO in these instances? International human rights instruments have established a solid normative framework for the right to education. All countries in the world have ratified at least one treaty that covers certain aspects

³⁴ <https://www.savethechildren.net/>

³⁵ Ivy MORGAN: Equal Is Not Good Enough, An Analysis of School Funding Equity Across the U.S. and Within Each State Nov 30, 2022. <https://edtrust.org/>

³⁶ *Wisconsin v. Yoder*, 406 U.S. 205 (1972)- Further information: <https://supreme.justia.com/cases/federal/us/406/205/>

³⁷ <https://www.conseil-etat.fr/Media/actualites/documents/2021/03-mars/435002.pdf>

³⁸ <https://www.unesco.org/en/education/education2030-sdg4>

of this right, therefore all States are held to account, through legal mechanisms. At an international level, human rights' mechanisms are competent to receive individual complaints and have settled right to education breaches this way. The person whose right has been infringed must be able to have legal recourse before the law courts or administrative tribunals.

Naturally, there are major challenges when it comes to ensuring that everyone can attain the right to education. Providing free and compulsory education to all is no small feat, especially in poorer countries. This is particularly true in times of crisis, for example when war rages across the region in which children once lived peacefully. Currently 155 countries legally guarantee 9 years or more of compulsory education, but only 99 countries legally guarantee at least 12 years of free education. Eliminating inequalities and disparities in education is essential. I would also add here that in peaceful times bullying is also one of the biggest factors why a child could stay away from school and stop their education too early. As such, it negatively affects future prospects of a child and thus has a huge impact when it comes to the right to education. This has many negative effects on that child's overall life, but the lack of tools that could stop bullying from happening is sadly costing us more than we could ever know. While only 4% of the poorest youth complete upper secondary school in low-income countries, 36% of the richest do. In lower-middle-income countries, the gap is even wider, as while only 14% of the poorest youth complete upper secondary school, 72% of the richest do. This shows that economic background has a huge impact on opportunities.³⁹

States need to strike a balance between educational freedom and ensuring everyone receives a quality education. This is why privatization is also a huge issue. Oftentimes, children who come from private schools and an affluent family background have considerable academic advantages compared to children who do not have similar opportunities. This becomes even more prevalent during times of crisis, as children who are well-off or have good family connections can get back on their feet more easily even after horrific trauma, then children whose families lost all means of supporting themselves.

The Education 2030 Agenda requires States to allocate at least 4-6 percent of GDP and/or at least 15-20 percent of public expenditure to education.⁴⁰ Quality imperatives are needed at a time like this, with religious communities,

³⁹ <https://www.unesco.org/en/articles/what-you-need-know-about-right-education>

⁴⁰ Mmantsetsa MAROPE: Quality and development-relevant education and learning: Setting the stage for the Education 2030 Agenda, *Prospects* 46, 2016. 1–3.

local communities and loved ones being able to finance the education of less fortunate youth. Immigrant and refugee children, especially in times like this, need support in order to not fall behind. It is also a sad reality that two-thirds of the estimated 617 million children and adolescents who cannot read a simple sentence or manage a basic mathematics calculation are in the classroom.⁴¹

Around 57% of Ukrainian refugee children were attending Czech primary schools in June. Unfortunately, this percentage is only around 25% when it comes to who attended kindergartens and secondary schools. Around 1/8 of children at primary school age, and 1/5 of children at secondary school age did not attend any classes. This is concerning information. According to 2/3 of the parents, children aged 3 and above could speak some Czech, which is most likely a direct result of them having to suddenly live in a completely different culture. Most children in primary and secondary schools study Czech, but in half of the cases the classes last only an hour a day. 2/3 of parents also say that their children are not integrated into a collective of Czech children, with only a handful of them participating in leisure activities, although there is a strong demand for such initiatives among Ukrainian parents.⁴² There have admittedly been educational inequalities in the Czech Republic's education system when it comes to Roma students during peaceful times too. In comparison with their non-Roma peers, Roma children's enrolment in preschool education is less frequent, which is detrimental, because the influence of preschool education is significantly beneficial for marginalised and materially deprived Roma children.⁴³ So what can we do in order to successfully ensure that the right to education is not infringed? Can we accept it as an undoubtedly important facet of child protection?

4. Is child protection an essential state function in the context of education?

After stressing how important the right to education is not just in a child's life, but also for the countries where the next generation will grow up, I feel

⁴¹ <https://en.unesco.org/news/what-you-need-know-about-right-education>

⁴² Daniel PROKOP: *Odmítání při zápisech, málo češtiny a aktivit pro děti: Problémy očima ukrajinských rodičů*, 2022. <https://www.paqresearch.cz/post/vzdelavani-ukrajinskych-deti-v-cesku>

⁴³ Roma Early Childhood Inclusion+ Special Report on Roma Inclusion in Early Childhood Education and Care, Czech Republic, <https://tinyurl.com/4f37wnjw>

it is of utmost importance to view the issue of child protection from a broader perspective. Until now I have focused on protecting this right of migrants and refugees, but it is also vital to take a look at how this right might be enforced when there is peace. This is crucial because states have to realise that they must make significant effort in order to ensure that this human right is provided for their citizens. An argument that we can use when advocating for positive change in this regard is that child protection, and by extension ensuring the right to education for youngsters, is that these concepts can be considered as conducive to the realization of one or more essential state functions. But what exactly is an essential state function and how could this concept be applied in a positive way?

According to Article 4(2) of the Treaty on European Union, examples of essential state functions are „ensuring the territorial integrity of the State, maintaining law and order and safeguarding national security. In particular, national security remains the sole responsibility of each Member State.” It is interesting to note that territorial integrity is also a part of what sovereignty means. While the two concepts are also strongly related, we can see that essential state functions embody powers and competences that are derived from sovereignty, which is an essential feature of a state, not one of its functions. The Hungarian Constitutional Court’s Decision 32/2021. (XII. 20.) states that sovereignty and constitutional identity are complementary concepts,⁴⁴ and only the core of sovereignty should be considered part of constitutional identity. The aforementioned concept of constitutional identity is an integral part of the conversation when we talk about essential state functions. These functions of the specific Member State cannot be given to the European Union under any circumstances, because of how integral they are. My hope is that further essential functions of the Member States will be clarified as time goes on, so that we have a more comprehensive list of what is considered as such. However, we can identify a few of them from taking a look at what functions are performed by every state, that derive from their sovereignty and play an integral

⁴⁴ Decision 32/2021. (XII. 20.) [99] In the interpretation of the Constitutional Court, constitutional identity and sovereignty are not complementary concepts, but are interrelated in several respects. The safeguarding of Hungary’s constitutional identity, also as a Member State within the European Union, is fundamentally made possible by its sovereignty. However, constitutional identity manifests itself primarily through a sovereign act, adopting the constitution. Taking into account Hungary’s historical struggles, the aspiration to safeguard the country’s sovereign decision-making powers is itself part of the country’s national identity and, through its recognition by the Fundamental Law, of its constitutional identity as well. The main features of State sovereignty recognised in international law are closely linked to Hungary’s constitutional identity due to the historical characteristics of our country.

part of their identity. What is equally important as the territorial integrity or the national security of a Member State? What function could never be given over to the EU in its current form?

To my mind, child protection is such a concept, also in relation to the context of education. While it can and should be performed by international organizations as well, at the end of the day it is integral and hugely important to the state itself.

Article 3 of the UNCRC includes among others the “best interests” rule and imposes a duty on states to ensure that manifold protection is enforced regarding children, and all appropriate measures are taken. In other words, the UNCRC here applies and relies on many essential state functions in decision-, law- and policy-making, which are necessary for the realization of the goals of the Convention.

In the US, the State has a duty to tend to the child’s overall well-being given the fact of intervention and removal of the child from his or her parents and their failure to safely parent their child.⁴⁵ This is specifically a duty, not a responsibility or a function of the state. This duty is crucial when it comes to the European Union’s Member States as well. All members of the Council of Europe have adopted the European Convention for the Protection of Human Rights and Fundamental Freedoms, and all European countries have ratified the UN Convention on the Rights of the Child.⁴⁶ This is important information, upon which we may build our understanding of how providing the right to education could be an essential state function of my home country, Hungary in particular.

For context, in cases of extreme child abuse or neglect, it is the state that deals with the consequences and attempts to administer justice in the face of an insoluble tragedy. In the UK and the Netherlands, inquiry committees were established to investigate and analyze serious fatal or almost fatal incidents, diagnose the problems, and present recommendations for legislative, administrative, and other measures when it comes to issues of child abuse.⁴⁷ I firmly believe that an integrated child protection system is invaluable to a country’s economic success, strength and success on an international scale,

⁴⁵ Allan J. COOKE: *State Responsibility for Children in Care*. (Thesis, Doctor of Philosophy.) University of Otago, 2014. 4.

⁴⁶ Mariëlle BRUNING – Jaap DOEK: Characteristics of an Effective Child Protection System in the European and International Contexts. *International Journal on Child Maltreatment: Research, Policy and Practice*, 4/2021. 231–256.

⁴⁷ Mariëlle BRUNING – Daniëlla ZLOTNIK: Cooperation and the right of child abuse victims to protection and health: Lessons from the Netherlands. In: J. DORSCHIEDT – J. E. DOEK (eds.): *Children’s rights in health care*. Brill, 2019. 301–333.

because such a system places the child at its center, endorses and promotes the values of the UN Convention on the Rights of the Child, and ensures that all essential actors and systems (e.g., education, health, family, welfare, justice) work together to prevent the various forms of violence against children and to protect children in these situations. However, this system can best be achieved if a state puts considerable effort into it. In my opinion, the right to education shall be provided by the state, this right cannot be transferred in its entirety to the EU, and it is just as important for a country's success as territorial integrity, which is specifically stated to be an essential state function.

5. Final thoughts

I hope that my humble contribution to this paramount issue will reach its intended purpose and help promote a healthy discussion among scholars about how child protection and specifically the right to education may be promoted and advanced, especially during a crisis. Hopefully, we can reach new heights in creating a better quality of education in our states after this tragedy is over. My aim was to give a more nuanced outlook on the regulation, social consequences and overall statistics involved in this issue.

While I find the standards set satisfactory in theory, I would propose treating this issue as much more significant, especially during a crisis. The longevity of the effects that arise when the next generation is deprived of what may be their last lifeline are dire and need our attention.