

Speech by *Liberté éducation*

to the UN Committee on Economic, Social and Cultural Rights

29 September 2023

Ladies and gentlemen,

Liberté éducation is here today because you are our only recourse. All our efforts to change the so-called "separatism" law have failed. The figures bear this out:

- 6144 refusals last year, 37% of which were for educational reasons alone. At this rate, between now and the start of the new school year, 18,500 children will be refused admission.

Prior to this law, each child was free to choose the educational path they wished to follow. Families were given a 2-year reprieve, with full authorisation until September 2024. Tomorrow, all these children risk being forced to return to school, with some académies refusing up to 90% of requests for authorisation, according to their own figures.

These children will therefore be forced to attend school, without any regard for the positive results of academic checks, since according to the Ministry's reports, more than 90% of initial checks are "satisfactory" from 2019 to 2022.

However, all appeals to the country's administrative courts have failed and have not been able to rule out an incredibly restrictive interpretation of the law, against the very will of the legislator and the reservation of interpretation of the Constitutional Council. The very possibility of going to the European Court of Human Rights is currently closed, as the remedies available have not been exhausted, and can take many years.

Faced with this situation, you are our only recourse.

You may think that Article 13.3 of the UN Covenant on Economic, Social and Cultural Rights primarily concerns schools. Yet it commits States parties to respecting the freedom of parents to choose schools for their children other than those provided by the public authorities. And to allow them to ensure the religious and moral education of their children in accordance with their own convictions. The Covenant also specifies its scope and objective: "*the development of the human personality and the sense of its dignity, and the strengthening of human rights and fundamental freedoms*". This is a clear affirmation of parents' freedom to choose a school other than the one offered by the State.

The French situation is marked by the domination of state education, conceived as a monolithic block in which the role of parents and freedom of education and conscience are increasingly flouted. Cumbersome regulations and overcrowded staffing levels make it difficult to put in place an individualised approach to teaching that is adapted to each child's specific situation.

Public schools do exist under contract, but they are also characterised by a lack of educational diversity, are denominational and ill-suited to the specific needs of certain children, are often prohibitively expensive and sometimes have a waiting list of several years, even though they cannot enrol more than 20% of children nationwide.

Non-contract schools account for just 3.3% of the total number of establishments, and are beyond the financial and geographical reach of a very large number of families.

In fact, home schooling is now the most accessible alternative for parents who want to exercise educational freedom and respect for their children's sometimes difficult specificities.

In France, 60% of homeschooling families earn less than €30,000 a year, **making homeschooling the most democratic form of education.**

This drastic reduction in educational freedom is combined with a massive collapse in the standard of public education, the failure of citizenship education and violence in schools.

A flagrant example of this was given in Versailles a few days ago with the suicide of a child who had been harassed, despite the parents' complaints.

At a time when the French Education Minister is talking about the "right to happiness" as part of the fight against bullying at school,

we urge you to support the suffering of so many families who have fallen victim to a law that was originally aimed at Islamic separatists.

On the sole pretext of Islamism, it is unfair to continue to exclude from the scope of economic, social and cultural rights parents who are socially very diverse and who practise a rich, diversified and individualised education. Moreover, there has been no evidence to suggest that the fight against Islamism could legitimately and proportionately involve abolishing homeschooling.

Today, France is the only country in Europe to force children aged 2 and a half to attend school, and recent announcements show a desire to introduce schooling from the age of 2.

Once again, the specific needs of children are not being listened to, nor are those of parents. In short, parents who want a different kind of education, children with illnesses, disabilities or learning difficulties that make it difficult for them to go to school, up-and-coming artists or sports stars who have to train for several hours every day, itinerant people, all the "originals" who take a different path and make a nation richer, today find themselves blocked, prevented, humiliated, excluded, without kindness, without listening, without empathy.

It is with confidence that we hand over our hopes to your Committee.

Above and beyond freedom of education, freedom of conscience is at stake, the pluralism of our democratic society is at stake, freedom of expression is at stake, and respect for the dignity of every child is at stake. Thank you for your support.